

The background of the cover is a photograph of an indoor basketball court. A coach in a black long-sleeved shirt and black pants stands on the left, gesturing with both hands raised and index fingers pointing upwards. In the center, a young woman in a teal sleeveless jersey and black shorts holds a basketball. To her right, another young woman in a black jersey is partially visible. The court has a wooden floor and a wall with horizontal wooden slats. A basketball hoop and backboard are visible in the upper left corner. The overall design is modern, with large yellow and blue diagonal stripes overlaid on the image.

# FORMS

Emerging Forms of Employment in Sport

**TOWARDS INNOVATIVE  
WAYS OF THINKING  
ABOUT SPORT  
EMPLOYMENT IN EUROPE**

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FORMS

Enabling Forms of Employment in Sport



# EXECUTIVE SUMMARY



# EXECUTIVE SUMMARY

## » ABOUT THIS REPORT «

This report is the first of its kind to explore the potential of new forms of employment to address some of the recruitment and retention difficulties which European sport organisations face.

The research was carried out by partner sport organisations based in five EU countries – Belgium, France, Luxembourg, Netherlands and Portugal over a two-year period (2021-2022) and was coordinated by the European Observatoire of Sport and Employment (EOSE). It was co-funded by the EU Erasmus+ Sport programme.

The report builds on work done by the European Foundation for the Improvement of Living and Working Conditions (Eurofound) which has been tracking and studying the emergence of new forms of employment across the EU since 2015. Eurofound looked at a number of industrial sectors, but not sport. Aware of the possibility that traditional forms of employment may be contributing to recruitment and retention problems in sport, the partners agreed to look more closely at employment in the sector and explore the possibility that new forms of employment could address at least some of these problems.

The report adopts the definition of ‘new forms of employment’ provided by Eurofound (2020):

*“Relationships between employers and employees that are different to the established one-to-one employment relationship.”*

The new forms of employment which the report covers are those categorised by Eurofound (2020) as follows:

- > **Employee sharing** – a group of employers hires out workers and is jointly responsible for them
- > **Job sharing** – one employer hires several workers to jointly fill a full-time position
- > **Voucher-based work** – an employment relationship and related payment are based on a voucher (generally acquired from a third party such as a government authority) rather than an employment contract
- > **Interim management** – a form of employment in which a company ‘leases out’ workers to other companies temporarily and for a specific purpose
- > **Casual work** – a type of work where the employment is not stable and continuous, and the employer is not obliged to regularly provide the worker with work but has the flexibility of calling them in on demand.
- > **ICT-based mobile work** – the employee or self-employed worker operates from various possible locations outside the premises of their employer (for example, at home, at a client’s premises or ‘on the road’ supported by modern technologies such as laptop or tablet computers
- > **Platform work** – the matching of supply and demand for paid labour through an online platform or app.
- > **Portfolio work** – small scale contracting by freelancers the self-employed or micro-enterprises who work for a large number of clients
- > **Collaborative employment** – a specific form of cooperation or networking among the self-employed that go beyond the traditional supply chain or business partner relationships.

# EXECUTIVE SUMMARY

## » CONTEXT FOR THIS REPORT «

The sport sector in Europe faces a number of opportunities and challenges in relation to employment and skills.

In recent years there is a growing recognition at European and national levels that sport can be a major contributor to wider goals in areas such as public health, social inclusion, education, employment and economic growth. Growing participation in health enhancing physical activity (HEPA) in particular is seen as an important priority by the European Commission and national governments.

There is a real opportunity for sport to establish itself as a strategically important player, but there are challenges. The European sport labour force needs to *grow* in response to these expectations and to *professionalise*. Sport organisations need more skilled and motivated staff. In an increasingly competitive labour market, potential recruits need to see working in sport as an attractive option which offers stable and financially rewarding employment, flexibility to meet personal circumstances, career progression and the continuous development of skills and competencies.

There is statistical evidence from EOSE's ESSA-Sport project (2019) that the European sport labour force has grown, but sport employers continue to emphasise the difficulties of recruiting and retaining *appropriately skilled staff*. In EOSE's 2018 European Employer Skills Survey, less than one third of employers reported that it was easy to recruit people with the right skills. Retaining staff was equally problematic. 44% indicated that staff were attracted away from their organisations by offers of better pay; 30% identified lack of career progression opportunities as a disincentive to retention; a further 30% felt lack of financial stability in their organisation made it difficult for them to offer workers traditional full or part-time contracts.

Through discussions with sector stakeholders, it became apparent that *traditional forms of employment* may be acting as a brake on workforce development and professionalisation, and more flexible and innovative approaches may be needed. Through the Eurofound reports, EOSE became aware that new and more flexible forms of employment were emerging across Europe. Predominantly, these have had an initial impact in sectors other than sport and therefore it was important to examine these new forms of employment and begin to evaluate their relevance to sport and the potential benefits and risks associated with them.



# EXECUTIVE SUMMARY

## » FORMS AIMS AND ACTIVITIES «

EOSE and the five national partners, therefore, established FORMS as a small collaborative transnational project with the following aims:

- > Analyse these new forms of employment in greater detail
- > Investigate their potential to address some of the challenges facing sport employers
- > Examine their advantages and disadvantages for employers, employees and consumers

The research consisted of the following activities:

- > Statistical analysis of the European sport labour market, its realities, tendencies and characteristics to identify factors relevant to new forms of employment **(Section 2)**
- > A detailed examination of new forms of employment and their possible application to the sport sector **(Section 3)**
- > Desk research into legal and regulatory frameworks and existing forms of employment in the five countries, emerging new forms of employment, the characteristics of the organisations and workers involved, reasons for adopting new forms of employment, their advantages and disadvantages and likely skills implications for employers and employees **(Section 4)**
- > National roundtable consultation workshops which gathered major sport sector stakeholders in the five countries to review the desk research findings, explore the employment difficulties they face, evaluate the potential of new forms of employment to resolve these difficulties and point to new employment practices emerging in their countries **(Section 5)**
- > Research and development of 12 case studies of emerging new forms of employment in sport and other sectors which illustrate why and how they were developed and the benefits and risks they present to employers and employees **(Section 6)**
- > Conclusions and recommendations **(Sections 7 and 8)**



# EXECUTIVE SUMMARY



## MAIN FINDINGS ON THE SPORT LABOUR MARKET AND EMPLOYMENT



When considering all the findings from the desk research, the national roundtables and case studies, the FORMS partners have drawn the following main conclusions.

- 1.** The EU and national governments continue to see the sport sector as an important contributor to a number of public health, social and economic goals. This requires the professionalisation of the sport workforce through more stable, paid employment which facilitates clearer career pathways and the continuing development of skills and competencies.
- 2.** Statistical analysis for the whole of the EU sport labour market shows:
  - > The European paid workforce has grown over the last decade, but there is evidence that organisations continue to face difficulties in the recruitment and retention of skilled staff; these problems are likely to have been increased by the impact of the Covid pandemic (during which paid employment in sport declined for the first time); whereas the sport workforce has grown, it may not be growing as much as needed, particularly in the recruitment of skilled and qualified workers
  - > The very high proportion of part-time contracts (almost one half of all paid employees) suggests that paid employment in sport tends to be more precarious or at least a 'side-line' that prevents clear career progression pathways and continuing professional development
  - > The relatively low (compared to all EU industrial sectors) proportions of women, who still take primary responsibility for child-care and other family responsibilities, may suggest that greater flexibility is needed to bring female sport employment in line with European averages
  - > Demographic analysis of paid EU sport workforce (compared to all EU industrial sectors) reveals relatively large proportions of young workers, those with higher levels of educational achievement, and self-employed workers; this suggests sport could be a fertile environment for the uptake of new forms of employment, particularly those which involve the use of new technologies and an entrepreneurial attitude and a skillset to match.



# EXECUTIVE SUMMARY

- 3.** The research carried out in the five FORMS partner countries suggests that one important factor that retards the growth of paid employment (and therefore professionalisation) concerns the particular features of the sport sector which require more flexibility in employment than those offered by traditional practices.
  - > There is a high number of small organisations, especially sport clubs, who have traditionally relied on volunteer staffing which is not governed by employment law and tends to be more flexible; transitioning from flexible volunteer arrangements to less flexible paid employment is a challenge
  - > These small, predominantly volunteer-run organisations often lack the administrative capacity to manage payroll and other human resource functions (e.g., recruitment, interviews, reviews etc.) needed to manage paid workers
  - > Some sport organisations are too unsure about financial sustainability to employ permanent staff
  - > Finding the money for permanent fulltime employment contracts might involve raising membership fees which might in turn reduce participation in sport, especially for economically disadvantaged participants; more cost effective and efficient methods are needed
  - > Work in sport organisations is often intermittent due to school holidays and seasonal sports
  - > Work often takes place in small packages – sometimes only a few hours per week, concentrated in the evenings and weekends
  - > Many specialist staff such as coaches and trainers already have full-time ‘day jobs’ in other sectors which often makes additional paid employment complicated and unattractive
  - > Employment in sport is often not seen as attractive due to the unclear career pathways caused by unstable and precarious work
  - > With European economies returning to ‘normal’ after the Covid pandemic, there is anecdotal evidence from the national roundtable consultation workshops that the labour market has become more competitive for employers and new ways of attracting skilled staff need to be explored.
- 4.** It is also the case that (in the five countries covered by FORMS) some aspects of employment legislation, often rooted in the traditional one-to-one employer/employee relationship, are acting as a brake on new forms of employment, labour market flexibility and the growth of paid employment.
- 5.** However, in the five countries examined by FORMS, it is clear that employment legislation is open to reform, especially when social partners in a sector get together in order to influence government. Therefore, there is the need to bring employers and employees together into a single forum for discussion, debate, strategic planning and lobbying to ensure labour law reform which will benefit both employers and employees.

# EXECUTIVE SUMMARY

- 6.** The desk research, national roundtables and case studies reveal that the new forms of employment identified by Eurofound 2020 have the potential to address many of the particular features and needs of the sport sector above, by introducing greater flexibility in the labour market, and indeed some of them are already being used by sport employers and the self-employed. The Covid pandemic tended to accelerate their uptake in sport and other sectors.
- 7.** However, the five national roundtable consultation workshops (which had very wide coverage of major sport stakeholders in the partner countries) indicate that awareness of the new forms of employment is low and that employers and employees would benefit greatly from more information, clear and practical guidance on new forms of employment, how to select those most appropriate to national and local circumstances and how to go about putting them into practice.
- 8.** In particular the new forms of employment present a number of advantages and disadvantages for employers and employees and that good practice guidance is needed so that the expectations, responsibilities and rights of both sides are properly respected.
- 9.** For new forms of employment to be successfully implemented, there is a need for new approaches to training and developing the workforce which include more emphasis on independent working and the ability of managers to supervise remotely, enhanced skills in micro-entrepreneurship, digital skills, versatility, creativity, problem solving and social skills.





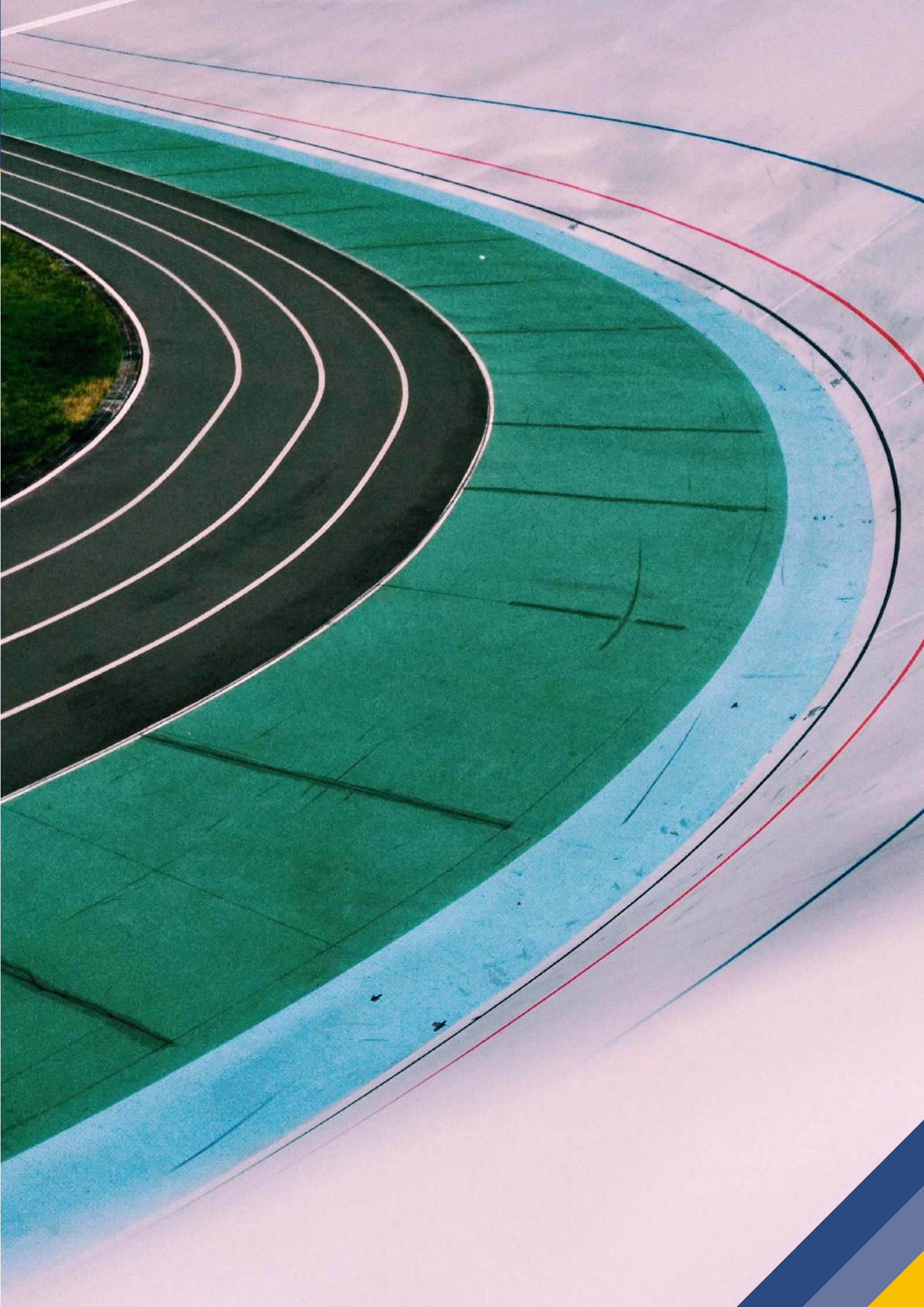
# EXECUTIVE SUMMARY

## THE CASE STUDIES: New Forms of Employment in Sport and Other Sectors – Advantages and Disadvantages

This preliminary research, in particular the case studies from the five countries, suggest the following new forms of employment have potential to address some of the issues summarised in Main Findings above. The detailed case studies can be found in **Section 6**.

Generally speaking, new forms of employment seem to have the potential to increase paid employment in the sector through more responsive and flexible working arrangements. However, each one has advantages and disadvantages for employers and employees and they need to be carefully evaluated before adopted as a solution. In some countries, existing employment legislation may be an obstacle to their implementation which also requires careful research.





# EXECUTIVE SUMMARY

## EMPLOYEE SHARING (CASE STUDIES 6.1, 6.4 AND 6.6)

### > Description

A group of employers (in France an Employers' Alliance, in Portugal and Luxembourg a sport federation) employs workers (very often coaches and trainers) directly and takes responsibility for their employment. They then make them available to other organisations (usually small sport clubs) based on the number of hours they are required in the club, and charge a fee based on those hours.

### > Advantages for Organisations

This form of new employment provides the level of flexibility which small organisations without the financial capacity or sustainability to offer permanent full- or part-time contracts when they only need these staff for a small number of hours per week. This can ease the transition from relying on voluntary labour and furthers professionalisation.

It also relieves the clubs of the administrative burden of employing staff for which they may lack the expertise.

On the whole, employee sharing reduces the reluctance of organisations to recruit new staff.

They can access staff who are appropriately qualified (the group of employers ensures that) and this raises quality. The staff they receive are more broadly experienced because they work in a range of different organisations.

### > Disadvantages for Organisations

The group of employers needs to take on responsibility for all aspects of employment. This can be complex when there are a number of employees working in many organisations.

The group of employers has to take responsibility for all employees hired in this way. If one member of the group fails as a business, the other members have to cover their expected contributions.

It requires remote monitoring and supervision.

The clubs receiving the shared employees often feel they have little loyalty or commitment to the club because they also work for others – some of whom may be competitors.

### > Advantages for Employees

Work is no longer precarious, and they can make a career in sport. The employee is guaranteed a permanent fulltime contract by the employers' group and has all the normal social protections which go with that. Because they work across a range of organisations, they gain more diverse experience. Career development is available to them.

### > Disadvantages for Employees

Most of the work still takes place in the evenings and weekends which may not be convenient for everyone. Contracts may not cover periods when there is little demand, for example summer holidays. Workers need to travel more and be able to adapt to different organisations and organisational cultures. Since they are mainly employed when organisations are busy, work can be intense and tiring.



# EXECUTIVE SUMMARY

## INTERIM MANAGEMENT (CASE STUDIES 6.3 AND 6.7)

### > Description

A company leases out workers temporarily and for a specific purpose. Both case studies come from Belgium.

In the first case, the leased employee, a highly skilled and experienced HR manager is leased from a finance corporation to a sport organisation on a temporary basis to help with their payroll and other HR functions. It is part of the corporation's social responsibility scheme to support the non-profit sector. Consequently, the fee it charges to the sport organisation is affordable and below market average for this type of expertise.

In the second case, a sport organisation employs workers (mainly coaches and admin staff) and leases these out to clubs on a flexible basis. This approach is also incentivised by social security exemptions for workers taking second jobs in the socio-cultural sector of which sport is a part.

### > Advantages for Organisations

The sport organisations can access specialist managerial support on a temporary basis when needed and at an affordable rate. Valuable expertise is not lost to society but is put to good use.

Sport clubs gain access to qualified coaches as and when they are needed. The exclusive use of qualified staff promotes quality improvement and professionalisation. Clubs are relieved of the administrative burden of managing the employment side of things.

### > Disadvantages for Organisations

The organisation leasing out the employee must create and manage sometimes complex service agreements with the receiving organisation. They also have to manage the employee remotely.

The organisation receiving the leased employee has less direct control over what they do.

In the case of leasing coaches, the employees must still receive the national minimum wage which some clubs say is too expensive.

### > Advantages for Employees

The employee has a great deal of freedom to choose a mission that interests them. It is an opportunity for experienced employees to contribute their skills to the community. If a mission proves not to suit the employee, they can return to their employer and seek something else.

### > Disadvantages for Employees

Leased employees need to adapt to new organisational cultures. Engagement with the organisation who receives them is not guaranteed and can be terminated at relatively short notice.

# EXECUTIVE SUMMARY

## PLATFORM WORK (CASE STUDIES 6.2, 6.11 AND 6.12)

### > Description

This involves matching supply and demand for paid labour through an online platform or app. This is still relatively underdeveloped in the sport sector. In Netherlands it originated in the early 21st century with the Dutch company that became Just Eat Takeaway in the hospitality/food delivery sector (Case Study 6.12). The platform connects consumers with the restaurants of their choice and food is delivered by couriers. Originally, the couriers were self-employed, but increasingly platforms of this kind either employ the couriers or use a mix of employed and self-employed workers.

The other Dutch example adapts this model to the sport sector by providing a platform for independent qualified football referees. When amateur clubs need a referee, they can find someone available for the game or tournament on the platform. The platform charges the club a fee, part of which is paid to the referee.

A similar approach is being used by a personal trainer in Portugal. Currently, they advertise their services on social media platforms who play no further part in the allocation of the personal trainer or his fees. However, it clearly has the potential for development into a full platform similar to the Dutch referee example.

### > Advantages for Organisations

Matching supply and demand through platform work can eliminate bottlenecks in the sport labour market, especially when workers are required for short-term missions. Sport organisations can very easily and flexibly access the skilled workers when and where they need them.

The platform takes care of the administration side of things.

In the case of the referees, they are qualified, so standards are improved; they are independent of the clubs who hire them and less likely to be accused of bias.

### > Disadvantages for Organisations

Platform work almost always involves the company who owns the platform charging a fee for their services which often means the cost of hiring an individual is above normal market rates for the job.

### > Advantages for Employees

Platform work offers fairly easy access to paid employment which for many people could be their entry into the sport labour market.

They can choose when and how they work, so the arrangement is very flexible for them, their personal circumstances and financial needs.

The platform takes responsibility for all the administration (negotiation of services, fees etc.) which they would otherwise have to do themselves.

### > Disadvantages for Employees

The setting of fees is outside of their control. They could possibly receive more if they were able to negotiate directly with the club.

The self-employed worker must take care of their own tax, social security and pension contributions and calculate fees which take account of these.

For self-employed workers, work can be precarious because demand rises and falls.

They lack holiday pay and may lack many of the social protections provided by permanent contracts. For these reasons, some of the larger and well-established platforms have been under pressure from workers and governments to move platform workers on to permanent contracts.

# EXECUTIVE SUMMARY

## ICT-BASED MOBILE WORK (CASE STUDY 6.5)

### > Description

Employees or self-employed workers operate from various possible locations outside the employer's premises (for example, from home, other organisations or 'on the road') and make use of modern technologies such as laptop and tablet computers to support remote working.

In the Dutch Case Study, this is referred to as 'hybrid working'. Whereas it was present in Netherlands before 2020, it expanded exponentially during the pandemic and now seems to be becoming a permanent feature of the employment landscape.

It is particularly applicable to sport administrators and managers who do not necessarily need in-person contact with others. The Dutch Royal Football Association is now setting up a pilot in which their staff can work in the premises of the nearest suitable amateur club, rather than having to come to its headquarters every day.

There is also evidence, particularly during the lockdown periods of the pandemic, that it was used quite extensively by personal trainers who provided online fitness sessions using software such as Zoom, Google Meet and Teams to people confined to their homes. This may have continuing potential after the pandemic to meet the needs of people who are unable or unwilling to attend fitness centres.

### > Advantages for Organisations

Studies undertaken in Netherlands suggest that this new form of employment actually raises employee productivity.

Organisations can save costs by reducing office space, energy costs and other overheads.

Organisations offering hybrid working can be more attractive to potential recruits. This is particularly important when the labour market becomes more competitive for employers.

### > Disadvantages for Organisations

Employers need to consider a range of legal, logistical and ethical issues to ensure the health, safety and security of these employees which may be quite different when there is one fixed place of employment.

Employers need to adjust their leadership styles to match this type of remote working.

Staff no longer work closely with each other, including their managers, which can reduce team spirit, mutual support, relationship building, learning on the job and absorbing organisational culture.

### > Advantages for Employees

The employee has a normal contract with all the advantages that brings.

They have greater freedom to choose where and how they work. This can be particularly attractive to workers with family responsibilities.

This new form of employment can help with work-life balance.

They save time and money on transport to and from the office.

### > Disadvantages for Employees

Employees can feel less supported by their organisation and find it takes longer to find solutions to problems that their colleagues could quickly solve.

They may not learn work practices so quickly because they cannot observe more experienced workers.

They can feel more isolated socially because they lose spontaneous informal contact with colleagues.

They may also find it harder to build effective working relationships with colleagues.



# EXECUTIVE SUMMARY

## PORTFOLIO WORKING (CASE STUDY 6.10)

### > Description

This is small scale contracting by freelancers, the self-employed and micro-enterprises who work for a large number of clients. In our Dutch case study, we find a group of personal trainers (Get Fit at Work) who are providing fitness sessions to office-based employees at their places of work.

### > Advantages for Organisations

Like platform work, this new form of employment provides a high degree of flexibility. The worker is available when and where they are needed. They do not need to pay the worker during downtimes or holidays.

Since the employer does not directly employ the worker, they have no responsibility for payroll, tax, social security, welfare and other HR functions. Everything is organised through a service contract.

### > Disadvantages for Organisations

Since the portfolio worker is not an employee, the organisation has less direct control over what they do and how they do it.

### > Advantages for Employees

The portfolio worker, like the platform worker, has a greater degree of flexibility and autonomy. They can structure their work according to their personal circumstances and financial needs.

It can assist a healthy work-life balance.

They feel more empowered. Since they have no boss looking over their shoulders, they can be more innovative and creative.

Since they work for a large number of clients, they enjoy a lot of variety in their working lives which can also broaden their experience and skillsets.

### > Disadvantages for Employees

The self-employed worker must take care of their own tax, social security and pension contributions and calculate fees which take account of these.

As self-employed workers, they usually do not have the same social protections such as holiday and sick pay and unemployment benefits. They lack a guaranteed income which may make it more difficult to rent or purchase property and take out loans.

Work is more precarious. They may need constantly to find and retain new clients which leads to anxiety and pressure.

Unless they work with other freelancers, they may lack the confidence which they would get from working in a team and may suffer loneliness as a result.

They need an enhanced skillset which they may not have received from traditional sport education and training to cover areas such as small business planning and administration, marketing, finance and negotiation skills.

# EXECUTIVE SUMMARY

## CASUAL WORK (CASE STUDIES 6.8 AND 6.9)

### > Description

Employment is not stable and continuous, and the employer is not obliged to regularly provide work but has the flexibility to call them in on demand. The report presents two contrasting approaches.

The first is the 'zero-hour' contract which has been extensively used in the hospitality industry in Netherlands. This provides an optimum level of flexibility for the employer but presents a number of serious disadvantages for the employee.

The second example, from France, demonstrates why highly flexible employment is needed in sport – for example to cope with seasonal sports. It also shows how traditional employment law can create real problems including putting workers outside of the legal framework, but it also shows how legislation can be reformed through social dialogue to maintain flexibility while protecting the rights of employees. In France, the introduction of 'CDII' into the Labour Code guarantees permanent 'intermittent contracts' with a fixed number of hours per year. An annual salary is calculated on the basis of the number of hours in the contract and monthly salaries are one twelfth of the total. In this way, the worker has all the advantages of permanent employment, for example, stability and a guaranteed monthly income, paid holidays, pensions etc.

### > Advantages for Organisations

In the zero-hour work scenario (as presented in the Dutch hospitality case study) employers have a great deal of flexibility, only needing to call on workers and pay them for their labour when they are needed.

In the case of the French intermittent contract, organisations still have the flexibility to respond to rising and falling seasonal demand.

They have greater workforce stability because they can retain valued employees who they may otherwise have lost at the end of a season or been attracted away by competitors.

### > Disadvantages for Organisations

In the case of Netherlands (and some other countries), the zero-hour worker must be converted to a permanent contract after 12 months of service. The employer then loses much of the flexibility they previously enjoyed.

Zero-hour contracts do little to build company loyalty or employee motivation. The worker may feel the company picks them up and puts them down purely to suit business needs and therefore they are not cared for as they would be if permanently employed with guaranteed hours.

In the case of the French intermittent contract, negotiating the contract is more complex and can take longer because of the number of factors which need to be taken account of.

The organisation needs more careful workforce planning than before.

### > Advantages for Employees

Zero-hour contracts often provide easier access to the labour market.

The zero-hour contract can fit the lifestyles of some employees, perhaps younger workers with few responsibilities.

In the case of the French intermittent contract, the employee gains a much higher degree of security and stability than the zero-hour worker.

This helps when renting or buying property and taking out loans.

They receive all the benefits of a permanent contract such as paid holidays, social security and pension contributions.

### > Disadvantages for Employees

Zero-hour contracts provide very little security or stable income. Without this, the worker may find it difficult to rent or buy property or take out loans.

In the case of the French intermittent contract, some workers feel they have reduced freedom of choice which may not suit everyone's lifestyle.

They are now working for one employer and may not get the same diverse experience and opportunities to gain new skills and knowledge when they were free to move easily between different organisations.

They may not receive as much per year. Under previous arrangements, they received a 'precariousness bonus' at the end of each contract which amounts to 10% of total remuneration for their contract. This is not available under the intermittent contract.

# EXECUTIVE SUMMARY

Three new forms of employment were not covered by the case studies and therefore could not be evaluated using evidence from the sport sector. These were job sharing, voucher-based work and collaborative employment.

*Job sharing* provides stable employment for a worker who does not want a fulltime contract and likes to work collaboratively with one or more other workers. It is known to be attractive to people with family responsibilities.

*Voucher-based* work relieves the employer of having to worry about the complexities of employing a worker and dealing with the administration of a contract, tax, social security and pension contributions. Its use is widespread in the employment of domestic workers in countries like Belgium and France.

*Collaborative employment* involves a group of self-employed workers getting together to share resources, back-office functions, marketing and other business functions. It has the potential to overcome some of the disadvantages of portfolio work identified in the Dutch case study.

Future studies in the sport sector should pay particular attention to these since they were of interest to the sector stakeholders who attended the national roundtable consultation workshops.



## RECOMMENDATIONS, PRIORITY ACTIONS, IMPLEMENTATION AND SUSTAINABILITY



FORMS was a small-scale, two-year project which looked in detail at only five EU countries. The FORMS partners believe the findings are valuable and will begin a wider conversation in the sport sector about how new and innovative approaches can address the employment challenges it faces. Disseminating these findings more widely is vital.

However, it is also important to carry out further research across the whole of the EU-27 to get a fuller picture and to provide clear information on new forms of employment in sport to the European Commission, national governments and key stakeholders in the sport sector across Europe.

The FORMS partners also believe it is necessary to develop and provide clear guidelines to the sector on these new forms of employment, their relative benefits and risks, how to select new forms of employment as appropriate to their needs, and best practices in implementation which will benefit sport organisations, workers and help the sector to grow and professionalise.



# EXECUTIVE SUMMARY

**Section 8** contains a series of detailed recommendations and priority actions based on the FORMS research and an implementation and sustainability plan.

The recommendations and priority actions are:

- 1.** Disseminate the initial findings on new forms of employment at EU and national levels:
  - > Disseminate the outputs of FORMS to the European Commission and international stakeholders
  - > Disseminate the outputs of FORMS to national and regional governments and sport sector stakeholders in Belgium, France, Luxembourg, Netherlands and Portugal
  - > Disseminate the outputs of FORMS to EU countries not represented in the project
  
- 2.** Establish follow-up projects and activities to further research the sport labour market, explore in further detail the specific barriers to recruitment and retention which the sport sector faces and disseminate information materials to the major stakeholders:
  - > Continue to improve and carry out sport labour market research and analysis on an annual basis
  - > Carry out a new European Sport Employer Skills Survey which contains a specific focus on barriers/disincentives to legal employment and therefore the professionalisation of the workforce
  - > Develop clear information materials aimed at the European Commission, national and regional governments and other key sector stakeholders on the particular features and needs of the sport labour market and the potential of new forms of employment
  - > Disseminate clear information materials aimed at the European Commission, national and regional governments and other key sector stakeholders on the particular features and needs of the sport labour market and the potential of new forms of employment to address these
  
- 3.** Establish an initiative to build the capacity of the sport sector to adopt new forms of employment following good practice guidelines:
  - > Develop practical guidelines/roadmaps/online toolkits for employers and self-employed micro-entrepreneurs on how to fairly, ethically and legally apply new forms of employment most relevant to sport
  - > Build the capacity of EOSE members and partners to become national ambassadors and points of contact for the new forms of employment and good practices in the sport sector.



# 1 BACKGROUND TO THE FORMS PROJECT

## 1.1 ABOUT FORMS

The FORMS project, full title “Emerging Forms of Employment in the Sport sector in Europe”, was a 24-month small collaborative partnership project co-funded by the European Union’s Erasmus+ Sport programme. It started in January 2021 and concluded in December 2022. The project was coordinated by the applicant, the European Observatoire of Sport and Employment (EOSE) and is supported by six partners. The partnership consists of:



### » EUROPEAN OBSERVATOIRE OF SPORT AND EMPLOYMENT (EOSE)

#### France - Coordinator

A European, independent, not-for-profit organisation with 35 members across 25 EU nations and beyond, dedicated to supporting the development of the sport workforce through more relevant education and training.

[www.eose.org](http://www.eose.org)



### » FEDERATION NATIONALE PROFESSION SPORT ET LOISIRS FNPSL (FRENCH NATIONAL SPORT AND LEISURE PROFESSION FEDERATION)

#### France

A network of 80 associations and employers’ hubs and 14,000 clubs committed to improving employment and training in sport and leisure.

[www.profession-sport-loisirs.fr](http://www.profession-sport-loisirs.fr)



### » SPORTWERK VLAANDEREN

#### Belgium

A responsive network organisation, the reference and pioneer in professionalising the sports sector and employment in sport in Belgium Flanders.

[www.sportwerk.be](http://www.sportwerk.be)



### » KORTRIJK SPURS

#### Belgium

The largest basketball club in Flanders with more than 1,000 members, offering basketball to all ages from high level competitors to recreational players.

[www.kortrijkspurs.be](http://www.kortrijkspurs.be)



International University of  
Health, Exercise & Sports

» LUNEX INTERNATIONAL UNIVERSITY OF HEALTH,  
EXERCISE AND SPORTS

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**Luxembourg**

A new private university with 36 staff and 600 students offering undergraduate and postgraduate programmes and carrying out research into human health, performance and the social, economic and cultural needs of society.

[www.lunex-university.net](http://www.lunex-university.net)



» WERKGEVERS IN DE SPORT (WOS) - EMPLOYER  
ORGANISATION IN SPORT

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**Netherlands**

A Dutch employers' association aiming to promote its members' interests in labour relations through developing a collective agreement for sports, being a knowledge hub and active lobbying on behalf of the sector.

[www.sportwerkgever.nl](http://www.sportwerkgever.nl)



» POLYTECHNIC INSTITUTE OF SANTARÉM / SPORT SCIENCES  
SCHOOL OF RIO MAIOR (ESDRM)

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**Portugal**

A Portuguese public higher education school with 112 staff and 1,000 students, part of the Polytechnic Institute of Santarém (IPS) with a particular interest in new ways of working, new business ideas and labour market innovation.

[www.esdrm.pt](http://www.esdrm.pt)



## 1.2 RATIONALE FOR THE FORMS PROJECT

The project was set up in response to labour market research carried out through EOSE's ESSA-Sport<sup>1</sup> and SKILLS<sup>2</sup> projects and national labour market observations provided by the partners which showed that the sport labour market faced a number of challenges in recruitment, retention, deployment and career progression of employees and that these difficulties were retarding the professionalisation of the sport sector. From discussions with EOSE members and partner organisations, there was a consistent view that in many countries traditional employment contracts were incompatible with the particularities of the sport labour market and that new forms of employment identified in three key reports by the *European Foundation for the Improvement of Living and Working Conditions* (Eurofound)<sup>3</sup> in other industrial sectors may provide some solutions. Eurofound define new forms of employment as 'those which are different to the traditional one-to-one employer/employee relationship'. These include for example: employee sharing, interim management, portfolio and platform work, amongst others. A fuller description and definition of new forms of employment are given in **Section 3** below.

Establishing the FORMS project provided the opportunity for the partners to analyse new forms of employment created in sport and other relevant sectors, evaluate their appropriateness and potential benefits to the sector and develop case studies of real practices and recommendations which could be disseminated at national and European levels.

1 - [http://www.essa-sport.eu/wp-content/uploads/2020/01/ESSA\\_Sport\\_European\\_Report.pdf](http://www.essa-sport.eu/wp-content/uploads/2020/01/ESSA_Sport_European_Report.pdf)

2 - [https://projects.eose.org/wp-content/uploads/2022/02/EOSE\\_European\\_Research\\_Report\\_2021\\_EU28\\_Sport\\_Labour\\_Market-Magazine.pdf](https://projects.eose.org/wp-content/uploads/2022/02/EOSE_European_Research_Report_2021_EU28_Sport_Labour_Market-Magazine.pdf)

3 - <https://www.eurofound.europa.eu/publications/report/2015/new-forms-of-employment>

<https://www.eurofound.europa.eu/publications/customised-report/2017/non-standard-forms-of-employment-recent-trends-and-future-prospects>

<https://www.eurofound.europa.eu/publications/report/2020/new-forms-of-employment-2020-update>



## 1.3 AIMS, ACTIVITIES AND OUTPUTS OF THE FORMS PROJECT

The overall aim of the project, therefore, was to focus on the emerging and existing forms of employment in the sport sector through desk research in order to produce potential solutions to some of the identified sport labour market challenges and examine the implications of each new form of employment for working conditions and the often-precarious position of employees. Whilst focusing primarily on the sport sector, FORMS also looked at atypical working relationships emerging more widely in other sectors at the European and national levels which may have potential for sport.

The FORMS project looked at all these forms of employment, explored them in the context of the sport sector and evaluated their implications for employers, employees and the sector's beneficiaries. The project also set out to gather more information on the profile and motivations of workers engaged in new forms of employment and the main reasons why employers may prefer such employment relationships.

The project also investigated the advantages and disadvantages of standard and non-standard employment patterns and the longer-term implications for the sport sector and related education and training. Different working arrangements and patterns also link to the main characteristics of the sport sector such as the seasonality, evening and week-end work and the prevalence of small not-for-profit organisations. Such an innovative exercise provided a unique opportunity to explore the realities in the sector and obtain evidence and case study examples – which benefit both employers and employees – within the sport labour market.

The planned outcomes of the FORMS project were:

- > Desk research on the emerging forms of employment in the sport sector
- > A Summary Paper presenting and describing the emerging forms of employment in the European sport sector
- > Five National Consultation Roundtable Meetings on the emerging forms of employment in sport with key stakeholders in each country.
- > A publication (this report) which would combine the research findings with 12 case studies of how some of the new forms of employment are being implemented in sport and other sectors.

## 1.4 LONGER-TERM IMPACTS OF FORMS

The FORMS partners are confident that active dissemination of the project's findings will:

- > Provide adapted solutions for a better functioning of the sport labour market across the European Union to boost job creation and opportunities and increase labour market participation
- > Support the sustainability of employment and career development in sport
- > Facilitate further steps towards the professionalisation and capacity building of sport organisations.

In order to reinforce the sustainability of the FORMS project, the partners have developed a set of recommendations and priority actions for future application which are shown in **Section 8**.





# 2

# SPORT LABOUR MARKET SUMMARY



## 2.1 THE ROLE OF SPORT IN MODERN EUROPEAN SOCIETY

The FORMS project embraces the Council of Europe definition of Sport as:

**“All forms of physical activity which, through casual or organised participation, aim at expressing or improving physical fitness and mental wellbeing, forming social relationships or obtaining results in competition at all levels”.**

Sport and physical activity (referred to as sport in this report) is recognised as a sector of significance with real potential to address wider European and government agendas such as health, social inclusion, education, employment and economic growth and the United Nations’ Sustainable Development Goals.

There is a growing recognition of the potential of sport as a social and economic driver and an increasing level of expectation from the European Commission and national governments for the sector to become a powerful tool supporting mainstream policy in education, health and the economy and for it to be used to promote social cohesion<sup>4</sup>.

These developments are resulting in rising pressures on the sport sector to meet governments’ expectations by modernising and updating its services at a time when it is expanding, changing, evolving and moving away from its historic dependence on the diminishing resource of public financing and traditional reliance on small voluntary organisations.

A steady growth in the paid workforce (almost 17% between 2011 and 2020) and the expectations placed on it already presented challenges in terms of skills and flexible working arrangements. The sudden impact of COVID in 2020 presented new hurdles to overcome. The FORMS project provided a timely opportunity for the sector to analyse the emerging picture, meet its current and emerging challenges and have a positive impact. All stakeholders agreed that this transition requires the further professionalisation of the workforce through:

- > Continuing to promote a flexible and inclusive labour market (the main objective of FORMS)
- > Identifying clearer career pathways with fulfilling employment and self-employment opportunities
- > Promoting fit for purpose education and training for paid and volunteer sport personnel to ensure they equipped with the necessary skills and knowledge to perform in their positions.

<sup>4</sup> - See, for example, <https://data.consilium.europa.eu/doc/document/ST-7764-2022-INIT/xx/pdf>



## 2.2 ESSA-SPORT EMPLOYERS' SKILLS SURVEY

EOSE's [ESSA-Sport Employer Skills Survey](#) (2019) gathered more than 3 800 responses from sport organisations all over Europe (e.g., sport clubs, sport federations, National Olympic Committees, fitness centres, outdoor providers, local authorities, sport for all organisations, training providers). The aim of the survey was to gather employers' view on the realities and challenges facing the sport sector in terms of skill needs and future priorities, as well as recruitment and retention barriers.

More than 79% of the respondents confirmed that the sector is changing and evolving and as a result the skills needed by those working (paid staff) or engaged in the sector (volunteers) need to change too. Only 31% of the respondents reported it was easy to recruit people with the right skills to work effectively in their organisation. The main reason given was salaries and terms and conditions of employment.

Respondents also highlighted the difficulties they faced in retaining staff. 44% reported that staff were attracted away from their organisations by offers of better pay; 30% identified the lack of career progression pathways as a disincentive to staff retention, and nearly 30% felt the lack of financial stability in their organisation made it difficult to keep workers on traditional full or part-time employment contracts.

Moreover, in different parts of Europe, the sector has entered a new era characterised by a mixed economy of public, private and non-profit organisations creating new services. This new environment is creating new roles and demanding new skills which are needed to help sport organisations meet their potential for growth and enhanced service delivery. In this context, as new businesses and jobs are being created, new skills and working arrangements are needed for professionals and the huge army of volunteers who are also a key component of the sport labour market.

As the employer survey revealed, a clear career structure enabling people to enter and progress through the sector is also not well defined. Having a clearer picture of progression opportunities would greatly benefit the sector and improve the chances of attracting talented applicants. It would also offer graduates better opportunities to find employment in, particularly if their knowledge and skills were more aligned to employers' needs in the evolving labour market. These developments require more flexible approaches to sport employment which will aid recruitment and retention.



## 2.3 SPORT LABOUR MARKET STATISTICS

EOSE's labour market research has also included a unique analysis of sport labour market statistics covering the period 2011 – 2020 through two channels, the ESSA-Sport and SKILLS projects. This was carried out through close liaison with the Eurostat, the EU's statistical agency. Some relevant findings from this research are:

- > EU-28 Sport Labour Market (all occupations, working in sport and non-sport organisations) now has 1 726 791 workers. It has grown by around 16.9% from 2011 to 2020.
- > This represents about 0.77% of the total EU workforce (all economic sectors) and as a percentage share of the total EU-28 employment (all economic sectors) there is growth of about 0.07% over 10 years.
- > The workforce is predominantly male. There has been a tendency for the female workforce to decline in this period (47.9% in 2011, 44.1% in 2020). Compared to the EU average (all economic sectors), the representation of females in the sport workforce is lower.
- > Most workers are in the 25-49 age band. This has declined (57.4% in 2011, 53.5% in 2020) over the last 10 years. There has also been declining proportion of youth (22.9% in 2011, 21.8% in 2020) and a rising proportion of those 50 years+ (19.7% in 2011, 24.7% in 2020). Thus, there is an aging tendency. Despite this when compared to the EU average (all economic sectors), the sport workforce tends to be younger.
- > Almost one half of all workers in the sport sector have middle level qualifications and over one third have high level qualifications. Those with low level qualifications are a small minority (12.7%). There has been a steady decline for those with middle level qualifications (53.2% in 2011, 49.9% in 2020) and for those with low level qualifications (18.8% in 2011, 12.7% in 2020). There has been a steady growth in the share of those with high level qualifications (28.0% in 2011, 37.4% in 2020). The sport workforce has more workers with higher education qualifications than the EU average and fewer with low level qualifications.
- > More sport workers are on full-time contracts (57.4%) compared to part-time contracts (42.6%). There is little change from 2011 to 2020. However, this is a significantly higher percentage of people on part-time contracts in the sport sector compared to the EU average for all sectors.
- > Over three quarters of the sport workforce have employed status compared to nearly a quarter who are self-employed. The tendency from 2011 to 2020 has been a decline in employed status (82.1% in 2011, 75.9% in 2020) and a corresponding rise in self-employment (17.9% in 2011, 24.1% in 2020). The proportion of self-employed people in the sport workforce is much higher than the EU average for all sectors.



## 2.4 THE IMPACT OF THE COVID-19 PANDEMIC ON THE SPORT LABOUR MARKET

COVID places another layer of complexity on this already complex picture. The first half of 2020 saw the temporary closure of indoor sport and physical activity facilities in many countries and a shift to more casual and unsupervised outdoor exercise. Much grassroots sport delivered by voluntary organisations was subject to closedowns.

Eurostat statistics made available at the end of 2021 also enabled a closer look at the possible impact of COVID on employment in the sector. Key findings include:

- > There was a clear decline in total employment from 1 793 633 in 2019 to 1 726 691 in 2020. This represents a loss of 66 942 positions (-3.7%) and reverses an almost unbroken upward trend from 2011.
- > Employment in the sport sector as a whole lost 0.02 percentage point of its share in total EU employment (all economic sectors) in that year which suggests sport may have been more severely affected than the EU economy as a whole.
- > 2020 saw a 1.1% fall in the share of female employment versus male. In terms of numbers, the sector lost 48 088 female employees. This is 71.8% of all job losses in that year. Numbers of female employees went down 5.9% from 2019 compared to only 1.8% decrease for men. Whereas female employment declined as a share of total employment over the period 2011-2019, the year 2020 amplified this trend.
- > In 2020, the percentage share of younger workers dipped by 1.1% with a similar gain (1%) for the oldest age group. In terms of numbers, there was a decline in younger workers in 2020 of -7.9% with the middle age group also going down. The trend towards an aging workforce up to 2019 was amplified in 2020.
- > In terms of qualification levels, there was a noticeable change in trends. Up to 2019, the general trend was in the direction of a rise in the percentage share of those with higher level qualifications and a decline in the share of those with middle level qualifications. 2020 reversed this trend showing a decline of -1.4% of those with high level qualifications and a rise of +3.3% of those with middle level qualifications. Those with low level qualifications dropped -2.0%. The drop in numbers employed is notable. 2020 saw a -9.2% drop in those with high level qualifications and a -18.3% drop for those with low level qualifications by comparison with 2019. Both of these phenomena could be as a result of reluctance on the part of employers to take on new recruits during the pandemic period.
- > 2020 also sees a reversal in the trend for full-time and part-time employment. Up to 2019, the proportions remained largely unchanged. 2020 saw part-time employment lose 1.2% of its share to full-time employment. In terms of numbers employed part-time, there is a decline of 6.2% compared to 2019 with only a 1.3% fall in the number of full-time contracts.
- > In regard to employment status, 2020 saw an acceleration of the trend toward self-employment which gained 2.1% on its share of the employment market compared to 2019. This is the sharpest rise in self-employment over the whole 10-year period and represents a 6.7% rise in self-employed contracts compared to 2019. The numbers of those with employed status declined by 5.2% in the same period.

## 2.5 CHARACTERISTICS OF THE SPORT LABOUR MARKET IN RELATION TO NEW FORMS OF EMPLOYMENT

The main identified realities and challenges facing the growing sport sector in terms of employment, education and skills (prior to COVID-19) can be summarised as follows:

- > The sport labour force has grown significantly over the 10-year period 2011-2019 in response to changes in the market and the growing expectations of the EU and national governments. The importance of the sector as a driver for social and economic development continues to grow and there are good reasons to explore ways of facilitating this growth further. New forms of employment may reinforce this.
- > However, the statistics for 2020 show a slightly different picture. Probably as a result of the Covid pandemic, paid employment in the sport sector fell by nearly 4%, the first time there has been a decline in the period since 2011.
- > This fall in paid employment combined with the fact that even before Covid sport organisations were reporting significant recruitment and retention problems suggests that the recruitment and retention of staff with the right skills will remain a challenge. New forms of employment which offer more flexible solutions could help to address this challenge.
- > The potential for new forms of employment appears promising. Compared to all EU economic sectors, patterns of employment in sport reveal the need for a more flexible labour market in line with the evolution of the political, economic and social demands. This is evidenced in particular by the much higher proportions of part-time workers and the self-employed compared to EU employment as a whole. The traditional one-to-one employer-employee relationship is much less ingrained in this sector compared to many others. These patterns suggests that both employers and employees are more likely to consider and engage with new forms of employment.
- > However, the lower levels of female employment compared to EU averages as a whole may suggest that even more flexibility is needed to encourage women to join and remain within the sector. New forms of employment tailored to the needs of female workers may help to improve this situation.
- > There is an aging tendency in the workforce. In order to maximise the continuing growth of the sector and prepare it for future challenges, there is a need to attract and nurture more young employees and entrepreneurs. New and more creative forms of employment may prove to be attractive to the younger generation, and their personal and social circumstances may enhance these possibilities.
- > Despite this aging tendency, compared to the EU workforce as a whole, the sport sector has more younger workers which may suggest that more flexibility is possible given that younger workers tend to be more innovative and ready to adapt to new ways of doing things.
- > The greater preponderance of workers with high level qualifications may also suggest a stronger tendency to consider a broad range of employment options, including entrepreneurship.



- > The increased levels of self-employed workers also suggests that the sport workforce is more likely to embrace newer and more varied employment options which place a greater reliance on employee independence and self-organisation.
- > Broadly speaking, the impact of COVID, at least for the year 2020, has tended to reinforce and exaggerate these characteristics and tendencies. Whether this continues to be the case once the immediate impacts are over remains unknown, and continuing labour market research and analysis will be necessary. However, there is the possibility that the challenges which employers and employees faced during the pandemic and the solutions they discovered may point to the need for even greater flexibility and the potential for new forms of employment to be attractive for several years to come.
- > In general, the sector faces skills challenges and employers are seeking closer working relationships with education and training providers. The introduction of new forms of employment are likely to have specific education and training demands – for example, in remote working, ICT, self-organisation and entrepreneurship – which will create new demands on both the modality and content of education and training.



# 3

## NEW FORMS OF EMPLOYMENT AND THEIR RELEVANCE TO THE SPORT SECTOR



## 3.1 DEFINITIONS AT THE EUROPEAN LEVEL

The future of work is a topic of interest at both European and national levels. In response, the European Foundation for the Improvement of Living and Working Conditions (Eurofound), an EU agency, has carried out a number of research projects tracking the development of new forms of employment in the period 2000 – 2020. Its most recent report defines new forms of employment in the following way:

“Relationships between employers and employees that are different from the established one-to-one employment relationship. Consequently, employment relationships involving multiple employers for each employee, one employer for multiple employees for one specific job, or even multiple employer–multiple employee relationships are relevant. However, temporary agency work, which could also qualify under this definition, was not considered for the purpose of this project.

“The provision of work on a discontinuous or intermittent basis or for very limited periods of time rather than on a continuous or regular basis. Conventional fixed-term work, part-time work and seasonal work are not considered unless there are other features that make the employment relevant to this project.

“Networking and cooperation between the self- employed, especially freelancers, going beyond the usual types of relationships along the supply chain, the sharing of premises or the traditional conduct of project work.

“In addition, the relevant forms of employment could be, but do not necessarily have to be, characterised by:

- > A place of work other than the premises of the employer, where the employee is mobile and works from multiple locations, possibly including their own office (traditional teleworking is not considered)
- > Strong or prevalent support from ICT, including mobile phones, personal computers, tablets or similar, where this technology changes the nature of working relationships or patterns of work.<sup>5</sup>”



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5 - Eurofound (2020), *New Forms of Employment: 2020*, New forms of employment series, Publications of the European Union, Luxembourg. <https://www.eurofound.europa.eu/publications/report/2020/new-forms-of-employment-2020-update>

Eurofound clustered these new forms of employment into nine categories:

- 1. Employee sharing:** A group of employers hires workers and is jointly responsible for them. The concept is similar to temporary agency work, with the purpose of sharing staff to balance the human resources (HR) needs of companies while providing secure employment to workers, and the network itself does not aim to make a profit. This employment form refers to employees only.
- 2. Job sharing:** One employer hires several workers to jointly fill a single full-time position. It is a form of part-time work, the purpose of which is to ensure that the shared job is permanently staffed. This employment form refers to employees only.
- 3. Voucher-based work:** The employment relationship and related payment are based on a voucher (generally acquired from a third party such as a governmental authority) rather than on an employment contract. In most cases, workers have a status between employee and self-employed.
- 4. Interim management:** A form of employment in which a company 'leases out' workers to other companies temporarily and for a specific purpose. Unlike in a temporary employment agency, its staff are highly specialised experts who are sent to the receiving companies to solve a specific management or technical challenge or to assist in economically difficult times. Interim management has some elements of consultancy, but the expert has the status of an employee rather than of an external advisor. In practice, however, interim management is undertaken on the basis of self-employment in some countries.
- 5. Casual work:** A type of work where the employment is not stable and continuous, and the employer is not obliged to regularly provide the worker with work but has the flexibility of calling them in on demand. This employment form refers to employees only and is sometimes known as a 'zero-hours contract'.
- 6. ICT-based mobile work:** The employee or self-employed worker operates from various possible locations outside the premises of their employer (for example, at home, at a client's premises or 'on the road'), supported by modern technologies such as laptop and tablet computers. This is less 'place-bound' than traditional teleworking.
- 7. Platform work:** This involves the matching of supply and demand for paid labour through an online platform or an app. Employment status is not clarified, but in most cases the worker is considered self-employed or freelance.
- 8. Portfolio work:** This refers to small-scale contracting by freelancers, the self-employed or micro enterprises who work for a large number of clients.
- 9. Collaborative employment:** This refers to specific forms of cooperation or networking among the self-employed that go beyond traditional supply chain or business partner relationships.



The report notes that “in practice, a specific employment relationship can fall into more than one of the above categories (for example, platform workers tend to be portfolio workers).”

Key findings from the report are:

- > Standard employment is still dominant across the EU, but European labour markets are characterised by increasingly diverse forms of employment.
- > Some new forms of employment are expected to continue to grow, due to the twin transition to the digital age and a carbon-neutral economy. However, some new forms of employment may be negatively affected due to the economic and labour market impact of COVID-19.
- > Many new employment forms are driven by the need for flexibility of employers/clients or workers. In developing new forms of employment, it is crucial to ensure that this flexibility does not diminish workers’ protection.
- > Working time, representation, along with health and safety need to be addressed for several new forms of employment, including ICT-based mobile work, platform work, casual work and voucher-based work.
- > For some new forms of employment, the ambiguity of employment status for workers could contribute to labour market segmentation.

## 3.2 EXPLORING THE APPLICATION OF NEW FORMS OF EMPLOYMENT TO THE SPORT SECTOR

These new forms of employment can have a different legal basis and meaning between countries or between sectors, and what is a new form in one country or sector might well already be established practice in another. Eurofound 2020 discovered no specific examples in the sport sector and therefore, having reviewed the labour market information, the first priority of the FORMS partners was to desk research the situations in their own countries to identify whether and how new forms of employment, as defined by Eurofound, existed in sport.



# 4

## SUMMARY OF THE PARTNER DESK RESEARCH FINDINGS

## 4.1 DESK RESEARCH METHODOLOGY

Each of the five national partners carried out desk research into new forms of employment in their countries including in sport and related sectors such as hospitality. It was agreed not to carry out any original primary research for this phase of the project but only to identify, analyse and summarise existing documents/sources and, where it was appropriate to attach links to these. The partners carried out their desk research in a three-month period August – October 2021.

## 4.2 EXISTING NATIONAL LAWS, REGULATIONS AND POLICIES WHICH AFFECT NEW FORMS OF EMPLOYMENT

In all countries examined, employment is covered by a labour law or code which regulates the relationship between employer and employee – usually based on established 1:1 employer/employee relationship. This law/code may cover areas such as place of work, remuneration, number of hours, allowances, vacation periods, absences, disputes and termination or it may be supplemented by additional laws/regulations which address these areas.

In many countries the partners surveyed, the general labour law presents a number of challenges for new forms of employment. It often stipulates, for example, employment contracts, minimum and maximum number of working hours, night work, flexibility in working hours, periods of working hours, rest periods, Sunday working etc.

Most countries, however, also show an evolution of employment law through additional legislation, decrees or derogations to meet special circumstances and sometimes the requirements of specific sectors (including sport) – often based on collective agreement arrangements – and types of employees, for example, the '25-Day Rule' and Association Work in Belgium. In countries such as Portugal and Belgium, variations are also driven by the need to promote job creation, vocational training or entrepreneurship. France's Labour Code is often seen as restrictive; nevertheless there is evidence of progressive and managed evolution of the code over many years to respond to the needs of different social partners.

Often the complexity of the labour law and the various special amendments and derogations through separate decrees and regulations present a very confusing picture for employers and employees which tends to act as barriers to employment in general. As the Belgian partners observed: *"Belgian labour law is a complex maze that defines the rights and obligations in an employment relationship. As an employer, you have a lot of formalities and legal obligations to fulfil that also change regularly."*

## 4.3 SPECIFIC AGREEMENTS IN SPORT WHICH MAY HAVE AN IMPACT ON NEW FORMS OF EMPLOYMENT

Examples were identified for four of the partner countries:

### **Portugal**

Collective bargaining agreements for professional football players and coaches.

### **Luxembourg**

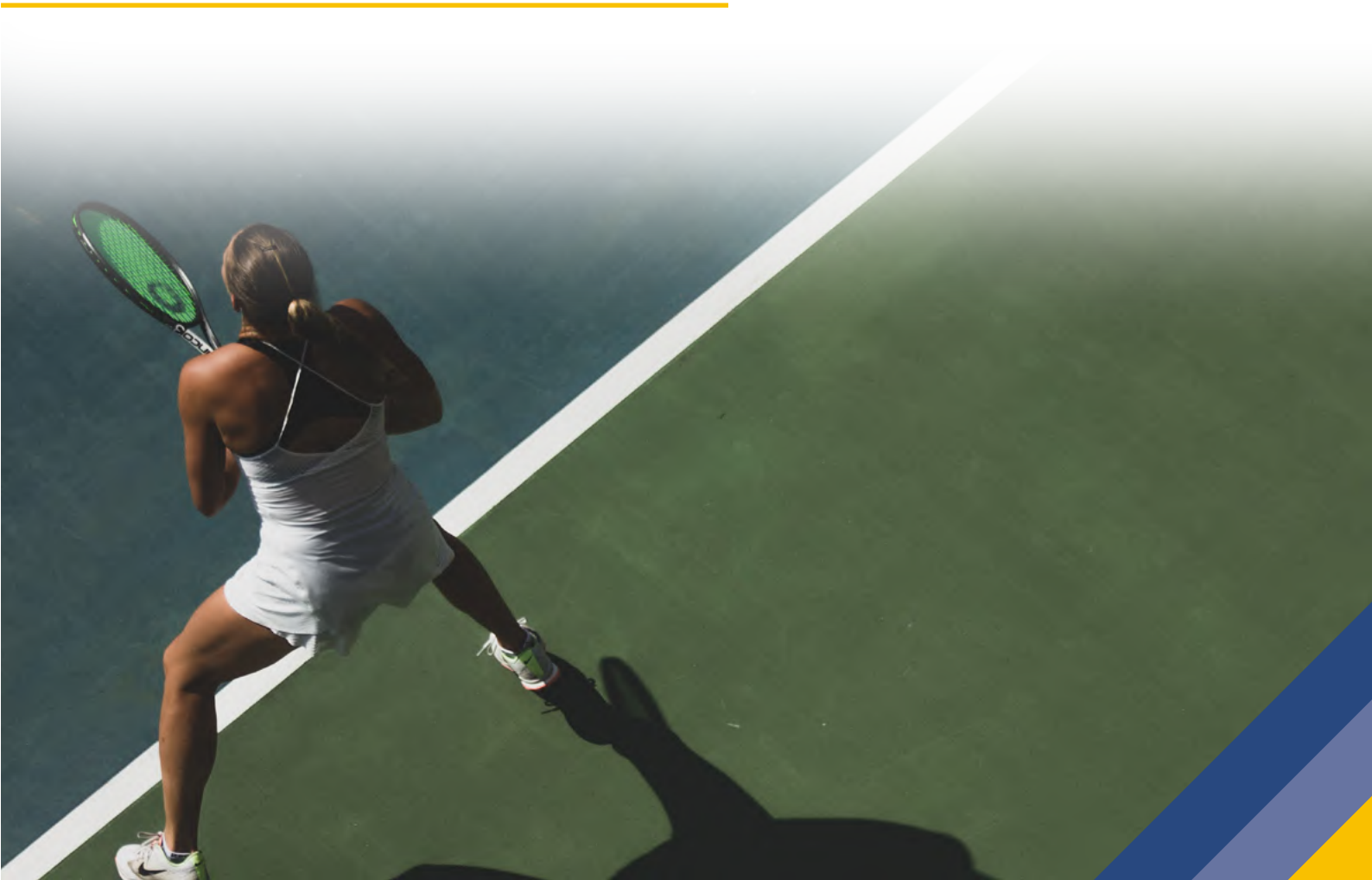
Under specific circumstances, trainers and sportspersons do not need to be considered as 'employees' and greater flexibility for employment contracts for elite athletes exists.

### **Belgium**

A collective labour agreement for athletes and a Social Maribel agreement which provides tax and social security incentives to employers and employees.

### **France**

A National Collective Sport Agreement (CCNS) aimed at making sport employment more flexible and secure and has been instrumental in stimulating new forms of employment in the sector.





## 4.4 EXISTING FORMS OF EMPLOYMENT IN THE PARTNER COUNTRIES

Looking across the five partner countries, the following 21 legally established forms of employment were identified:

1. Indefinite (permanent) employment
2. Fixed term
3. Temporary
4. Part-time
5. Intermittent
6. Service commission
7. Telework
8. Temporary loan of labour
9. Temporary agency work
10. Employment for a clearly defined work (no duration specified)
11. Replacement contract
12. Seasonal/occasional
13. Employer groups/associations
14. On-call (zero hours)
15. Payrolling
16. Internship
17. Vocational learning
18. Apprenticeship
19. Volunteer
20. Voucher-based work
21. Self-employment – service agreement

The majority of those listed would fall into the category of 'traditional' employment forms. However, the following are consistent with one or more of the nine categories of new forms of employment identified by Eurofound 2020:

- > Temporary loan of labour
- > Employer groups/associations
- > On-call (zero hours)
- > Pay-rolling
- > Voucher-based work



## 4.5 NEW FORMS OF EMPLOYMENT IN SECTORS OTHER THAN SPORT

Four of the partner countries were able to identify what they saw as new forms of employment in other business sectors.



### PORTUGAL

- Employee sharing
- Job sharing (Education and health)
- Casual work (zero hours contract)
- ICT-based mobile work (ICT sector, professional and scientific, real estate and finance)
- Platform work (Transport, taxi and food delivery services)
- Portfolio work



### LUXEMBOURG

- Intra-group secondment (a form of employee sharing)
- Employee posted out of group (a form of employee sharing)
- Portage salarial (a form of interim management)



### BELGIUM

- Flexi-jobs – Hospitality and Retail (an arrangement whereby a person who already has a job can also take on jobs in the hospitality and retail sectors without the requirement to pay additional social security contributions). However, technically this is not a new form of employment, but more an employment incentive scheme.



### FRANCE

- Shared employment – agriculture
- VRP – sales representatives, ushers (Placier)
- Intermittent performer – arts and entertainment



## 4.6 NEW FORMS OF EMPLOYMENT IN OTHER SECTORS WHICH COULD HAVE POTENTIAL FOR SPORT

Of the new forms of employment identified in 4.5 above, the partners only identified six which they saw as being transferable to the sport sector. These were:

1. ICT-based mobile work
2. Platform work
3. Job sharing
4. Intra-group secondment
5. Employee posted out of group
6. Flexi-jobs

## 4.7 GENERAL REASONS FOR NEW FORMS OF EMPLOYMENT IN ALL SECTORS

Through their desk research, the partners identified the following reasons for the adoption of new forms of employment generally across all sectors and highlighted some sectors in particular:

- > There have been many recent advances in technology which facilitate some new forms of employment (for example, platform work and ICT-based mobile work). These were present before the COVID pandemic, but the impact of the pandemic has accelerated this trend in response to the need for more flexible work organisation.
- > There is a need to more accurately match supply and demand in relation to certain services (examples include taxi and food delivery) through advances in technology, ease of access for employees and customers, and unskilled unemployment stimulates platform work.
- > There is a demand for employment in the education sector and the reduced number of professionals available for the care sector stimulates job sharing.
- > Some workers wish to develop certain side job/secondary activities in addition to a professional main activity in free time. In practice, these additional activities were often situated in the grey or even black zone (semi-legal and illegal).
- > Ever decreasing willingness on the part of people to work 'for free'. 'Time is money.'
- > New forms of employment provide an opening for people who do not find easy access or entry into the normal labour market.
- > Forms of employment such as employee sharing and interim management simplify administrative procedures and provide more flexibility for both the employer and the employee.





## 4.8 STATISTICS AND STATISTICAL SOURCES ON NEW FORMS OF EMPLOYMENT IN EMPLOYMENT GENERALLY

Very few statistical sources were identified by the partners in their own countries.



### PORTUGAL

In the case of Portugal, the partner was able to identify some significant trends by analysing data provided by Eurofound 2020. The data, however, are not specific to sport.

- > **ICT- based mobile work** - Percentage of workers doing telework and ICT-based mobile work - Employees - 8%; Self-employed - 3%.
- > **Platform work** - 13% of the population have performed platform work; 4.2% are sporadic platform workers (have tried platform work, but it is not a consistent part of their working life); 3.7% are marginal platform workers (less than 10 hours per week and less than 25% of income); 3.9% are secondary platform workers (10 - 19 hours per week and/or 25-50% of income); 1.5% do it as their main job (more than 20 hours per week and/or at least 50% of income) (Eurofound, 2020b, p. 19).
- > **Portfolio work** - In the 2nd quarter of 2017, the number of self-employed workers in Portugal was 806 200, which corresponds to 16.9% of total employed population. Of the former, 27.5% performed their activity with employees (this is, as employers) and 72.5% did it without employees (as own-account workers). More than half of self-employed workers (53.0%) declared having 10 or more clients where none of them had a dominant position.
- > Persons employed in **part-time**: 7.3% and EU27, 16.6% (% of total employment).
- > Persons employed in **involuntary part-time**: 45.5% and EU27, 25.0% (% of total part-time employment) Involuntary part-time workers can be defined as those working part time because they could not find a full-time job.
- > **Casual work** - 0.7% of the workforce in agriculture, forestry and fishing, and accommodation and food services (2015) Eurofound. (2020a). Casual work is a type of work where the employment is not stable and continuous, and the employer is not obliged to regularly provide the worker with work but rather has the flexibility of calling them in on demand (Eurofound, 2015, 2020)





## LUXEMBOURG

Labour statistics offers no specific data on forms of employment [https://statistiques.public.lu/stat/ReportFolders/ReportFolder.aspx?IF\\_Language=fra&MainTheme=2&FldrName=3&RFPPath=92](https://statistiques.public.lu/stat/ReportFolders/ReportFolder.aspx?IF_Language=fra&MainTheme=2&FldrName=3&RFPPath=92)

Fixed term contract represents 15%, open ended (permanent) contract 83% and temporary work about 2% of employment in Luxembourg <https://statistiques.public.lu/catalogue-publications/cahiers-CEPS/2013/06-interimaire-entreprises.pdf>

<https://www.fondation-idea.lu/2017/06/15/cest-graphe-docteur-25-linterim-va/>

In the sector of construction, temporary work represents 36% of employment contracts.

<https://statistiques.public.lu/catalogue-publications/cahiers-CEPS/2013/06-interimaire-entreprises.pdf>

However, analysis of the Eurofound 2020 findings suggest:

- > **ICT-based mobile work:** 11% of employees fall into this category.
- > **Employee sharing:** in 2018, the Ministry of Labour, Employment and Social and Solidarity Economy received 38 requests for advice on employee sharing.









## BELGIUM

Flexi-jobs (hospitality industry and retail)

Source: [Specific types of employment \(hotels and restaurants and other sectors\) | NSN](#)

Annex: TWT\_T1\_nl

In the first quarter of 2021, 28 992 people were employed through flexi-jobs. This is 54% less than in the same quarter in 2020 and 40% less than in 2019. 5 174 of the 28 992 are pensioners. Most flexi-jobbers were employed in industry, wholesale and retail trade, and in providing accommodation and meals.

Analysis of Eurofound 2020 suggests:

- > **Platform work:** in 2020 there were approximately 110 recognised platforms in operation in Belgium (compared to only 12 in 2018)
- > **Casual work:** applies to 8.5% of employees in the hotel, restaurant and catering sector with 57% of employers in this sector making use of it.
- > **Employee sharing:** there is a steady growth in employer groups from around 20 in 2017 to 35 in 2020. In 2019, it was estimated that 280 employees were involved.
- > **Job sharing:** in 2014, 23% of employers used this method.
- > **Voucher-based work:** in 2016, this affected 3% of the workforce. 22% of private households used this method to pay for domestic services.
- > **Collaborative employment:** in 2019, there were around 450 co-working spaces and approximately 25 400 cooperatives.







## NETHERLANDS

- > **Platform work:** in 2018, there were around 40 medium-to-large platforms in operation in the country. 14% of the working population have performed platform work. The majority of these are sporadic, marginal or secondary platform workers. 2.7% perform platform work for at least 50% of their income.
- > **Casual work:** 7% of the labour force (2018)
- > **Job sharing:** 23% of employers use this method (2014)
- > **Collaborative employment:** in 2018, there were approximately 640 co-working spaces and in 2020, 2 845 employee and entrepreneurial cooperatives.
- > **Interim management and portfolio work:** in 2018, there were around 1.6% of the working population employed in this way.



## FRANCE

- > **ICT-based mobile work:** 17% of employees were classified in this way in 2018.
- > **Platform work:** in 2020, it was estimated that 7.8% of the population had done platform work. The majority of these are sporadic, marginal or secondary platform workers. 3% perform platform work for at least 50% of their income.
- > **Casual work:** in 2018, it was estimated that around 274 000 artists, workers and technicians in the entertainment industry fell into this category. This has increased by 11.9% since 2010.
- > **Employee sharing:** in 2016, there were around 5 774 employer groups involving approximately 25 723 employees.
- > **Job sharing:** in 2014, 19% of companies were using job sharing.
- > **Voucher-based work:** in 2018 about 65% of employees employed by private households. This has decreased from 803 000 employees in 2019 to 681 000 in 2018.
- > **Collaborative employment:** in 2019, there were around 1 700 co-working spaces (compared to 360 in 2015) and 105 worker cooperatives.

## 4.9 PROFILE, CHARACTERISTICS AND MOTIVATIONS OF WORKERS ENGAGING IN NEW FORMS OF EMPLOYMENT

The partners were unable to identify specific sources of statistics on this topic. However, analysis of Eurofound 2020 suggests that for **ICT-based mobile work**:

- > More men than women are involved
- > These workers tend to be younger than the average working population, falling into the 18–29-year age band
- > ICT-based mobile workers tend to be more highly educated.

For **Platform work**:

- > There is a split of around 60% male to 40% female workers
- > Platform workers tend to be younger than the average working population
- > Platform workers tend to be more highly educated

## 4.10 EMERGING NEW FORMS OF EMPLOYMENT IN THE SPORT SECTOR – ADVANTAGES AND DISADVANTAGES

Three of the partners were able to identify new forms of employment in the sport sector in their countries. These were:



### PORTUGAL

#### **Portfolio work**

This refers to small-scale contracting by freelancers, the self-employed or micro enterprises who work for a large number of clients. This involves small-scale contracting by freelancers, the self-employed or micro enterprises who work for a large number of clients, as sport clubs, fitness clubs, swimming pools, outdoor company or working simultaneously for all this kind of employers.

*Advantages* are the possibility of small sports organizations being able to hire new employees with moderate risks in hiring. Small short-term financial investments facilitate hiring.

*Disadvantages* are that it facilitates the rotation of workers, makes the market very competitive, reduces the hourly price of work and does not allow workers to remain stable.

## **ICT-based mobile work**

The biggest sports organizations/national associations are tending to create a work pattern (whether employed or self-employed) which involves operating from various possible locations outside the premises of their employer (for example, at home, or 'on the road'), supported by modern technologies such as laptop and tablet computers.

*Advantages* for both employers and employees are flexibility and autonomy, improved work-life balance, improved communication and collaboration; skills development (technical applications) / for companies facing difficulties attracting employees, as often experienced by small and medium-sized enterprises, offering ICT-based mobile work might increase their attractiveness).

*Disadvantages* - Enhanced monitoring and control, increased work intensity and stress, 'Limitless work', potential expected 24/7 availability, long working hours, limited rest time, blurring spheres of work and private life, conflicts due to a lack of coordination, Social and professional isolation, high demands for self-management and self-organisation, outsourcing of employer responsibilities (equipment, health and safety, data protection) / potential outsourcing of employer responsibilities to staff - it is not always clear who covers the costs of technical equipment, internet connectivity or electricity. Around one in four are in jobs with precarious conditions, including lack of access to training, low wages and job insecurity.

## **Job sharing**

For example, a fitness centre may employ several part-time professionals to fill a full-time position.

*Advantages* for both employees and employers - The part-time regime that is characteristic of job sharing can contribute to providing workers with a level of flexibility that they may need to enter the labour market or achieve a better work-life balance. The services of sports organizations are available in the evenings, weekends and holidays and sometimes organizations have difficulties in hiring for these reasons. This system facilitates the distribution of working times. This seems to be particularly favourable in the case of combining work with care responsibilities or education and training activities. It may create better potential for skills development (for example, due to learning in the workplace, from and with the colleague with whom the job is shared. From the employer's side: continuity and coverage of work during absences, decreased absenteeism, several workers can cover high peak workloads and easier retention of the best talents.

*Disadvantages* - If not well-managed, conflicts may arise, and workers may experience increased levels of work intensity and stress. The employers will be increasing supervision efforts to monitor and control.

## Casual work

In this scenario, the fitness centre calls e.g., a personal trainer, only when they need their service. The work is neither stable nor continuous. The employee is called when the employer needs them in specific activities, for example, children's sporting holiday camps; seasonal outdoor sporting activities (e.g., surf, ski), nature sport and active tourism.

*Advantages* for both employees and employers – Labour market access easier, income generation, better work-life reconciliation. For employers, efficient adaptability to workload, some employee stability as experience, better cost efficiency (Eurofound, 2020a).

*Disadvantages* - Job and employment insecurity, limited career opportunities, low, irregular and unpredictable income, limited or lack of access to training and social protection, Challenging work-life reconciliation. Reconciliation work-life and health and well-being. Current and future precariousness feature as well as limited social protection and access to welfare benefits. Employers need to adapt work processes and challenges related to teamwork and managing lower staff motivation. In personal services, such as sport and physical activity, which require greater contact with people, it may not be advantageous for sports organizations to use this type of work.

## Collaborative employment

Some associations of coaches and players, in different sports, have collaborative employment models, for example: 1) umbrella organisations offer specific administrative services to self-employed people, education programs or help with invoicing clients or dealing with tax issues, 2) coworking activities involve the sharing of workspaces and back-office and support tasks for self-employed workers, freelancers or micro businesses.







### **Association work/community work – untaxed additional income**

Association work consists of paid services that provided by the employee during the year 2021 in their free time for non-profit associations, unincorporated association governed by an agreement between its members or public administrations active in the sports and / or socio-cultural sector. This arrangement can be seen as promoting portfolio work.

*Advantages:* for many years, the sector has been fighting for this statute. This statute ensures that practices that were previously often situated in the grey or even black zone can now opt for a legal way of reimbursement/paying.

The law made it possible to engage association workers in an administratively easy and fiscally interesting way and to compensate them correctly.

*Disadvantages:* due of the fear of unfair competition, the annulment of this law was requested from the Constitutional Court and also obtained.

### **Sportwerk: cross job**

Sportwerk (one of the FORMS partners) has been focusing for some time on the professionalisation of the sports sector by offering and employing sports support profiles (administrative support on the sports service, association managers, coordinators, all profiles that contribute to a professional guidance of your club or organization).

Within full-time or part-time employment, Sportwerk offers the employee the opportunity to combine different job content and therefore different jobs. Examples include:

- > A part-time sports teacher in combination with part-time sports club coordinator
- > A part-time association manager in combination with part-time financial employee at the Accounting of Sportwerk of at a sports club
- > An accountant, working less hours at the accounting office and giving more hours of training within the sports club

These positions are combined within the same part-time or full-time employment contract or consist of multiple employment contracts with different employers.

This arrangement can be seen as promoting employee sharing and interim management.

The Belgian partner only identified advantages to these arrangements.



### **Intermittent Permanent Contract**

Also known as the CDII, this is a special employment contract that was established in 2006 in sport by the *Collective Bargaining Agreement on Sports (CCNS)*, which can only be implemented in certain sectors of activity with significant variations in activity over the year. It allows the employee to alternate periods worked and periods not worked, while guaranteeing linear salary compensation throughout the year corresponding to all hours worked. The CDII represents the majority of jobs in the supervision of sports activities in France. 61% of employees are on permanent contracts, the majority with a CDII. According to the professionals the partner spoke with, the CDII is today the most used form of employment in sport. It makes relations between employers and employees in the sports sector more flexible by allowing them to recruit educators and pay them according to their real needs. The employee benefits from a permanent contract which offers them stability in their professional life.

### **Modulated Fixed-Term Contract**

Also known as the CDD, this arrangement is an employment contract between an employer and an employee for which an end of contract date is written in the contract. It is governed by the Labour Code and can only be renewed twice. At the end of these two years, the employee may be offered a permanent contract (CDI). The Modulated CDD makes it possible to modulate the duration of working time to allow it to adapt to variations in sports activity (adapt to the calendar of sports competitions, tourist seasons or school holidays).

Although this contract also allows for a modulation of work throughout the year like the CDII, employers in the sports sector make less use of this employment contract. On the first hand, because the employer must be able to define the modulation of the working time of his future employee even before signing the contract. On the other hand, because the regulatory framework for the modulation of working time is stricter and less flexible than the overtime system of the CDII.

Both of these approaches can be seen as promoting casual employment, but with considerable employee protections.

### **Shared employment in the sport sector**

Shared employment is a new form of employment that historically appeared in the agricultural sector during the 1980s. The idea is to share a workforce between different companies which do not have the means to offer a full-time contract, while providing stability to the employees who will be working in the various structures. In 1985, it was written into law that several employers falling within the same scope of application of a collective agreement can group together in the framework of an association called an *Employers Alliance* (GE). It took a long time for GEs to move into the sports sector, where it was not until the early 2000s to see them grow.

In France this is mainly happening through the *Profession Sport & Loisir* network. This represents 39 employers' alliances spread throughout France and overseas. These employer alliances represent more than 6 100 workers, made available to member employers.

This approach can be seen as promoting employee sharing.

The French partner identified the following advantages and disadvantages:

#### *Advantages and disadvantages for the employee*

Working with different structures allows the employee's skills to be developed. In sport, the employee will get the chance to work with different participants (children, adults, people with disabilities, elderly) and structures (club, school, city). The employee also benefits from parity of treatment with the staff members of the companies to which he is made available. He has the same rights and status than any other employees of the organizations he is working for. In addition, the possibility of obtaining a CDI within the employer alliance stabilizes the careers of sport educator. This also guarantees better access to social insurance thanks to a single employment contract (social cover, professional training, mutual).

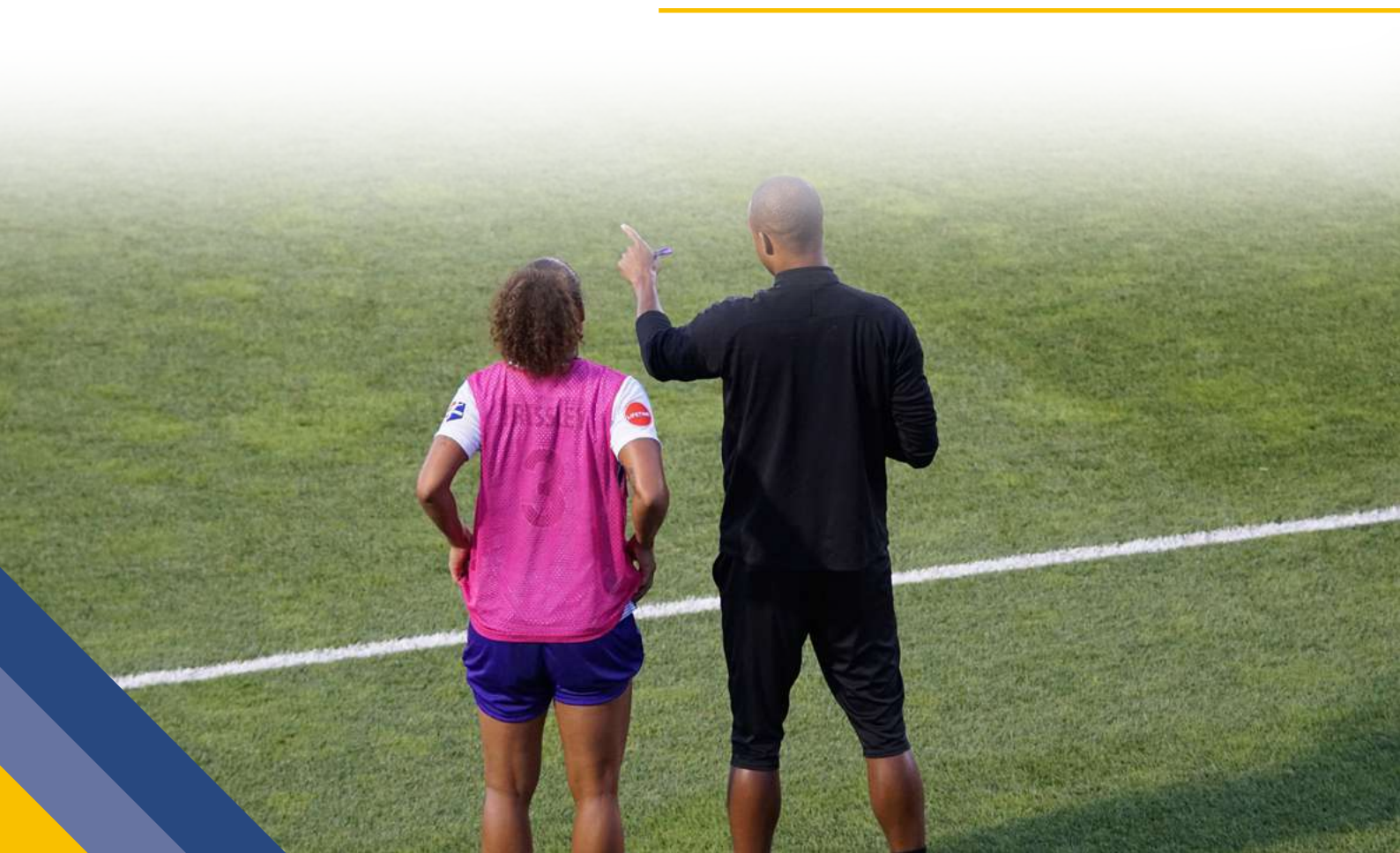
However, working for an employer alliance requires a great capacity for adaptation and autonomy inherent in the nature of the work carried out in various contexts for several employers.

#### *Advantages and disadvantages for the employers*

Employers have the option of joining forces when they need seasonal labour or at staggered periods without having to hire an employee on their own. Shared employment also helps to build professional loyalty from one season to the next with the staff members because they get a permanent contract.

Shared employment also provides access to a skilled workforce in sectors such as sport, where there may be recruitment difficulties and high turnover. The employer is also relieved of administrative tasks because the employer alliance is the employee's employer.

The employer alliance also helps to maintain a job that an employer cannot take on alone. Indeed, salary costs are due by each company according to the time spent by the employee working for them.



## Micro-entrepreneurship

The micro-enterprise is distinguished from other legal forms by its simplicity of management and the simplicity of the administrative formalities to create the micro-enterprise. It is important to note that the micro-enterprise is not a company and indeed does not have any separate legal identity. As a result, the personal and professional assets of the entrepreneur are linked to the micro-enterprise.

In sports coaching, statistics show a real enthusiasm for this atypical form of employment, offering significant freedom to coaches who engage in micro-entrepreneurship.

In 2005, there were 6 700 companies created in the commercial sports coaching sector. In 2014, this figure doubled and reached nearly 14 000 companies. Moreover, 95% of companies do not have an employee.

A study focusing on the French region of Pays de la Loire highlights the fact that in 2015, the number of micro-enterprises tended to be the same as the number of sports associations.

This approach may have relevance to platform work (if the micro-entrepreneur joins a platform) and portfolio work.

### *Advantages:*

- > Creation and day-to-day management of the company are simplified. All the micro-entrepreneur needs to do is keep a revenue / expense book, issue invoices for customers, have a specific bank account and report their turnover by paying social and tax contributions that are due.
- > The micro-entrepreneur can also have another status (student or employee).
- > The micro-enterprise is not liable for TVA (Valued Added Tax that applies when you pay for a product or service) if its turnover is less than € 34 400. This is one of the great assets of this status.
- > The possibility of working for several employers and deciding their working hours offers flexibility and considerable comfort to sports coaches.

### *Disadvantages:*

- > The main disadvantage is the case of the "disguised employee". Therefore, the micro-enterprise's turnover cannot come from one single customer. In this case, it is a form of disguised employment that offers a financial but illegal advantage to both sides (no social contributions for the company, and the micro-entrepreneur is not subject to the TVA). The employer has a responsibility to ensure that the micro-entrepreneur is doing his business with other clients because the micro-entrepreneur can turn against him in court and get financial compensation.
- > The exclusive micro-entrepreneur has limited social protections (they are not paid once they become unemployed as is the case for the rest of the population)
- > The personal responsibility of the micro-entrepreneur is engaged.



## 4.11 POSSIBLE REASONS FOR THE ADOPTION OF NEW FORMS OF EMPLOYMENT IN THE SPORT SECTOR

The partners' desk research identified a number of possible reasons for the adoption of new forms of employment in sport. These included:

- > New forms of employment suit many employees' personal situations which are complex and require additional flexibility to enable them to optimise their income.
- > For many employees, new forms of employment enable entry to the labour market who might have been difficult with less flexibility.
- > Many of the new forms of employment, for example, employee sharing, reduce the administrative burden on clubs/employers and provide fairer remuneration for employees.
- > Some of the new forms of employment legalise what previously may have been dubious under the law or totally illegal.
- > More formal arrangements such as employee sharing and interim management address job insecurity, frozen professional pathways and the previous excessive use of part-time work.
- > New forms of employment have the potential to retain more skilled workers in the sector.
- > New forms of employment can stimulate the evolution from the traditional amateur/volunteer profile of the sport sector to greater professionalisation.

## 4.12 THE SKILLS IMPLICATIONS OF NEW FORMS OF EMPLOYMENT

As part of their desk research activities, the partners were asked to identify or speculate about the additional skills which employees and employers may need in order to maximise their use of new forms of employment. These included:

- > Digital skills/digital content creation/videography
- > Social media skills
- > Obtaining sponsorship
- > Marketing and communication
- > Policy planning
- > Higher levels of qualification
- > New management skills and methods – e.g., different methods of supervising employees, accounting, project management
- > Specific skills in supervising sport activities



## 4.13 MAIN CONCLUSIONS EMERGING FROM THE DESK RESEARCH

1. It is clear from the partners' desk research and more detailed analysis of Eurofound 2020, that most of the new forms of employment identified by Eurofound exist in Europe in many other sectors and partners can see some possible benefits for sport.
2. Some of these new forms of employment are already being used in sport, and partners feel there is the potential for the uptake of others.
3. General employment legislation, as originally drafted, presents a number of barriers but most governments have responded flexibly by introducing amendments, derogations, new regulations etc.
4. Sectors, including sport, have been quite influential in lobbying for change which suggests further obstacles could be removed, if required.
5. New forms of employment are underpinned by a number of economic and social changes (including the impact of Covid and need for Covid recovery which have accelerated uptake).
6. New forms of employment have a variety of advantages and disadvantages for employers and employees which need to be carefully evaluated to determine good practices which continue to protect the rights of employers and employees within the spirit of general employment law
7. There are a number of skills implications for workers, including digital skills, transversal skills (e.g., self-management/independent working, marketing), entrepreneurial skills and new approaches to management and administration for employers



# 5

## NATIONAL ROUNDTABLE CONSULTATIONS ON NEW FORMS OF EMPLOYMENT



## 5.1 ORGANISATION OF THE NATIONAL ROUNDTABLE CONSULTATIONS

The next important step in the FORMS project was to consult on main findings of the desk research with sport sector stakeholders in each of the five partner countries. In May 2022, national consultation roundtables were organised by each national partner in Belgium, France, Luxembourg, Netherlands and Portugal. These multiplier events had the following objectives:

- > Inform the sector about the FORMS project and its aims.
- > Share the updated statistics on the sport labour market, its trends, realities and characteristics, including during the Covid pandemic.
- > Present the emerging findings of the desk research into the employment challenges facing the sport sector and the potential of new forms of employment to address these challenges.
- > Identify national and local needs in regard to sport employment and the barriers which confront employers and the workforce.
- > Evaluate the potential of new forms of employment to address workforce challenges.
- > Identify any new forms of employment in sport in each country and good practices.
- > Explore what needs to be done at organisational, regional and national levels to facilitate their adoption.

On average, each workshop consisted of between 10 and 20 participants (in fact, the Portugal partner managed to attract 95). Representation across all the workshops included:

- > Relevant ministries (for example, sport and employment)
- > National sport agencies and institutes
- > National sport confederations
- > National sport federations
- > National Olympic committees
- > Sport clubs
- > Private fitness companies
- > Employer organisations
- > Employees
- > Local authorities/municipalities
- > Social inclusion organisations
- > Universities and business schools
- > School networks





## 5.2 ENGAGEMENT AND FEEDBACK FROM NATIONAL ROUNDTABLE CONSULTATIONS

Representatives showed a high level of interest in FORMS and contributed to lively discussions on the key topics. The outcomes of these discussions helped to validate the FORMS desk research and provided additional information. The key findings were:

- > National stakeholders are indeed experiencing many of the challenges facing the sport sector across the five countries involved in the research. These include:
  - The impact of Covid
  - Enhanced expectations from governments for using sport as a vehicle for broader objectives
  - Demand for professionalisation
  - Recruitment of skilled labour which has become even more difficult because the return to 'normal' economic activity post-Covid has created a tighter, more competitive jobs market for employers
  - Obstacles caused by national labour laws (in some countries)
  
- > National stakeholders feel that some of the new forms of employment identified by FORMS may provide full or partial solutions by offering more flexibility than traditional approaches and potentially reducing administrative burdens on small organisations.
  
- > Additional advantages could include more varied experiences for employees, greater opportunities for mobility and career enhancement and help in bridging the gap between voluntary and paid employment.
  
- > The forms of employment that were registered by the round table discussions as of interest to the sport sector include:
  - Employee sharing
  - ICT-based mobile work (for example, remote fitness instruction)
  - Interim management
  - Casual/intermittent work
  - Portfolio work
  - Job sharing
  - Voucher-based work

- > However, not all of these are attractive for all types of posts. Probably the majority apply to management and administration roles, and some may be applicable to coaching and instructing, for example. Therefore, careful mapping and matching needs to be considered for different types of jobs.
- > Neither, at the moment, do all new forms of employment appear equally attractive in all five countries. For example, employee sharing was well-received in the French and Belgian events, but Portuguese stakeholders seemed less enthusiastic. Therefore, careful mapping and matching needs to be considered at the national level.
- > The adoption of new forms of employment may differ between the dynamic fitness and recreation sectors compared to the traditional sport clubs. Therefore, there are opportunities for cross-fertilisation between these sectors.
- > When considering employment flexibility in the sport sector, we should not ignore schemes to financially incentivise additional/part-time employment by waiving some social security contributions, such as flexi-jobs and Article 17 in Belgium.
- > New forms of employment in the sport sector may present certain risks both to employers and employees. These include:
  - Diminished loyalty to one club when employees are working for more than one
  - Potential for lower financial rewards for employees, greater precariousness in employment and potential abuse by employers
  - Possible lack of employee representation in negotiating working conditions.
- > Therefore, there is a need in some instances for collective, tripartite agreements to protect workers and clear and practical guidance to employers and employees on new forms of employment. This may also include setting the hourly rates for the jobs.

In some countries, there are barriers to the introduction of new forms of employment. These include:

- Employment laws and regulations
- A 'conservative' employment culture in the sport sector that tends to support traditional types of contracts
- Sport clubs tend to be small (80% employing five or fewer employees)
- In some countries there is a lack of cohesion and long-term vision in the sport sector, speaking with one voice on employment issues.

- > Therefore, there is the need to bring employers and employees together into a single forum for discussion, debate, strategic planning and lobbying to ensure labour law reform which will benefit both employers and employees.
- > The partners were able to identify some potential case studies. These include initiatives taken by the partners themselves (for example, in Belgium and France) and additional ones such as two federations identified in Luxembourg, work done by the Portuguese Swimming Association, the Urban Sport Club (platform work) based in Berlin but operating across Europe, the Minervaplan/Talent mobility and SCWITCH (interim management) identified in Belgium and Traineeships identified in Netherlands.
- > New forms of employment trigger the need for different types of attributes and skills in employees. These include:
  - Greater ability/willingness to work more independently, including self-employment/micro-entrepreneurship
  - Enhanced digital skills
  - The ability to be more multifaceted and versatile
  - Creativity and problem-solving skills
  - Passion and human connection/social skills.







# 6

## CASE STUDIES OF NEW FORMS OF EMPLOYMENT IN THE FIVE PARTNER COUNTRIES

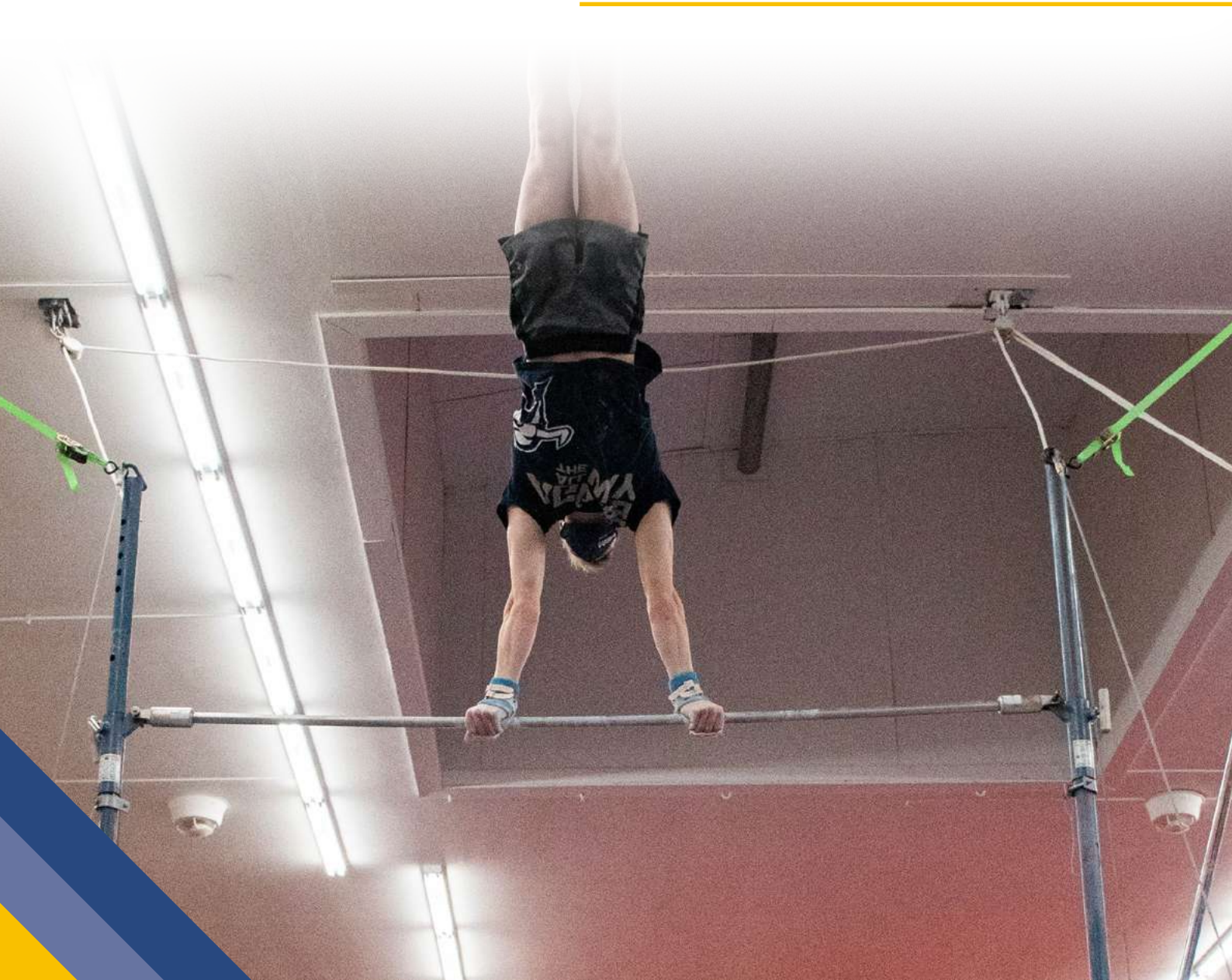


Building on the desk research and the suggestions provided by the national roundtable consultation workshops, the partners then focused on researching and writing up 12 case studies of emerging new forms of employment in Belgium, France, Luxembourg, Netherlands and Portugal.

This involved reaching out to stakeholders in the five countries who were implementing new forms of employment, exploring the problems they faced, the solutions they developed and the implementation challenges and gathering the perspectives of employers and employees regarding what they see as the advantages and disadvantages, good practice guidance and potential for further development.

10 of the case studies are based in the sport sector and two in hospitality. In the hospitality case studies, the partners explored their potential for application in the sport sector.

All case studies provide weblinks to further sources of information.



## 6.1 FRENCH SPORT EMPLOYERS COMBINE TO PROVIDE PERMANENT CONTRACTS FOR SECURE AND SUSTAINABLE EMPLOYMENT (EMPLOYEE SHARING)

«Employee sharing involves a group of employers hiring workers jointly and being jointly responsible for them»

(Eurofound 2020)



**Country**  
France

**Sector**  
Sport



### Partner Submitting the Case Study

Fédération Nationale Profession Sport & Loisirs (FNPSL)

### The Problem - Inflexible labour law holds back recruitment

Many individual employers in the sport industry found it difficult to give workers a fulltime 35 hour per week contract. This was a special problem for sport clubs. Coaches, for example, are often needed for only few hours each evening and demand goes up and down. Employers wanted to offer their workers secure and sustainable working conditions to grow a committed and stable workforce, but traditional French employment legislation made this very hard. The net result was severe recruitment difficulties.

Part-time contracts could have offered a solution. For example, in theory a sport coach could have one part-time contract with Club A and another part-time contract with Club B. The French Labour Code imposes a minimum of 24 hours of work per week for a part-time contract, but the Sport Collective Bargaining allows derogation from this framework by working less than 24 hours per week in certain cases. Therefore, an employee can combine several part-time jobs within the limit of 48 hours per week, and 44 hours per week over 12 weeks. However, the needs highly depend on the peaks of activity throughout the year, and it makes it difficult to adapt to this context when the worker holds working contract with different employers. The part-time contract does not provide enough flexibility.



## **The Solution – Employer Alliances share employees**

Sport was not the only sector facing these challenges. Lack of employment flexibility was a serious constraint in agriculture for many years. Pressure from agricultural employers brought about a change in the law in 1985 to formalise and regulate employee sharing.

Over the next thirty years, employee sharing slowly spread to other sectors, in particular entertainments and sport, through the formation of Groupement d'Employeurs ('GEs') – Employer Alliances. In 2006, the Fédération Nationale Profession Sport & Loisirs (FNPSL) was founded in order to professionalise the network of sport Employer Alliances which had sprung up all over the country. FNPSL's mission is to help employers generate decent and sustainable working conditions for the sport workforce. It now has 14 000 partner associations and manages 25 000 jobs, 8 000 of which operate under the Employer Alliance model.

### **How the Solution Works in Practice**

Employers in an area get together to create an Employer Alliance. These are non-profit organisations usually managing 50 to 150 workers. By 2020, there were over 390 Employer Alliances active in sport.

When a member/employer of the Alliance identifies the need for a particular position, the Alliance recruits and employs a qualified worker on a permanent contract and makes them available to the employer with the need. That worker is also be made available to other employers in the Alliance to create enough hours for a fulltime contract.

The worker is in fact employed by the Alliance, not the individual member/employer. The Alliance is liable for all the human resource management responsibilities under French law. At the end of each month, the Alliance invoices the member/employer for a sum based on the number of hours the worker has worked for them.

### **Challenges to Implementing the Solution**

Challenges to implementing the Employer Alliance model in sport have been few once the new law was in place.

Probably the biggest challenge was resistance to change. In the early days, it was difficult to persuade sport employers and workers that employee sharing was a feasible and positive solution, but this has now been overcome by several years of successful implementation and active promotion by FNPSL, federations and other sport sector stakeholders.





## Impact for Employers

### Advantages for Employers

The introduction of the Employer Alliance model of employee sharing has given member/employers greater flexibility. They can access qualified workers as and when they need them instead of being bound by traditional fulltime Monday to Friday contracts. This reduces the reluctance of employers to hire new staff.

In addition, many of the participating organisations are small sport and fitness clubs who often lack the administrative skills and time for recruitment, payroll and employment. The Employer Alliance model relieves them of this burden.

Member/employers have found that they can access workers with more diverse experience (because they also work for other employers), and they have professional loyalty from one season to the next since the worker has a permanent contract with the Employer Alliance.

### Disadvantages for Employers

All members of an Employers' Alliance must take responsibility for the workers they employ. If one member/employer goes bankrupt and cannot pay for the workers made available to them, all the other members have to cover the debt. This joint responsibility can be a challenge.

### Testimonial From an Employer

«We do not have the possibility in our association to develop sustainable jobs in the short term. The solution of professionalisation thanks to the Employers' Alliance allows us to have young people made available in our structure to train our players and at the same time for them to develop professional skills.»

(Rodolphe Rideau – President and employer of the football club, Académie Moulins)





## Impact for Employees

### Advantages for Employees

Since the worker is employed by the Alliance, they are guaranteed a permanent and standard fulltime employment contract with the same conditions, treatments, protections and advantages enjoyed by other French workers, for example, social security access and employer pension contributions. They have a single working contract and salary status instead of several part-time contracts. This offers more security and stability, and simplification and clarity with a single formal employer.

Because they work across a diverse range of employers, they experience more varied, less routine tasks and opportunities to gain more job-related and transversal skills. This positively impacts the employability of the worker involved in such Employers' Alliance.

### Disadvantages for Employees

Working across a range of employers can have disadvantages: workers need to travel more and be able to adapt to different organisational cultures. Since they tend to be always employed during busy periods, this can increase the work intensity and create more stress and fatigue.

Some also find it difficult to integrate with other workers who are directly employed by the organisation and feel they have a lesser status and fewer opportunities for progression.

### Testimonial From an Employee

«What I like most about the Employers' Alliance is that I do not need to worry about my future, I knew I had job security. It also helps with administrative stuff, that is great»

(Lucas Placide, coach at Montluçon Football and former football player of a youth training academy)

## Potential for Development

The FNPSL supports the Employer Alliance model on work-study contracts in the sports sector, an already existing model that should be generalized in order to develop the experience/skills of work-study students working across various employers. However, this requires setting up a tutoring team with one tutor per host structure, which can create more instability for young learners, hence the interest of the employer alliance to coordinate employment.

### Links for Further Information

<https://www.profession-sport-loisirs.fr/nos-services/emploi-partage> (page on the FNPSL's website that explains Employer Alliances in sport)

## 6.2 HIRE A REFEREE – A DUTCH APPROACH TO SUPPORTING AMATEUR FOOTBALL (PLATFORM WORK)

«The matching of supply and demand for paid labour through an online platform or app.»

(Eurofound 2020)



### Country

Netherlands

### Sector

Sport



### Partner Submitting the Case Study

The Employers' Organisation in Sport (WOS)

### The Problem – Not enough independent referees available

Football is the big grassroots sport in Netherlands, but there is a shortage of referees. Every weekend, Dutch football clubs struggle to find officials for their matches. This in itself is bad enough, but very often the home team has to provide the referee which leads to accusations of bias and sometimes physical aggression. Unfortunately, in recent years there have been many acts of violence on Dutch football fields aimed at referees.

Football clubs not only need access to competent officials, but they also need officials who are seen as impartial. There is clearly a gap in the market, but how could this gap be filled?

### The Solution – Platform work to the rescue

In other sectors in the Dutch economy, platform work is nothing new. As long ago as the year 2000, Dutch entrepreneur, Jitse Groen, set up *takeaway.com* as a platform to connect consumers with restaurants. In the past 20+ years, *takeaway.com* has grown into a global company, Just Eat, delivering meals to homes in 22 countries worldwide, and of course there are now many other companies copying the same formula.

Could a similar platform solve the problem of connecting football clubs to referees?

The answer is a definite 'yes'. Netherlands now has *scheidshuren.nl* (Hire a referee) which provides access to over 1 750 independent referees at every level and everywhere in the country.

The initiative is very flexible. It meets the needs of the football teams and the referees for this specific type of work. The traditional way of working could not provide this flexibility. New technology in the form of online platforms were necessary to achieve this. Platform work offers the possibility to work with small contracts and flexible working times (especially on the weekends). Referees provide their services in addition to their day job. So, they need flexibility in their working hours to combine refereeing with their normal work/life.

## How the Solution Works in Practice

This new form of employment operates very easily in practice. Football clubs can request a referee on *scheidshuren.nl*, providing all the necessary information such as dates, times and level of competition. Requests for bookings must be submitted at least two working days. Then the organisation ensures that an appropriately qualified referee is appointed for the match. They pick a referee out of the pool of the referees they have registered and send them an email with the date, time and location of the match. The referee can then decide whether or not they accept the appointment. If they decline the invitation, a substitute will be found.

The service, of course, comes with a cost to the club. The fee for a game is €60. €30 is paid to the referee, and Scheidshuren retains €30 as their service charge.

## Challenges to Implementing the Solution

The most often discussed challenge relates to the unclear employment status of platform workers, and the associated lack of protections regarding working conditions, notice periods, minimum pay, health and safety standards, but also social protection or access to representation.

## Impact for the football clubs

### Advantages for the clubs

- Football clubs get access the referees they need for their competition schedule.
- The referees are independent of the clubs that hire them and are less likely to be accused of bias.

### Disadvantages for the clubs

- Many clubs feel that €60 per match is quite a high fee. If the fee were reduced, they feel more clubs would access the platform.

### Testimonial From a Football Club

«Referees are quite scarce in the Netherlands. Thanks to the collaboration with *scheidshuren.nl*, we have enough referees for our matches every weekend. So, we are very happy with that. Another advantage of the platform is that you are guaranteed to get impartial referees. That is especially nice for city derby with a lot of emotions. Thanks to the impartial referee, the match can be steered in the right direction.»

(Board Member, USV Hercules, Utrecht)

## Impact for the referees

### Advantages for the referees

- The referees get access to far more work than they previously had.
- Scheidshuren takes care of all the administrative arrangements. All the referee has to do is turn up on the day.
- Referees have the flexibility to choose the matches they officiate according to their financial needs and other life commitments.

### Disadvantages for the referees

- Probably the biggest disadvantage for the referees is lack of certainty. One week the demand for referees can be very high, and the individual has a lot of opportunities to pick and choose from. Another week could be quite the opposite with little or no work available.

### Testimonial From an Employee

**“It is very easy and accessible to work with this kind of system. The organisation (Scheidshuren) takes care of all administrative matters. That is a nice and accessible way of working.”**

(J. Vink, football referee)

## Potential for Development

In general platform work can be developed through better laws and regulations for employees. Also, it is important to improve the working conditions, that companies hire employees and not use them as self-employed employees. In the current situation the platform employees are often disadvantaged and have bad working conditions and that has to improve in the future to develop this new form of employment.

In the case of Scheidshuren, the main complaint from the clubs is that €60 is a lot of money for a 90-minute game. The initiative would even be more accessible if it became cheaper. Maybe in the future the price can be lowered to make the platform more inclusive. A possible way forward could be if the KNVB (The Dutch football association) takes up a similar initiative themselves. KNVB could maybe offer this for all football teams in a more accessible and affordable way.

There are clearly opportunities to extend platform work for officials into other sports, and there is already some evidence of this happening in Netherlands.

### Links for Further Information

<https://www.scheidshuren.nl/>



## 6.3 BELGIAN SPORT SECTOR GAINS TALENT AND EXPERIENCE FROM THE CORPORATE WORLD (INTERIM MANAGEMENT)

«A form of employment in which a company 'leases out' workers to other companies, temporarily and for specific purposes.»

(Eurofound 2020)



**Country**  
Belgium

**Sector**  
Sport and Finance



### Partner Submitting the Case Study

Sportwerk

### The Problem - Sport clubs could not afford high-quality business skills

The sport and corporate sectors in Belgium face different employment challenges and in one case, they have found a solution which suits them both.

Professionalisation is a top priority for sport clubs in Belgium, but they need people with high quality business skills. Managers and admin staff with the necessary experience and talent are hard to find and far too expensive at market rates.

The corporate sector faces a different problem. Like many European countries, Belgium has an aging workforce - by 2030, 22% of the population will be over 65. To avoid an unmanageable pension and healthcare burden, the country needs to keep as many employees in work and making tax and social security contributions for as long as possible.

This is a challenge for big corporations. Many of the functions performed by older managers have been replaced by new technologies. In addition, retaining older staff with a long employment history involves heavy wage costs and when companies continue to keep these staff in their posts, it makes it harder to recruit and promote younger, more ambitious and energetic staff.

Even worse, if older workers simply retire, all the expertise and experience they have gained over a lifetime career are lost to society as a whole, so it is important to keep them employed and, if possible, make their skills available to those who really need them.

## **The Solution – Corporate sector retains staff approaching retirement age but leases them out to non-profit organisations at affordable rates**

One ingenious, win-win solution which benefits both the non-profit and corporate sectors was pioneered by a major Belgian bank and insurance company, KBC, through its *Minerva Plan*. Then, working together with two other corporations, AXA and Proximus, and consulting company HazelHeartwood, they created *Experience@Work*, an initiative that offers employees approaching retirement age the opportunity to carry on working for their company with the same job security and salary, but deployed outside of the company to an organisation in the non-profit or social profit sector (like sport) which, in turn, makes a reasonable salary contribution. For employees who want to give back to society, it gives them added motivation to stay in employment.

Since it started, 11 more companies have joined *Experience@Work*, including IBM, Bpost, Arcadis, Ahlers, CBC, Randstad, Crelan, Solvay, Sabena Aerospace, Bekaert and National Bank of Belgium.

Organisations in the non-profit sector draw up a job description for a post where they really need someone with lots of talent and experience. The salary for the post does not have to be the same as one offered in the corporate sector but has to be equivalent to the average salary for someone who has worked in the non-profit sector for at least 10 years.

The vacancy is then posted on the *Experience@Work* website, and any older employee who has already been approved by his company can apply. The eligibility criteria for the scheme require candidates to be 55 or older, within approximately eight years of retirement and to have worked for the company for at least 10 years. Eligible employees can also search the job market themselves and, if they see what looks like an appropriate job advertisement, they can notify their employer and ask to make an application.

### **How the Solution Works in Practice**

KBC operates the scheme through Track 5 of its *Minerva Plan*, an employment programme for employees nearing the end of their careers. Currently, there are over 80 KBC employees on Track 5.

One beneficiary of the *Minerva Plan* is Sportwerk, a partner in a healthy sport labour market in Flanders and the Brussels Capital Region, whose main activity is to promote and support the professionalisation of sport clubs and sports sector through official employment. Sportwerk badly needed a highly skilled and experienced staff member for their personnel administration, but there was no way they could afford this kind of expertise at market rates. Sportwerk already knew about the existence of the *Minerva Plan* at KBC and approached the company directly. Both organisations worked together on writing a job advertisement for the post and negotiated an appropriate service fee.

When the vacancy was posted on the Minerva website, it was spotted by Dirk d'Hondt who had been working for KBC since 1985 and had 30 years' experience of the 'hard' side of human resource management such as payroll and personnel processes. However, by 2015 most of his functions were automated, so his role in the company was at risk. Dirk had also been a passionate sportsman, playing competitive football from childhood to the age of 30 and then becoming an active cycling tourist. When the opportunity to work in a sport organisation came up, he was very happy to give his expertise to Sportwerk whilst retaining his full status as a KBC employee with his normal salary and conditions of employment.

KBC now has a service agreement with Sportwerk whereby Sportwerk purchases Dirk's services with a specific set of personnel management tasks. In return, KBC invoices Sportwerk monthly on the basis of the agreed fixed performance fee. This does not cover all of the salary which KBC pays Dirk, but at least it makes some contribution to his wage costs.

### **Challenges to Implementing the Solution**

The Experience@Work initiative is innovative and creates a win-win solution for the corporate and non-profit sectors and the older employees, but there are complications.

- > The agreement between the employer and employee needs to be complex to avoid some aspects of Belgian labour law – 'prohibited posting'.
- > The non-profit organisation must be able to afford the salary of someone with at least 10 years' experience in the sector. This is a good deal in terms of the expertise they access but could still be considered a challenge.
- > Some small clubs may not need a full-time position.
- > The organisation hiring the employee's services must honour the conditions of their employment contract with the 'parent' company.
- > The organisation hiring the employee's services cannot exercise authority over the employee or conduct performance appraisal interviews.



## Impact for Employers

### Advantages for Employers

- The corporate employer can limit the costs of early retirement.
- Instead of firing employees because their functions have been replaced, they can offer an attractive alternative.
- Deploying older employees outside the company frees up employing and promoting younger staff.
- The initiative provides great publicity for the companies which hire out their experienced employees and contributes to their corporate social responsibilities.

### Disadvantages for Employers

- The corporate employer still has to bear a large part of the employee's wage costs.
- They are responsible for drawing up the service agreement with the non-profit organisation and manage all the administrative arrangements and these escalate as more employees opt to join the scheme.
- It is becoming increasingly difficult for them to meet demand from the non-profit sector. When KBC started its Minerva Plan, there were 'more employees than work'; now there is 'more work than employees.'

### Testimonial From an Employer



**«Employees themselves can decide the best way to stay motivated in the workplace until retirement age. This is fully in line with KBC's group strategy, which links employee performance to empowerment (room for individual entrepreneurship) and accountability (taking individual responsibility) and is an example of the active anchoring of KBC's business activities in the context of sustainable corporate social responsibility. In addition, technological progress should help with more flexible working, thereby motivating employees and increasing their satisfaction. It is good publicity for KBC. People are given the opportunity to develop a career within KBC, to gain knowledge and experience here so that they can use this in other organisations towards the end of those careers. Society also benefits from this, in order to keep the social costs for the government as low as possible and to optimise the distribution of talent.»**

(Kurt Claes, Coordinator, KBC)



## Impact for employees/workers


### Advantages for Employees

- The employee has the opportunity to choose a mission that they like towards the end of their career, while retaining their existing employment contract with their current employer.
- Experienced employees who are looking for a new challenge and who would like to valorise their talents and experience are given that opportunity.
- Older employees often find it difficult to find new challenges when their functions are replaced by new technologies. Now they can use their talents and experience outside the own organisation but remain employed by it.
- If the new assignment turns out not to be a good match, the employee can always return to their employer.

### Disadvantages for Employees

- Joining a new organisation with a different way of working creates difficulties for some.
- The employee has to bid farewell to familiar colleagues and surroundings.
- Engagement with the non-profit organisation until the end of their careers is not guaranteed. The service agreement can be terminated by the corporate employer or the non-profit organisation at any time.

### Testimonial From a Football Club



**«I have been working at Sportwerk for three years now and it has been a very positive experience for me so far. After 34 years of KBC, it is inspiring for me to work in an organisation with many young people where everything is less tightly regulated and the aspect of 'fun' in the workplace is important. This way I can end my career in a nice way and have a lot of job satisfaction because I can use my experience for the benefit of younger colleagues. In a less digitized environment, these skills are also important again, which gives you a good feeling for yourself.»**

**«I think it's also a win for Sportwerk itself, because they don't have the financial strength to pay someone with my experience in line with the market. This is possible in this setup. So, I am very satisfied with this solution and can only recommend it to anyone who gets this option.»**

(Dirk d'Hondt, KBC employee deployed to Sportwerk)

## Potential for Development

Currently, Sportwerk appears to be the only sport sector organisation taking advantage of *Experience@Work*, but there is clearly an opportunity for others to join. More sport organisations need to be made aware of the existence and possibilities, and there needs to be more research into feasibility, especially for smaller clubs. More corporate employers also need to get involved so that more experienced employees become available.

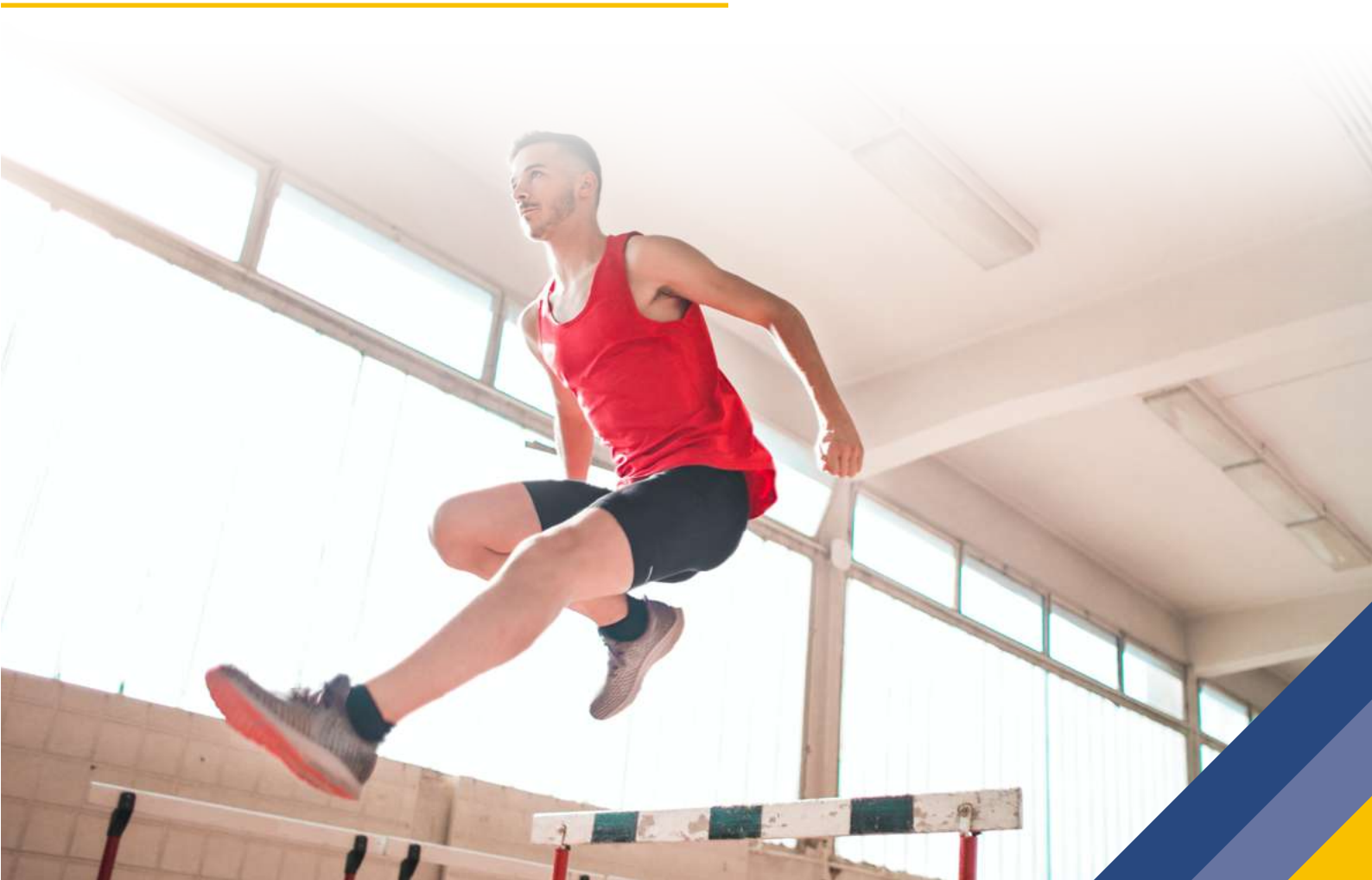
There are still some legal and practical difficulties which need to be addressed and the *Experience@Work* member organisations are now involved in dialogue with the Ministry of Labour to introduce more flexibility in employment legislation to make it a permanent and sustainable feature of working in Belgium.

### Links for Further Information

Experience@work: [Experience@Work - Home \(experienceatwork.be\)](https://experienceatwork.be)

The Minerva-plan (KBC and SD-Worx): [CCSR\\_SH\\_Minerva-plan\\_KBC\\_Langer\\_Werken\\_nl.pdf](#)

Jobs available under the Minerva-plan: [Minerva-plan biedt 'oudere' KBC'ers vijf eindeloopbaanpaden - Jobat.be](#)



## 6.4 LUXEMBOURG BADMINTON FEDERATION LEADING NEW FORM OF COACH EMPLOYMENT TO IMPROVE QUALITY (EMPLOYEE SHARING)

«Employee sharing involves a group of employers hiring workers jointly and being jointly responsible for them.»

(Eurofound 2020)



**Country**  
Luxembourg

**Sector**  
Sport



### Partner Submitting the Case Study

Lunex University

### The Problem – Shortage of qualified coaches restraining the quality of badminton clubs

The Luxembourgish Badminton Federation (FELUBA) is responsible for promoting and organising badminton competitions in Luxembourg and supporting badminton athletes at international competitions. Another of their key responsibilities is to help their affiliated badminton clubs with any administrative and technical problems they may face.

It has been clear for a number of years that Badminton clubs in Luxembourg struggle to recruit and retain the services of suitably experienced and qualified coaches to train and develop their players. Given the nature of employment law in the country, individual clubs have found it very hard to offer contracts with a sufficient number of hours to attract the type of coaches they badly need. Demand for coaches also varies on a seasonal basis. A further problem was that many of the smaller clubs did not have sufficient administrative capacity to manage recruitment and employment on their own.

Overall, these difficulties were constraining the capacity of the badminton clubs and the quality of coaching they could provide.

### The Solution – The federation employs qualified coaches and makes them available to badminton clubs

The federation was made aware of the problem by their affiliated clubs and spent some time consulting with them on possible solutions, compatible with national laws and regulations, which could address both the recruitment and administrative challenges.

Eventually, it was agreed that FELUBA would take responsibility for hiring qualified coaches and making them available to the clubs on a 'pay-per-hour' basis. This way the clubs could access and pay for qualified coaches only for the times for which they were needed, and the federation would bear the administrative burden of their recruitment and payroll. The cost of this administration could be covered by a small addition to the hourly fee. In order to make it economically viable for FELUBA, clubs need to commit to 44 weeks of work annually.

### **How the Solution Works in Practice**

In practice, this innovative approach runs in parallel with a quality label scheme designed by FELUBA. Each club which wants to take full advantage of the scheme by accessing coaches at the lowest rate must sign a convention with the federation which includes a number of quality criteria. This has the additional benefit of incentivising higher standards across the clubs which participate.

Once part of the scheme, badminton clubs can request a coach for a specific number of hours throughout the year. The federation then dispatches coaches who have already been recruited or recruits new coaches to fulfil the needs of the clubs. The federation is paying coaches for the time they work for the clubs, and clubs pay the hourly rate to the federations who manage the system. On average the federation can allocate 20-30 hours a week through the system which makes it much more attractive to the coaches than a number of small part-time or freelance contracts.

FELUBA manages the entire scheme and, in addition to the practical benefits, it can also control the quality of the coaches working with clubs and promote their continuing education and development.

### **Challenges to Implementing the Solution**

Implementing the scheme created several challenges.

There were concerns that:

- > Club identity may be diluted because the same coaches may work with several clubs while many clubs prefer to have exclusive access to a high-quality coach, especially during competitions.
- > Most coaching takes place in the evening, and it is difficult to find sufficient hours to create a fulltime 40-hour contract which some coaches would prefer.
- > Clubs sometimes need to cancel events and sessions at the last minute, but the coaches who have been allocated still need to be paid for the promised work; therefore, the scheme needs to have tighter conventions to ensure that either the clubs use the hours they have requested, or they pay for the hours they have requested but not used, unless there is a valid reason (for example, the coach is sick or has to work for the Federation on another commission).
- > It is a challenge to calculate coach workload within a year when taking into account school holidays, and non-used hours.

Despite these challenges, the scheme is proving very popular. In fact, FELUBA is now struggling itself to find sufficient numbers of qualified coaches. More support is needed to ensure an uninterrupted pipeline of high-quality staff.



## Impact for Employers

### Advantages for Employers

The introduction of the new scheme has highlighted the following advantages for the clubs and FELUBA:


- Clubs can now benefit from qualified coaches and build their capacity accordingly.
- The administrative costs to clubs are relatively low and workable.
- FELUBA can control the quality of coaches hired within its clubs and promote their continuing education.
- System helps club to develop and improve their structure when it includes administration work, and there is a critical need for clubs to become more professionalised which the new scheme encourages.
- Since the coaches are available all day for the clubs, they are available to set up other projects, for example, lunchtime sessions in schools. A traditionally hired coach who would mainly be available in the evenings would not have the flexibility to do this.

### Disadvantages for Employers

The main disadvantages reported are:

- FELUBA now has additional administrative responsibilities.
- The clubs are required to share coaches with other clubs they may be in competition with.

### Testimonial From an Employer



**«The more we progress in the project, the more we are convinced that this project is very important for the development of badminton in Luxembourg. Since the implementation of this project, we have immediately seen a greater professionalism of our clubs. We offer resources that will allow them to develop their structure and respond to external demands (commune, La Lasep, Les Maison Relais,...). The fact that, at the same time, the clubs must be certified to obtain the best rates, allows us to have a certain control over the quality of the structure and the management of the clubs.»**

(Frédéric Mawet, National Technical Director, Luxembourgish Badminton Federation)

## Impact for Employees

### Advantages for Employees

- Badminton coaches now feel that they are enjoying better pay and conditions of service than they received when they were operating mainly on a freelance basis.
- They benefit from more hours per year and feel a greater sense of job security.
- Since they are employed by FELUBA, the coaches have a broader view of their work. They think not only in terms of the club, but also the Federation.

### Disadvantages for Employees

The disadvantages most mentioned by the coaches are:

- Most work still takes place in the evening when the clubs need them most.
- It is still difficult to obtain a fulltime 40-hour contract which many would prefer.
- Clubs continue to emphasise the technical benefits coaches bring and do not value the additional administrative duties they could perform. Some of their potential is underutilised.
- Coaches now have to work across a number of different locations which introduces added travel.

### Testimonial From an Employer

Sums up the benefits for a coach employed by the scheme:

«It's a really good option to get a professional job as an employee and not as a freelancer in the sports badminton. Because as a private person you cannot easy arrange to get enough hours with one or some more clubs.»

(Maurice Niesner, Coach, Luxembourgish Badminton Federation)

## Potential for Development

Several of the challenges and disadvantages still need to be addressed. For example, if clubs valued their own internal administration more, they could allocate some administrative duties to coaches during the mornings. This would make it easier for FELUBA to create fulltime contracts for them and it would professionalise the clubs further.

Nevertheless, the pioneering approach taken by FELUBA has a great potential for other sports in Luxembourg who face similar recruitment and administration challenges. This could be facilitated by a ministerial decision to develop it across all sports at the national level and ensure it becomes permanent. This could be strengthened by an appropriate collective bargaining agreement for sport in Luxembourg.

### Links for Further Information

Badminton quality label: <https://badminton.lu/cms/index.php/projets/proclub/>

## 6.5 DUTCH HYBRID WORKING IN SPORT – LET THE NEEDS OF THE JOB DETERMINE WHERE YOU WORK (ICT-BASED MOBILE WORKING)

«The employee operates from various possible locations outside the premises of their employer (for example, at home, at a client’s premises or on the road) supported by modern technologies such as laptop and tablet computers.»

(Eurofound 2020)



**Country**  
Netherlands

**Sector**  
Sport

### Partner Submitting the Case Study

The Employers’ Organisation in Sport (WOS)



### The Problem – Traditional ways of working takes travel time and lacks flexibility

Traditional office-based work which has been with us for hundreds of years no longer suits twenty-first century employees and employers.

For the employee, needing to be present at the office seven or eight hours a day, five days a week often involves a lot of unproductive travel time which can be made worse by traffic jams and public transport disruptions. The lack of flexibility involved does not suit modern lifestyles, especially when there are family responsibilities. When combined, these disadvantages can have a negative impact on employees’ work-life balance which reduces job satisfaction and productivity.

Over and above this, the costs of travel to work eat into the employee’s salary and, if the mode of transport is the car, this contributes to environmental damage.

There are disadvantages for the employer as well. An employer who demands the traditional working pattern is much less attractive, so they may struggle to recruit talented staff, especially when the labour market is tight. In addition, renting and maintaining enough office space for all your staff all of the time is expensive. Many employers realised this was an investment they should reconsider.

## **The Solution – The Hybrid Working Roadmap provides a structured approach to more flexibility**

The Dutch Employers' Organisation in Sport (WOS) is an employers' association that aims to promote the interests of its members in the broad field of labour relations. It consists of around 100 members who employ over 3 500 staff.

For several years, WOS had been aware of the problems caused by pure office-based working and the impact this was having on the recruitment and retention of staff in the sport sector. Dedicated to improving employment practices in sport, WOS's solution was a *Hybrid Working Roadmap* for sport employers. Hybrid working involves a combination of office-based and ICT-based mobile work, designed to satisfy the needs of employers and employees alike.

Prior to 2020, hybrid working began to develop some momentum in the Dutch sport sector. Then, the impact of Covid-19 brought both the problem and the proposed solution into sharp focus. During the pandemic many staff – for example, managers and administrators – could continue to work, but social distancing meant they could no longer come to their place of work. Working from home, with the support of computers, laptops and online meeting platforms suddenly became the 'new normal'. Having worked in this way for many months during lockdowns, both employees and employers saw the advantages and started to evaluate whether returning to 'business as usual' really was the way forward in the post pandemic era.

More flexible arrangements, combining office-based, work-based and even client-based working, became the obvious way to go. The principle is that work is not led by the location where it takes place. Instead, work is led by what needs to be done, who is needed to perform it and then the best location.

### **How the Solution Works in Practice**

The *Hybrid Working Roadmap* was developed by WOS in close cooperation with the General Employers' Association in the Netherlands (AWVN) which brings together 750 companies employing around 5m workers.

The *Roadmap*, which is freely downloadable from the WOS website, provides sport employers with a structured and accessible way to arrive at working arrangements that suit their specific organisational needs. It encourages employers to work closely with their staff to develop and agree a policy which defines how hybrid working should look in practice and then implement this policy within the framework of Dutch labour law.

As well as explaining how to transition to hybrid working, the Roadmap website also provides a wealth of information and guidance on legal, regulatory and good practice issues such as:

- > Duty of care
- > Working hours
- > Allowances
- > Ergonomics of the homeworking space
- > Privacy and security
- > Psychosocial workload, and
- > Remote leadership



## Challenges to Implementing the Solution

Several challenges have emerged in the implementation of hybrid working.

- > Employers find it more difficult to control the productivity of their staff using traditional methods. A new leadership style, based on personal responsibility and trust, is needed. The emphasis shifts to empowering employees to create the best conditions to deliver the best results they can.
- > The organisational work culture tends to be weakened. The strong personal connections which people develop when physically working together start to dissolve. Mutual support and learning from each other become more difficult. Team spirit is harder to build and sustain.
- > Dutch labour law and regulations are not designed for hybrid working. In fact, there was no law which ensured the right to work from home. This has now been addressed by a new law called 'wet werken waar je wilt' (working where you want) which now provides employees with more rights and freedoms in how they want to balance home and office-base work.
- > There are concerns around cybersecurity. According to a recent study (Cisco, 2022) only 58% of respondents felt that their company had the right cybersecurity measures in place to make hybrid working safe and successful.

## Impact for Employers

### Advantages for Employers

- Several studies (Cisco, 2022 and Choudhury et al, 2022) indicate that hybrid working actually increases employee productivity.
- Employers save on reduced office space, energy costs and other overheads.
- Employers offering hybrid working are more attractive to potential staff. This helps recruitment especially when there is intense competition for talent.

### Disadvantages for Employers

- Employers need to consider a range of legal and ethical issues to ensure the health, safety and security of these employees which may be quite different to one fixed place of employment (hence the need for the Roadmap).
- Employers need to adjust their leadership styles to match the conditions of hybrid working. This can involve difficult transition periods and sometimes the need to radically rethink management practices.
- Many of the advantages of staff sharing a common physical space (mutual support and learning, social interaction and common understanding on how things should be done) may disappear. Employers need to find alternative ways of building and sustaining their organisational culture.

## Impact for Employees

### Advantages for Employees

- The employee has greater freedom to choose where and how they work in a way that suits their personal circumstances. This is especially helpful for workers with childcare responsibilities or those who care for vulnerable family members.
- Employees feel more empowered and less controlled by their employer which encourages creativity.
- Employees save some costs of transport to and from the office.

### Disadvantages for Employees

- Employees may feel less supported by the organisation and may find it harder to quickly find solutions to problems they face in their work.
- Employees may not learn work practices so quickly because they cannot simply observe what a colleague is doing.
- Employees may feel more isolated because they lose the spontaneous informal contact with their colleagues. They may experience poorer working relationships and less fun doing their job.

## Potential for Development

Following the Covid pandemic, hybrid working has exploded in the Netherlands and the sport sector. The new law 'wet werken waar je wilt' addresses many of the legal challenges, but further research still needs to be done on finding solutions to the remaining problems, particularly those to do with new leadership styles, organisational culture and cybersecurity.

Hybrid working is not only about office and home-based work. The Dutch Royal Football Association (KNVB) is developing a hybrid working initiative which goes beyond homeworking.

The KNVB's headquarters is in Zeist. It is a large organisation with over 500 employees. A lot of these employees live far from the headquarters. It can take them a lot of time to travel to and from the office which means it lacks flexibility. To accommodate their employees and meet the desire for flexible working the KNVB is therefore developing a new approach. They are in the process of agreeing contracts with a number of major amateur football clubs in the Netherlands to use their facilities as local offices. They want to make a deal with these clubs so the employees of the KNVB can work in their buildings whenever they want. These clubs are spread throughout the Netherlands. This solution allows KNVB employees to be more flexible in regard to their working location. They no longer have to travel to the main office in Zeist but can work wherever they want in the Netherlands at various clubs. The initiative is still in the planning phase but will be implemented in 2023.

### Links for Further Information

<https://www.sportwerkgever.nl/kennisbank/hr-van-a-tot-z/hybridewerken/>

[https://www.sportwerkgever.nl/wp-content/uploads/2022/03/WOS\\_HybrideWerken\\_v04.pdf](https://www.sportwerkgever.nl/wp-content/uploads/2022/03/WOS_HybrideWerken_v04.pdf)

<https://www.awvn.nl/lid-in-beeld/wos-sport-routekaart-hybride-werken/>

## 6.6 IMPROVING THE SUPPLY OF QUALIFIED PORTUGUESE SWIMMING TEACHERS AND COACHES (EMPLOYEE SHARING)

«Employee sharing involves a group of employers hiring workers jointly and being jointly responsible for them.»

(Eurofound 2020)



**Country**  
Portugal

**Sector**  
Sport



### Partner Submitting the Case Study

Sport Sciences School of Rio Maior (ESDRM)

### The Problem – Clubs and municipalities could not recruit the coaches they needed to raise standards

As part of its Strategic Plan 2014-2024, the Portuguese Swimming Federation (FPN) with 221 registered clubs and nearly 50 000 members has developed a quality improvement programme for swim schools in clubs and municipalities across the country. The programme aims to raise both the technical standards of facilities and the quality of teaching/coaching inclusive of all swimmers with special attention to target groups such as babies, pre-school children, school age children and senior citizens.

Central to the programme is the training and continuing development of swimming teachers and coaches through certification and the renewal of methodologies and up-to-date best practices, but how could clubs access such coaches?

Participation in the scheme is vital for clubs and municipalities who want to improve their provision, but many find it hard to employ personnel with the appropriate training and qualifications. Often, they lack the financial resources to hire fulltime teachers/coaches, and there is little demand for swimming lessons and training sessions throughout the day. This became a significant barrier to extending the quality scheme across Portugal.

### The Solution – The federation takes responsibility for employing teachers/coaches and offers them to clubs and municipalities

Once aware of this problem, FPN responded by setting up an employee sharing scheme which makes it possible even for the smaller clubs to access teachers/coaches certified by federation. By taking on the employment responsibility, FPN can offer its member clubs access to qualified staff, greater quality assurance and stability in the service offer.

## How the Solution Works in Practice

In practice, a club or municipality enters into a contract with FPN for the local development of swimming. The Federation takes responsibility for creating the conditions for the implementation of the contract in particular through the provision of teachers/coaches with the right training and qualifications.

FPN promotes the dissemination of job offers at the national level through its communication platforms and then recruits and selects a teacher/coach with the required profile. An employment contract is then agreed. Contracts are fixed term and can be fulltime or part-time depending on what suits the candidate and the number of hours needed throughout the week.

The employment relationship for the teacher/coach is with FPN. The club or municipality is simply the place of work, and they pay a fee to the Federation depending on the number of hours the coach works on their premises per month.

So far, FPN has developed sport development contracts with 10 municipalities and has around 190 coaches hired annually on this type of renewable contract.

## Challenges to Implementing the Solution

Perhaps the greatest challenge – at least to the teacher/coach – is that the contract does not cover certain periods of the year, usually the school holidays and the months of July and August when they are not in demand.

## Impact for Employers

### Advantages for Employers

The introduction of the new scheme has highlighted the following advantages for the clubs and municipalities:

- The difficulties of hiring qualified coaches are overcome, with the technical support of FPN.
- The municipality or the club has the support of the Federation in the development of its project, with technical, pedagogical and organisational follow-up and supervision.
- The quality assurance of swimming sports development programs is ensured by hiring qualified staff with profiles suited to the specific development of each project.

### Disadvantages for Employers

The main disadvantage for the clubs and municipalities is that management of the worker's activities is carried out remotely by FPN with some in-person monitoring. The club or municipality has no direct control over the teacher/coach themselves.



## Testimonial From an Employer

«Sport development programmes guarantee technical quality in the training of practitioners and the future quality of swimmers. The entities provide better services in teaching swimming. Coaches have better qualifications, better financial conditions and are more technically supported by the Federation.»

(Raquel Marinho, project manager at the Portuguese Swimming Federation)

## Impact for Employees

### Advantages for Employees

The main advantages for the teachers/coaches are:

- Security with annual employment contract, with working time ranging from full-time to part-time.
- The possibility of the teacher/coach having a fulltime job dedicated to swimming – the thing they love – without having to divide their working hours with other jobs.

### Disadvantages for Employees

The biggest disadvantage for the teacher/coach is that for some months in the year – mainly July and August – they have no work. In September the employment contract can be renewed, but there is no guarantee.

## Testimonial From an Employee

«The training and supervision carried out by the FPN is one of the main advantages of the project. Throughout the year, there are several technical and pedagogical follow-up sessions on the intervention of the coaches and the updating of skills related to the coach's qualification level. I consider this monitoring to be the most positive aspect of the project.»

«The contractual relationship for the provision of services works normally, the hourly rate paid is not very high. The benefit is that there is a contract with a defined duration, ten months. It's a pity the contract is not a full time.»

«The support material could be improved, equipment / clothing suitable for use in the role of coach is an aspect to be reinforced, what is provided is very limited.»

(Joana Mendes, Coach at Portuguese Swimming Federation)

## Potential for Development

The scheme can be extended to other municipalities and clubs up to the limit of FPN's response capacity.

FPN can also now offer a 'proof of concept' to other sport federations facing similar problems. The system is now tried and tested and can be taken up and implemented by other sports.

### Links for Further Information

<https://fpnatacao.pt/index.php>

<https://portugalanadar.fpnatacao.pt/>



## 6.7 BELGIAN SPORT EMPLOYERS ACCESS SPECIALIST STAFF THROUGH INTERIM MANAGEMENT AND EMPLOYMENT INCENTIVES (INTERIM MANAGEMENT)

«A form of employment in which a company 'leases out' workers to other companies, temporarily and for specific purposes.»

(Eurofound 2020)



**Country**  
Belgium

**Sector**  
Sport



### Partner Submitting the Case Study

Sportwerk

### The Problem - Sport clubs find it difficult to recruit coaches and other specialist staff

Sport clubs in Flanders have struggled to afford coaches and other specialist staff to meet demands of professionalisation and the specific needs of new target groups. There is intense competition for talent which has been made worse by Covid. Clubs are very reluctant to increase membership fees which could result in fewer members. More creative solutions had to be found to make the hiring of coaches and other highly skilled staff more affordable and attractive.

### The Solution - Exemptions from tax and social security contributions for specialist roles - all managed by a single employer

For several years, employers in sport and the wider socio-cultural sector had been lobbying the Flemish regional government to provide a solution which was both legal and affordable for the many small organisations who are pursuing valuable social goals but need specialist staff. Most often, workers - for example, sport coaches - with the right skillsets are already employed fulltime in other jobs, and sport clubs can only access their services as additional part-time employment in the evenings and weekends.

The major problem was affordability: clubs had to make social security contributions for these workers' additional employment, and the workers themselves were liable for personal income tax which could be anywhere between 25% and 50% depending on how much they earned from their 'day job.' This both added to the cost of employing part-time staff and deterred people like coaches from seeking legal employment.

Various attempts had been made in the past to address this problem, most recently through 'Association Work', but this was scheduled for abolition in December 2021, and no-one knew whether or how it would be replaced. The implications of no satisfactory replacement would have dire consequences, especially for sport.

Fortunately, this system was replaced by the regime of Article 17 of the Royal Decree of 28 November 1969. The system of Article 17 has been extended to allow the hiring of workers to carry out activities that were previously covered by the system of association work.

The provisions of Article 17 of the Royal Decree of 28 November allow the hiring of workers for well-defined activities without having to pay social security contributions on the salary related to these activities. This system is now being extended to activities that were previously covered by the association work regime.

Therefore, sport clubs must become employers themselves in order to be able to make use of the system of Article 17. As this still left sports clubs with the administrative burden of managing the system, there was a need for supporting these clubs. This is where Sportwerk was able to step in. Sportwerk is the partner of a healthy sport labour market active in Flanders and the Brussels Capital Region, whose main activity is to promote and support the professionalisation of sport clubs. They had a readymade solution in the form of interim management.

### **How the Solution Works in Practice**

In practice, Article 17 exempts an employer in the sport sector from paying social security contributions for specific employees such as sports technical functions (for example, coaches), managerial and administrative staff and youth coordinators. To be eligible, these staff must work no more than 450 hours per annum (no more than 150 hours for quarters 1, 2 and 4 and 285 hours in quarter 4 balanced across the year to ensure that no more than 450 hours are worked in total).

The great news for the worker is that if they earn no more than 6 540 euros per year from their additional income, they only have to pay 10% income tax from those earnings.

This has the net effect of reducing the wage bill for these specialist staff and makes earning additional income through this route much more attractive for the individual worker.

However (and it's a big 'however') the provisions of Article 17 cannot be used if the worker was employed by the same organisation in the previous year. For individual clubs, this means they are unable to directly employ the coaches they normally use.

The approach is good, but the complex requirements plus the normal personnel arrangements that go with hiring staff are a major headache for many of the smaller sport clubs.

Solving the problem of not re-hiring and relieving the administrative burden and personnel arrangements is where Sportwerk makes its biggest contribution.



The coach may have been previously employed by the club, but they were not previously employed by Sportwerk. Therefore, Sportwerk can enter into an employment contract with the coach and still use the advantages of Article 17.

To lift the administrative burden on small organisations, Sportwerk is able to use interim management arrangements whereby they become the employer of these specific staff and then hire them out to the clubs according to their need. If a club wishes to make use of these arrangements, Sportwerk enters into a cooperation agreement with them for a minimum of six months and sets up an employment contract between Sportwerk and the coach (or other type of specialist staff) and invoices the club monthly for the time the staff spend working for them. In addition, a small administration fee is charged.

So far (April – October 2022) Sportwerk has informed most of the 71 sport federations in Flanders and encouraged them to communicate the scheme to their clubs. 19 federations and 35 clubs have entered into cooperation with Sportwerk. 70 coaches are now employed by Sportwerk under this scheme which provides the clubs with 15 000 hours of additional employment to the value of 250 000 euros. This is a great achievement in a few months.

### **Challenges to Implementing the Solution**

Article 17 can create a win-win solution for the clubs, coaches and the other specific staff who are eligible, but there are complications.

For example, only qualified coaches can be employed by Sportwerk under the provisions of Article 17, and Flanders has over 70 000 coaches, less than half of whom are qualified, so the majority coaches still cannot be employed this way.

Under Article 17, the employee must receive the national minimum wage. For some clubs this is too high. For them, it is more affordable to keep the coach as a volunteer and pay them a much smaller volunteer allowance which is permitted by the law.

For Sportwerk themselves, there are challenges, which are part of being an employer. They must:

- > Register as the employer with the National Social Security Office
- > Register every new employee through the Belgium Dimona system
- > Pay at least the national minimum wage
- > Be an affiliate to the Joint Committee
- > Set up an employment contract for every new employee
- > Make specific work arrangements for the placement of these employees in the clubs
- > Take care of occupational accident insurance
- > Set up the necessary arrangements with the external service for prevention and protection at work (health and safety)
- > Carry out all the personnel and payroll arrangements
- > Provide task sheets for the employees
- > Deal with questions about remuneration and tax.

However, Sportwerk is committed to the sector and determined to do what it can to support the sport clubs. Without the support of Sportwerk, it is difficult to see how the smaller organisations could overcome these challenges.

## Impact for Employers

### Advantages for Employers

- Sport clubs are able to access skilled workers at rates which are affordable to their members.
- Article 17 provides alternative ways of paying these staff and still remain within the legal framework. They do not need to resort to illegal practices or keep coaches as volunteers.
- The fact that Sportwerk only employs qualified coaches grows and reinforces the professionalisation of the sector which is ultimately something everyone benefits from.
- The support provided by Sportwerk overcomes the administrative burden which clubs would otherwise need to carry themselves and provides a solution to the problem of clubs not being able to re-hire.

### Disadvantages for Employers

- The jobs covered by Article 17 are more specific than earlier schemes. Therefore, not all positions can be filled this way.
- There is a limit of 450 hours which the employee can work each year. This may not provide all the flexibility which the clubs demand.
- The employee must receive the national minimum wage which can still be too much for many clubs.

### Testimonial From an Employer

«Sportwerk literally does lift a burden that otherwise we couldn't deal with. As the employer, they take on all administrative and associated responsibilities. We pay a monthly invoice. No worries for the club, or the coach. We know it's okay. As a sport club it is not easy to employ coaches ourselves. Fortunately, Sportwerk exists. Now, we have the opportunity to compensate coaches in an official way.»

(Sport Club Deugd en Moed)



## Impact for Employees

### Advantages for Employees

- The employee receives at least the national minimum wage.
- They know they are operating within the law and have no worries about tax.
- As long as the annual salary they receive for additional employment remains below 6 540 euros, they pay less tax.
- The fact that the Article 17 service of Sportwerk only applies to qualified coaches gives recognition and reward for all the hard work they put in studying for the qualification.
- They know that all personnel and payroll arrangements are being dealt with a competent organisation like Sportwerk who can also deal with any sport labour market questions or problems they have.

### Disadvantages for Employees

- If their earnings from additional employment go beyond the limit, then they have to pay income tax at the normal rate.
- There are no guaranteed wages for incapacity at work as a result of illness or accident.

### Testimonial From an Employee

«I'm delighted that I can earn extra money by performing my hobby. In addition, I have a fixed point of contact for all my personnel management needs.»

(G. Blevi, coach)

## Potential for Development

Unfortunately, like its predecessor, Association Work, the future of Article 17 is uncertain. It lasts for 2022, but what comes next? Certainly, the sport sector would like it to continue, but feels there are improvements which Sportwerk recommends:

- > Reduce the 10% income tax which employees are liable for.
- > Increase the maximum amount which can be earned beyond 6 540 euros.
- > Increase the number of hours which employees can work.
- > Enlarge the scope of the scheme to include all the main functions needed in a sport club.
- > Consider replacing Article 17 with voucher-based work – a well-established new form of employment which many Belgium citizens use to pay for domestic services in the household, for groceries and transport.

### Links for Further Information

Article 17 reform: enlargement and flexibilisation | Confederation of Employers in the Sports and Socio-Cultural Sector (cessoc.be)

[Du travail associatif en 2021 vers un travail selon l'article 17 AR ONSS en 2022 | Group S](#)

## 6.8 ZERO-HOUR CONTRACTS – A SOLUTION FOR THE DUTCH HOSPITALITY INDUSTRY? (CASUAL WORK)

«A type of work where the employment is not stable and continuous, and the employer is not obliged to provide the worker with work but has the flexibility of calling them in on demand.»

(Eurofound 2020)



**Country**  
Netherlands

**Sector**  
Hospitality



### Partner Submitting the Case Study

The Employers' Organisation in Sport (WOS)

### The Problem – How to manage personnel costs when business fluctuates

Employers in the hospitality industry are sometimes very busy and other times extremely quiet. The restaurant or bar needs to employ enough staff to cope with the busy periods and can afford to do so because revenues are high. However, their profit margins are reduced if they have to pay the same number of staff to do nothing when few customers are coming through the door and the cash registers are not ringing.

The problem is to find a way of minimising the wage bill when business is slack whilst still having enough people on hand when business picks up.

The traditional way of working does not provide this. In the traditional way of working in the Netherlands, the employee has a permanent contract for 38/40 hours a week all year long. For specific organisations in the hospitality industry this type of contract is too expensive. In the case of the beach bars in the winter season, they make almost no money. So, in these cases the new form of employment, casual work, is a good solution. It gives freedom and flexibility to employers that the traditional way of working could not offer.

### The Solution – Zero-hour contracts

For employers in the Dutch hospitality industry, casual work with zero-hour contracts seemed to be the ideal solution. The personnel costs can be minimised. In principle, the employer only pays for hours worked, and the called-up employees are obliged to come to work whenever they are needed.

This kind of on-call casual work it provides optimum flexibility for the restaurant or bar. In the case of the beach bars for example, the employers can call upon people during summertime but in winter, they have no obligations to pay them due to a zero-hour contract. This means the beach bars only pay employees when their revenue is high (during summer) but when their revenue is low their employee costs are also low.



## How the Solution Works in Practice

With a zero-hour contract in the Netherlands you are employed by the employer (there is an employment contract), but there is no fixed number of working hours. This ensures that the employee can be called upon at different times for a different number of hours. A zero-hour contract is therefore an on-call contract with a number of different rights and obligations than other contracts. In practice, employers applying casual work tend to recruit a pool of workers from which to draw from when workload requires.

As an employee in the Netherlands, with a zero-hour contract, you have largely the same rights and obligations as an employee with a regular employment contract. On the other hand, you are obliged to come to work if you are called up by the employer. The employer must do this at least four days in advance and must also adhere to the necessary rules.

## Challenges to Implementing the Solution

There are a number of complications in the Netherlands which place restrictions on how far the employer can go. For example, when an employee works more than 12 months on a zero-hour contract, the employer is obliged to guarantee payment to the employee for a certain number of hours, based on the average number of hours worked in that period. So, in practice, after one year the worker is converted to a permanent employee.

Recently, the Dutch government has been exploring ways of limiting the opportunities for zero-hour contracts in order to reduce the negative effects for employees, in particular the lack of predictability – the employee may not know from one week to the next when they will be needed and how much they may earn in any given month. The government's intention in the future is to limit zero-hour contracts to students who benefit from the opportunity to work in the summer holidays or weekends.

## Impact for the hospitality employers

### Advantages for the hospitality employers

- Personnel costs are minimised. When business is scarce, they do not need to call on their employees or pay them.
- Employees are available for work when business is brisk.

### Disadvantages for the hospitality employers

- After 12 months of a zero-hour contract, the employee must be converted to a permanent employee with a guaranteed minimum number of hours.
- The lack of security and predictability for the employee may reduce company loyalty and motivation.

## Impact for the hospitality employees

### Advantages for the hospitality employees

- A person who may find it difficult to get a start in the labour market on a conventional contract obtains fairly quick and easy access to employment.
- Zero-hour contracts provide a lot of flexibility and the opportunity to combine two or more such contracts into a 'portfolio career'.
- This type of arrangement is attractive to students who only want to work in their free time.

### Disadvantages for the hospitality employers

The disadvantages probably outweigh the advantages.

- Zero-hour contracts provide little certainty or security.
- Without guaranteed hours and predictable salaries, it is more difficult for employees to rent or buy property or take out loans.

## Potential for Application in the Sport Sector

The principle of casual work – only paying the employee for the work they do – has potential for application in the sport sector. Like many areas of the hospitality sector, demand for labour fluctuates. Gyms, for example, traditionally experience high demand after the Christmas period and before the summer holidays which declines in other months. Seasonal demand is a feature of many sports, for example, skiing and other winter pursuits.

However, as noted above, the disadvantages for employees tend to outweigh the advantages and the system is fundamentally unfair to the workers.

Having said that, studying this new form of employment provides some great learning points. Casual work gives employers too much freedom and it has a lot of disadvantages for employees. In the context of the Netherlands this new way of working was too casual, and the Dutch government decided that it is better to go back to more traditional approaches with more permanent contracts for employees. The lesson learned from this is that you have to look critically at new forms of employment and sometimes it is better to limit the initiative to a specific target audience, in this case students, who can benefit from it.

### Links for Further Information

<https://www.rijksoverheid.nl/onderwerpen/arbeidsovereenkomst-en-cao/vraag-en-antwoord/welke-contracten-zijn-er-voor-oproepkrachten>

## 6.9 INTERMITTENT EMPLOYMENT CONTRACTS – GIVING STABILITY TO FRENCH SEASONAL SPORT WORKERS (MODIFIED TYPE OF CASUAL EMPLOYMENT)

«A type of work where the employment is not stable and continuous, and the employer is not obliged to provide the worker with work but has the flexibility of calling them in on demand.»

(Eurofound 2020)



**Country**  
France

**Sector**  
Sport



### Partner Submitting the Case Study

Fédération Nationale Profession Sport & Loisirs (FNPSL)

### The Problem – Lack of stability for employers and workers in seasonal sports

Employment in many sports in France is seasonal. Activities such as skiing, kayaking and climbing are closely linked with tourism and the 12-month seasonal cycle. High numbers of instructors are only needed when the tourists are there, and weather conditions are right. Periods of intense work in other sports such as tennis are dictated by the school calendar. When there is no demand, instructors are not required.

Traditionally, this has caused problems for both employers and employees. Even though these peak periods of activity are predictable, under the French Labour Code there was no way an employer could offer these workers a permanent contract (Contrat à Durée Indéterminée or CDI) without also paying them for the periods when they were not needed, something they could not afford. The only legal solution on offer was either fixed-term or temporary contracts to cover the high peak periods and nothing for the periods when the workers were not needed.

On the surface, this may seem 'fair', but for employers it meant each year, they could not be sure who would be available for next season, and there always the risk of losing experienced and qualified staff to competitors. Those who had been employed the previous season may have found a position with someone else. This lack of a permanent contract also led to a precarious existence for these 'intermittent employees' who found it hard to plan a stable and sustainable career and life. Their income was not spread evenly across the year. Without a permanent contract and regular income, it was difficult for them to rent or buy a home or obtain any other kind of loan.

## **The Solution – CDII, a permanent contract for intermittent work**

Sport was not the only sector affected by fluctuating seasonal demands. Large and influential sectors such as car manufacturing also suffered. Lobbying both from employers and employees stimulated the French government to review the situation and look for a solution. This led to the signing of an *'Agreement on job security for the professional careers of intermittent employees'* in 2013 which opened the door to a four-year pilot study to assess the flexibility to allow permanent contracts for intermittent employees. The outcomes of the pilot study were positive, and the new approach was formalised in the French Labour Code with the introduction of CDII (Contrat à Durée Indéterminée Intermittent), sometimes referred to as 'CD2I').

### **How the Solution Works in Practice**

A company which is recognised under the Labour Code as having seasonal activity (which includes sport) can offer intermittent employees a CDII. In most cases, the employer knows these people because they have already been their temporary workers for some time. The CDII contract must specify the periods of when the employee is required to work and those when they are not. The working periods must not exceed 42 weeks per year (originally, it was 36 weeks, but this was extended to meet the needs of tennis clubs and other sports who organise training camps in the school vacations). If the employer wants to call on the employee to work during agreed periods of non-work, they must pay them overtime. They cannot call on them to work during agreed paid holiday periods which form part of the contract.

Salary is based on the number of days the employee is contracted to work over the year. The employee is not paid for the periods of non-work.

The employee is allowed to work on a temporary contract for another employer during the specified periods of non-work, but not during the agreed holiday periods.

Apart from having a permanent contract, perhaps one of the greatest benefits of the CDII for employees is that pay can be 'smoothed out' over the year – each month the employee (if they wish) can receive 1/12 of their annual salary regardless of whether they have worked in that month or not. This means that they know exactly how much they will receive each month.

### **Challenges to Implementing the Solution**

The new system was thoroughly tested during the four-year trial, so most of the difficulties were addressed before the Labour Code was officially changed. The greatest challenge during the trial was the parties familiarising themselves with the new arrangements. Initially, employers did not understand that although they were paying a regular monthly salary, they were not, in fact, paying the employee any more than previously. The same amount of salary was simply averaged over the 12 months.

There was also some resistance from temp agencies which until then had hired out large number of temporary workers on short-term assignments and feared CDII would negatively affect their businesses. However, they have now adjusted to the new law.



## Impact for the Employers

### Advantages for the Employers

The introduction of CDII gives employers the opportunity to retain valued employees who were previously temporary and whose future services were unpredictable and open to easy competition from other businesses. They now have a much more stable workforce than before.

### Disadvantages for the Employers

Negotiating the CDII tends to take longer than a normal permanent contract because of the items that need to be agreed and specified. However, once this is done, they have a permanent employee.

Additionally, if 'smoothing out' of salary is part of the agreement, they have to action salary payments each month, not just for the months the employee is working. This is only a minor administrative burden.

### Testimonial From an Employer

**«The advantage of the CDII is that it meets our needs in terms of human resources.**

**This guarantees us an employee present each year. It means time saving in terms of training, knowledge of the public, higher loyalty etc.»**

(Dimitri Mainguy, human resources manager at PSL 17)

## Impact for employees/workers

### Advantages for Employees

Since the new form of contract was introduced, CDII has become synonymous with stability and a more predictable future. Employees with a CDII enjoy all the same protections and benefits as someone on a normal CDI permanent contract. This includes paid holidays, social security and pension contributions, and it is now much easier for them to rent or buy property and take out loans because of the added job security.

### Disadvantages for Employees

It is interesting to note that according to a study carried out during the pilot phase, 75% of CDII contracts were initiated by employers. This suggests that employees may not have been fully convinced. Indeed, there are several potential disadvantages for employees which should be weighed against the advantages.

Some intermittent workers may feel that they have reduced freedom of choice. They cannot work as and when they want to or need to, and this does not suit everyone's lifestyle. They are required to be available to the employer during the identified work periods.

Many intermittent employees are making a minor trade-off in terms of salary in order to gain more security and they end up receiving less over the year. This is mainly because when a worker completes a fixed term contract, they are paid a 'precariousness bonus' which amounts to 10% of their total remuneration for that contract. Since the CDII is a permanent contract, no such bonus is available.

In addition, the CDII worker is often not eligible for support from the Pôle Emploi (a public organisation that helps job seekers) which can, in certain cases, offer financial assistance to certain employees between two fixed-term assignments.

Finally, since the intermittent employee is now likely to be working only for one employer, they may not get the same diversity of experience and the opportunities to gain new skills and knowledge than if they were free to easily move between different organisations.

Testimonial From an Employer

«What my contract gives me is a variety of activity and public, autonomy and freedom in my work. Which keeps me from getting bored, but it's also a way to make sure to keep my job in the future.»

(Erwan Le Corre, Sports educator at PSL 17)

### Potential for Development

Following the pilot period and full implementation in 2018, the CDII has become an embedded feature of the sport sector. According to Adecco, a major recruitment company, in the first year of the pilot in 2014, only 5 100 CDII contracts were signed. By 2019, one year after the new law was enacted, there were nearly 50 000. This growth is expected to continue for some time.

### Links for Further Information

Four-year pilot study of CDII : <https://observatoire-interim-recrutement.fr/files/2018-07/synthe-se-cdii-pour-web.pdf>

Statistics about the evolution of the CDII : <https://www.adecco.fr/blog/2017/april/evolution-cdi-interim-chiffres>

Official definition provided by the French Ministry of Labour, Employment and Economic Inclusion. (Please note, there may be variations in the sport sector through the Collective Bargaining Agreement) <https://www.service-public.fr/particuliers/vosdroits/F2247#:~:text=Le%20contrat%20de%20travail%20intermittent,'importantes%20variations%20d'activit%C3%A9.>

## 6.10 GET FIT AT WORK – A DUTCH APPROACH TO BUILDING A HEALTHIER AND MORE MOTIVATED WORKFORCE WITH FREELANCE PERSONAL TRAINERS (PORTFOLIO WORKING)

«Contracting by freelancers, the self-employed or micro-enterprises who work for a large number of clients.»

(Eurofound 2020)



**Country**  
Netherlands

**Sector**  
Sport



### Partner Submitting the Case Study

The Employers' organisation in sport (WOS)

### The Problem – Finding affordable ways to keep office workers fit and healthy

Only 57% of the Dutch population practises sport and physical activity every week. That simply means as a nation we do not exercise enough. Lack of fitness can lead to a number of health problems including diabetes, high blood pressure, stress and depression. For a business this can lead to low productivity, burnt-out employees and days lost through sickness. On the other hand, regular physical exercise not only reduces these health risks, but also improves the employee's mood and motivation to work.

Time and the opportunity to exercise, however, are limited especially for those with busy lives. Since the employer also benefits from fit and healthy employees, why not let them exercise at work? Apart from the health benefits, in a tight labour market it is also a great way to attract new recruits.

It seems like an easy solution, but how can it be done? Enterprises only need trainers for an hour or so, possibly not every day and maybe not at all during some times of the year. Traditional employment contracts simply will not work. An organisation, especially smaller ones, cannot afford to employ a skilled and qualified trainer fulltime or even part-time on a permanent basis.

### The Solution – Freelance personal trainers come where and when you need them

An enterprising group of freelance personal trainers in Arnhem has come up with a solution that fits the needs of businesses and their own preferred style of work.

Get Fit at Work, as they are collectively known, operate on a portfolio basis. The freelance members can operate either together or independently to offer exercise at work opportunities to a variety of different companies. Business can hire their services when and where they need them. This gives the employer all the flexibility they need to get their staff up off their chairs and working up a sweat.

### How the Solution Works in Practice

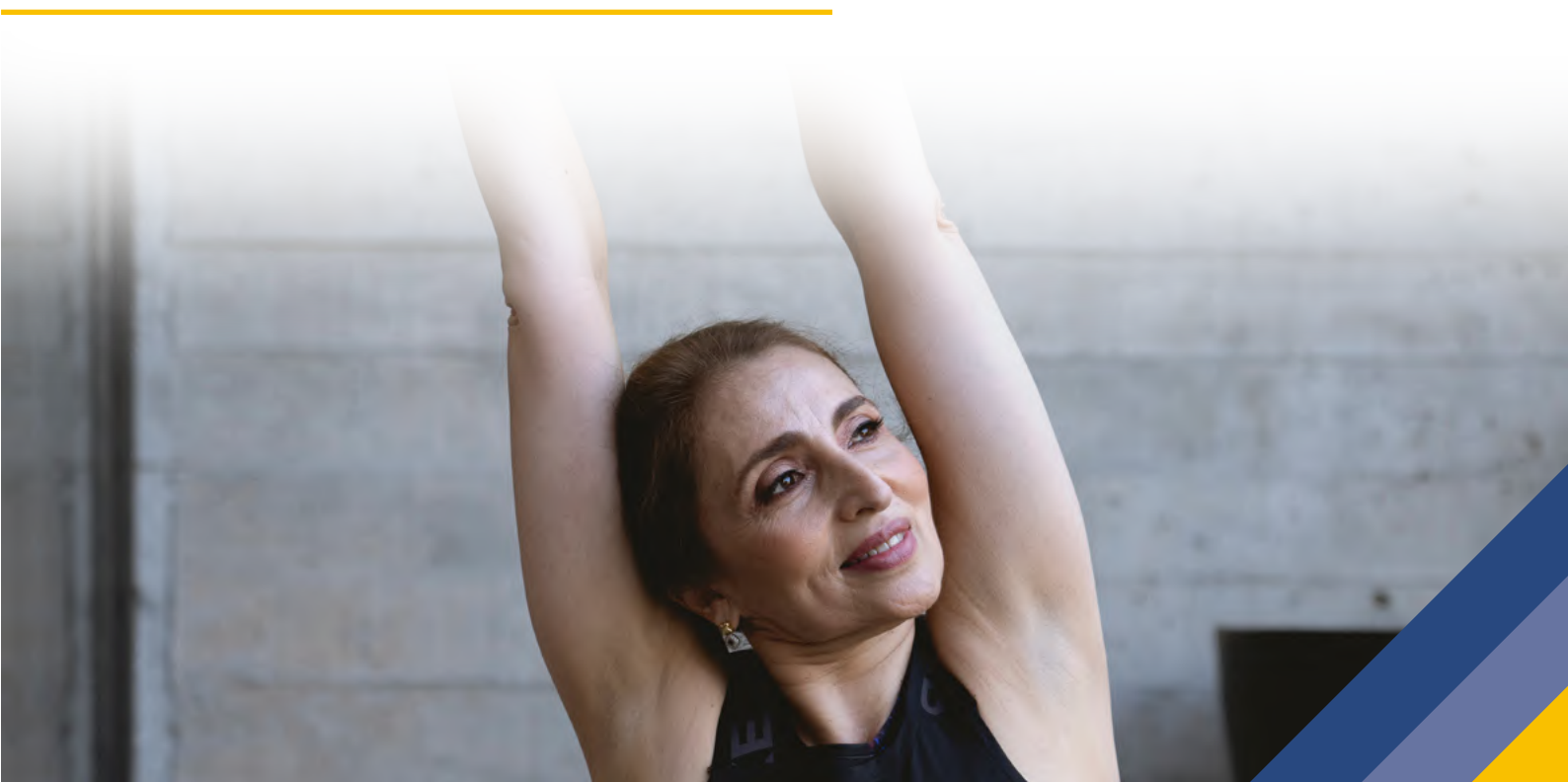
Implementation is really straightforward. As an organisation, you can hire a *Get Fit at Work* freelance trainer. Their standard offer is a 60-minute session at your office. If this is not feasible for you and your staff, they will adapt to your needs. All the trainers involved have sport-related diplomas and licences. They all have bachelor's degrees in physical education and are accredited as personal trainers. They can bring their own professional sport and fitness equipment to your place of work if necessary and they can provide a programme tailor-made to you and your staff.

All the staff who have taken part in *Get Fit at Work* programmes say that they really value the opportunity to exercise at work and report physical and mental health benefits.

### Challenges to Implementing the Solution

Challenges to implementing this kind of portfolio work are few. The main obstacles are that portfolio workers:

- > Need an enterprising attitude to their lives and careers and must be prepared to take the risk to work in this way - will they get enough business from enough clients to make it economically worthwhile?
- > Have very good marketing and customer service skills.
- > Be able to manage their own finances, taxes and social security.
- > Have excellent self-organisational skills.
- > Be ready to invest in their own equipment.
- > Pay for their continuing professional development to keep up with the fast-moving pace of the fitness industry.





## Impact for Employers

### Advantages for Employers

- The employer does not directly employ the personal trainer and has no employment responsibilities or functions. Everything is organised through a service contract.
- The employer benefits from a fitter, happier and more motivated workforce.
- They are able to hire the freelancer on a flexible and cost-effective basis.
- The business looks more attractive to job seekers which can help recruitment in a highly competitive labour market.

### Disadvantages for Employers

- Employers have much less control over what the freelancer does and how they carry out their work. The independent worker can have an agenda of their own which can cause difficulties.

### Testimonial from Employer Who Hires Get Fit at Work

«Because of our collaboration with Get Fit at Work, our employees get the opportunity to improve their health at work. Because of that their wellbeing and productivity is improved. Everybody benefits from that. It's also very easy and flexible to hire freelancers. So, it's really a win-win for everybody.»

And from one of their employees

'«Working out at work helps me a lot in my work-life balance and it makes me feel a lot more vital. So, I'm really happy with this initiative.»



## Impact for freelancers

### Advantages for the freelancers

- The freelancers enjoy a much greater degree of flexibility and autonomy. They can organise their own work to fit into their lifestyles.
- They feel more self-empowered.
- Without a boss looking over their shoulder, they have greater opportunities to be creative and innovative.
- Working for a range of companies and different participants, they enjoy a lot of variety in their work, an experience which also delivers a stronger and more varied set of skills and knowledge.

### Disadvantages for the freelancers

- Compared to employees on a regular employment contract, the freelancer has far fewer protections such as sick pay and unemployment benefits.
- Work is more precarious. They constantly need to find and retain new clients.
- They do not have the same guaranteed income as an employed worker which may make it more difficult for them to rent or take out loans to buy homes.
- They are rarely part of a team and lack the confidence that may give them, and they may suffer from loneliness as a result.
- For all the above reasons, this type of freelance portfolio work may only be appropriate for some people, perhaps the younger age demographic who have fewer family responsibilities.
- They need to be entrepreneurial and develop a wider set of skills not traditionally delivered by education and training programmes, for example, business planning and administration, marketing, finance and negotiation.

Testimonial from Freelance Personal Trainer at Get Fit at Work:

«I like the flexibility and autonomy this type of work gives me. Every day is different and that gives me a lot of energy.»

## Potential for Development

So far, *Get Fit at Work* is only working with organisations in the sport sector. It was a great idea to start there because sport employers are much more sensitive to the health needs of their workforce and the positive benefits which physical activity can bring. But there are signs of interest in other sectors now that the initiative has shown 'proof of concept'. In the coming years, *Get Fit at Work* will be branching out into other types of businesses and delivering even wider benefits to society as a whole.

### Links for Further Information

Get Fit at Work –WordPress site. (z.d.). Geraadpleegd op 5 oktober 2022, van <https://getfitatwork.nl/>

## 6.11 PORTUGUESE PERSONAL TRAINER AVAILABLE THROUGH ONLINE PLATFORMS (PLATFORM WORK)

«The matching of supply and demand for paid labour through an online platform or app.»

(Eurofound 2020)



**Country**  
Portugal

**Sector**  
Sport



### Partner Submitting the Case Study

Sport Sciences School of Rio Maior (ESDRM)

### The Problem – Low pay and lack of opportunities through conventional employment

André Lourenço has been a personal trainer (PT) for 10 years. He holds a degree in sport, fitness and health and started working for national gym chains, firstly as a fitness coach and later as a PT.

André loved the job so much but quickly discovered he was expected to work long hours for little money each month. He was working in parallel for two gyms. In the first one, he had a contract with fixed hours but at a very low amount. In the other, he had goals for the number of clients he should have and could only receive a higher percentage per hour of work by having more clients. This looked promising but, despite having reached the optimal ratio in the gym (time spent in the workspace versus the number of hours with clients), he found he could never reach a level he needed because he shared his time with the other gym.

It was also frustrating because he was often approached by potential clients on the personal recommendation of existing ones, but in logistical terms the spaces where he worked were too far away for them or he did not have enough time available to satisfy their needs.

### The Solution – self-employment through platform work

André saw the solution as becoming self-employed and feels very much that it was his own personality which led him in this direction.

*“I’ve always had an entrepreneurial spirit in me, I’m very grateful to all the places I’ve been and basically, I planned what it would be like to work according to my own rules and work standards. I took the positive aspects of the experiences I had and added my ‘personal stamp’ and what I thought was missing. I thought about people’s needs, what they were really looking for and I believe I have found the right solution for each one of them.”*

Becoming a freelancer fitted his ambitions and personal qualities, but how could he reach out to potential clients and forge relationships with them? For André, the answer lay in social media platforms.

## How the Solution Works in Practice

André is happy to explain how his approach works.

*"I use Facebook and Instagram accounts to advertise my services. Interested parties register or make a first contact by phone. Potential clients explain their objectives, and I establish the conditions for intervention. An assessment and prescription of a physical exercise program is made. I define the conditions for carrying out the service, customer support and payment methods. All information is provided through electronic platforms."*

However, it is not all about new technology. The value of a client-centred approach is vital to his service offer.

*"I respond to the needs and requests of each individual person, offering different options. This means the client does not feel pressured to choose something they don't want, and it reduces the risk of them giving up. It's also important to adapt to changes that arise in each person's life as they go forward."*

And André is highly versatile, offering personalised workouts at home, outdoors, in private studios and, of course, online. He believes that with all these options on offer, he can always find a workable solution for a client even in difficult weeks with complicated schedules.

He could never provide this level of flexibility in the way he was working before, combining two part-time contracts, and feels he will never look back. Starting from a base of 25 clients in 2020, André now has 75 which are enough to provide him with a decent monthly income.

## Challenges to Implementing the Solution

The technology side of the business has presented no challenges at all, but like any business success depends on the ability to retain customers which, if you are self-employed, can mean the difference between survival and being out of work. Being responsive to customer needs and providing a consistent level of customer service are top priorities for André.





## Impact for the self-employed

### Advantages for the self-employed

André emphasises what he has gained from this new way of working:

*“Working according to your own ideas and rules, managing your own hours, achieving greater financial profitability.”*

### Disadvantages for the self-employed

From André’s perspective:

*“There is no fixed salary, there are no holiday subsidies, being dependent on one’s own work, plus additional work. You also need a lot of skills in areas such as marketing and accounting which you don’t learn through a degree course.”*

## Potential for Development

André feels there is a lot of scope to extend this type of platform work in the fitness industry in Portugal, and he can see the potential for other areas of the sport sector, for example, coaches and referees. However, he does not think it is for everyone:

*“You need to understand whether you have what it takes to be self-employed, you need an entrepreneurial and leadership spirit (about ourselves), more homework and management of more factors such as accounting, advertising, etc.”*

### Links for Further Information

Facebook: <https://www.facebook.com/andrelourencopt/>

Instagram: <https://www.instagram.com/andrelourencopt/>

Du travail associatif en 2021 vers un travail selon l'article 17 AR ONSS en 2022 | Group S



## 6.12 JUST EAT TAKEAWAY – CONNECTING DUTCH CONSUMERS WITH THE RESTAURANTS OF THEIR CHOICE (PLATFORM WORK)

«The matching of supply and demand for paid labour through an online platform or app.»

(Eurofound 2020)



### Country

Netherlands

### Sector

Hospitality/food delivery

### Partner Submitting the Case Study

The Employers' Organisation in Sport (WOS)



### The Problem – People want the food they love delivered to their door

These days people have busy lifestyles. Often, they do not have the time or energy to cook at home or go out to the restaurant of their choice. Above all, the 21st century consumer demands choice and convenience.

Most of us are now familiar with the idea of ordering the food we want online from a platform that offers a range of restaurants and menus and receiving delivery to our door in less than an hour. But life was not always like that. In the old days many restaurants did not deliver. You had to spend time leafing through the phone book to find one that did and then more time talking on the phone to discover what was available before you could place an order.

It took a young Dutch entrepreneur to see this was a problem which demanded an innovative IT-based solution.

### The Solution – An online platform connecting people and restaurants of their choice

Back in 2000, Jitse Groen, a 21-year-old Business IT student at the University of Twente, got frustrated because he could not order a pizza delivery in North Holland for a family celebration. The nearest delivery outlet was in Amsterdam 60 km away.

Asking around, Jitse realised that he was not the only one with this problem. With his background in IT, he believed a website which connected people and restaurants would be the answer. Jitse established *thuisbezorgd.nl*. In the early years, the platform specialised in pizza and kebab deliveries, but it soon became obvious that the model could be applied to almost any kind of cuisine. With the introduction of broadband internet around 2003 in the Netherlands, the market exploded, and Jitse was able to abandon his studies and focus fulltime on the company.

Over a period of less than 25 years, *thuisbezorgd.nl* evolved into *takeaway.com* (the new name chosen to appeal to the international market) and through a merger in 2020, Just Eat Takeaway, the largest company of its kind in the West, operating in 22 countries worldwide and worth around \$4.65 billion.

## How the Solution Works in Practice

The new form of employment operates very easily in practice. Restaurants can join Just Eat Takeaway and then their restaurant will be on the platform/app. Through the online platform/app the consumer can pick a restaurant and choose the food they want. From the price of the order, *Just Eat Takeaway* gets a certain commission because the order was placed through their platform. Just Eat Takeaway also generates other revenues through services such as online payment, sales of merchandise and packaging and product placement. In addition, they also derive revenue from delivery fees charged to consumers on orders when *Just Eat Takeaway* is responsible for delivery.

In the online food delivery marketplace, *Just Eat Takeaway* facilitates the online ordering, payment and sometimes, the fulfilment of orders. They utilise a hybrid model which builds on existing options in the industry (where restaurants do their own delivery), these restaurants can use the platform only to connect with customers.

Perhaps the biggest feature affecting new forms of employment is that the company provides delivery couriers for restaurants who do not have employees to do this. This way of working ensures consumers have the widest possible range of restaurants to order from.

## Challenges to Implementing the Solution

The most often discussed challenge relates to the unclear employment status of platform workers, and the associated lack of protections regarding working conditions, notice periods, minimum pay, health and safety standards, but also social protection or access to representation. Platform work of this kind has also been identified as limited autonomy for the worker, lack of flexibility, long and/or unsocial working hours.


## Impact for the Restaurants

### Advantages for the restaurants

- Restaurants attract more orders and therefore revenue.
- Just Eat Takeaway handles marketing, taking the order, very often the delivery and the processing of payments. The restaurant can focus on what it does best – the preparation of food.
- During the period of Covid lockdowns, platforms like Just Eat Takeaway provided a lifeline without which many restaurants may not have survived.

### Disadvantages for the restaurants

- Just Eat Takeaway charges a fee per order.



«For many years we were a cafeteria with a stable turnover. Since we took the step to start delivering, our turnover has increased by 40%. This increase is largely due to the collaboration with Thuisbezorgd.nl. You notice that consumers nowadays like to opt for convenience. If your restaurant is not present on the platform, the chance that the consumer will come to you is smaller. Because of the brand awareness of the platform, you are almost certain of a lot of extra orders. Then it is up to you as an entrepreneur to ensure that guests like to come back to you next time!»

(Theo van Gemert & Hugo van Wandelen, Plaza Jagershoef)

### Impact for the Employees

The employees most affected by this new form of employment are the delivery couriers – the drivers or increasingly cycle and motorcycle riders.

#### Advantages for the employees


- The courier gets fairly easy access to employment.
- In some countries, the courier has the choice of working either as an independent contractor or as a salaried employee.
- Salaried employees have an employment contract and receive paid holidays, sick pay and pension contributions as well as a bike if they do not have their own.
- Working hours can be very flexible for independent contractors; couriers employed on this basis can often work when and how much they want to.

#### Disadvantages for the employees

The disadvantages probably apply most to the couriers who work as independent contractors

- Independent contractors do not have the same benefits as salaried employees.
- They also lack protections on guaranteed minimum hours, and their contracts can be terminated at short notice.
- They have to provide their own bike and the necessary insurance.

#### Testimonial from Employee



«My experience is defined in one word: 'freedom'. If you like to ride a bicycle and meet people, this is the place to be.»

(Laura, cycle courier in Netherlands)

## Potential for Application in the Sport Sector

The principle of platform work – connecting consumers with suppliers via a website – has potential for application in the sport sector. There would appear to be great opportunities, for example, for coaches to be connected with clubs and personal trainers to be connected to individuals, workplaces, communities or groups of friends who want opportunities for supervised physical exercise.

In some cases, we can already see this happening in another case study from Netherlands (*Hire a Referee*) which is finding independent referees for football clubs.

In general platform work can be developed through better laws and regulations for employees. Also, it is important to improve the working conditions, that companies hire employees and not use them as self-employed employees. In the current situation the platform employees are often disadvantaged and have bad working conditions and that has to improve in the future to develop this new form of employment.

### Links for Further Information

<https://www.justeattakeaway.com/>

<https://www.thuisbezorgd.nl/nl/aanmelden>

[https://www.thuisbezorgd.nl/?gclid=Cj0KCQjwpeaYBhDXARIsAEzltbE12ksqYcgK1mYRkhEinRoamqVByxrsY7HnCsmLWhvmfM3iW8ugCAaAjcSEALw\\_wcB&gclsrc=aw.ds](https://www.thuisbezorgd.nl/?gclid=Cj0KCQjwpeaYBhDXARIsAEzltbE12ksqYcgK1mYRkhEinRoamqVByxrsY7HnCsmLWhvmfM3iW8ugCAaAjcSEALw_wcB&gclsrc=aw.ds)







# 7

## CONCLUSIONS FROM ALL STRANDS OF RESEARCH



# CONCLUSIONS

When considering all the findings from the desk research, the national roundtables and case studies, the FORMS partners have drawn the following main conclusions.

1. The EU and national governments continue to see the sport sector as an important contributor to a number of public health, social and economic goals. This requires the professionalisation of the sport workforce through more stable, paid employment which facilitates clearer career pathways and the continuing development of skills and competencies.
2. Statistical analysis for the whole of the EU sport labour market shows:
  - The European paid workforce has grown over the last decade, but there is evidence that organisations continue to face difficulties in the recruitment and retention of skilled staff; these problems are likely to have been increased by the impact of the Covid pandemic (during which paid employment in sport declined for the first time); whereas the sport workforce has grown, it may not be growing as much as needed, particularly in the recruitment of skilled and qualified workers
  - The very high proportion of part-time contracts (almost one half of all paid employees) suggests that paid employment in sport tends to be more precarious or at least a 'side-line' that prevents clear career progression pathways and continuing professional development
  - The relatively low (compared to all EU industrial sectors) proportions of women, who still take primary responsibility for child-care and other family responsibilities, may suggest that greater flexibility is needed to bring female sport employment in line with European averages
  - Demographic analysis of paid EU sport workforce (compared to all EU industrial sectors) reveals relatively large proportions of young workers, those with higher levels of educational achievement, and self-employed workers; this suggests sport could be a fertile environment for the uptake of new forms of employment, particularly those which involve the use of new technologies and an entrepreneurial attitude and a skillset to match.
3. The research carried out in the five FORMS partner countries suggests that one important factor that retards the growth of paid employment (and therefore professionalisation) concerns the particular features of the sport sector which require more flexibility in employment than those offered by traditional practices.
  - There is a high number of small organisations, especially sport clubs, who have traditionally relied on volunteer staffing which is not governed by employment law and tends to be more flexible; transitioning from flexible volunteer arrangements to less flexible paid employment is a challenge
  - These small, predominantly volunteer-run organisations often lack the administrative capacity to manage payroll and other human resource functions (e.g., recruitment, interviews, reviews etc.) needed to manage paid workers
  - Some sport organisations are too unsure about financial sustainability to employ permanent staff
  - Finding the money for permanent fulltime employment contracts might involve raising membership fees which might in turn reduce participation in sport, especially for economically disadvantaged participants

# CONCLUSIONS

- > Work in sport organisations is often intermittent due to school holidays and seasonal sports
  - > Work often takes place in small packages – sometimes only a few hours per week, concentrated in the evenings and weekends
  - > Many specialist staff such as coaches and trainers already have full-time ‘day jobs’ in other sectors which often makes additional employment complicated and unattractive
  - > Employment in sport is often not seen as attractive due to the unclear career pathways caused by unstable and precarious work
  - > With European economies returning to ‘normal’ after the Covid pandemic, there is anecdotal evidence from the national roundtable consultation workshops that the labour market has become more competitive for employers and new ways of attracting skilled staff need to be explored
4. It is also the case that (in the five countries covered by FORMS) some aspects of employment legislation, often rooted in the traditional one-to-one employer/employee relationship, are acting as a brake on new forms of employment, labour market flexibility and the growth of paid employment. This may be negatively impacting on female employment in sport and that new forms of employment could help to boost the number of female workers.
  5. However, in the five countries examined by FORMS, it is clear that employment legislation is open to reform, especially when social partners in a sector get together in order to influence government. Therefore, there is the need to bring employers and employees together into a single forum for discussion, debate, strategic planning and lobbying to ensure labour law reform which will benefit both employers and employees.
  6. The desk research, national roundtables and case studies reveal that the new forms of employment identified by Eurofound 2020 have the potential to address many of the particular features and needs of the sport sector above by introducing greater flexibility in the labour market, and indeed some of them are already being used by sport employers and the self-employed. The Covid pandemic tended to accelerate their uptake in sport and other sectors.
  7. However, the five national roundtable consultation workshops (which had very wide coverage of major sport stakeholders in the partner countries) indicate that awareness of the new forms of employment is low and that employers and employees would benefit greatly from more information, clear and practical guidance on new forms of employment, how to select those most appropriate to national and local circumstances and how to go about putting them into practice.
  8. In particular the new forms of employment present a number of advantages and disadvantages for employers and employees and that good practice guidance is needed so that the expectations, responsibilities and rights of both sides are properly respected.
  9. For new forms of employment to be successfully implemented, there is a need for new approaches to training and developing the workforce which include more emphasis on independent working and the ability of managers to supervise remotely, enhanced skills in micro-entrepreneurship, digital skills, versatility, creativity, problem solving and social skills.

**8**

**RECOMMENDATIONS,  
PRIORITY ACTIONS,  
IMPLEMENTATION  
AND SUSTAINABILITY**



## 8.1 RATIONALE FOR THE RECOMMENDATIONS

FORMS was a small collaborative partnership project involving organisations from five EU nations with an interest in the topic of new and emerging forms of employment in the sport sector. From this initial investigation, there is evidence to suggest that the sport labour market has particular features and needs which traditional forms of employment and often labour legislation do not adequately address. Our research suggests that new forms of employment can be attractive to the sport sector, at least in the countries we looked at, and that some we have identified have the potential to create greater flexibility in the sport labour market, enlarge paid employment and act as a stimulant to the further professionalisation of the workforce.

The desk research findings, the outputs from the five national roundtable consultation workshops and the 12 case studies researched, analysed and developed by the FORMS partners build the case for employers and other stakeholders in the sector to know more about the new and emerging forms of employment in sport, the solutions and advantages they can bring to sport employment, their potential impact and the good practices they need to apply to make them successful. These have now been condensed into this report. The desk research findings and consultations also indicate that employment law in some countries, for example, Luxembourg presents difficulties for new forms of employment in sport and that collective agreements specific to the sector may offer some solutions.

This small transnational initiative has confirmed that EOSE and the national FORMS partners must and will continue to disseminate this publication through their networks at European, national and regional levels including the European Commission, national/regional governments and their ministries/agencies in relevant areas such as culture, sport, youth, labour and education, international and national sport federations, National Olympic Committees and social partners. This will be the first priority to share new knowledge, identified good practice and enhance the level of understanding of the various forms of employment that exist and could be implemented in the sport sector.

However, due to its scope and its limited size and timeline, FORMS was only able to look at five of the 27 EU countries. This provides a useful starting point, but the FORMS partners also believe that wider research is needed in the near future to cover the whole of the EU and analyse the situation in a wider variety of countries with different realities, laws and sport systems in place. Further research projects will help to create a solid evidence base of data and information to assess the need, interest and potential use of new or emerging forms of employment in sport in other EU countries. Broader evidence of this kind will create a stronger case for more innovation and flexibility in sport employment across the EU which can be targeted at the major stakeholders who are driving the professionalisation agenda both at European and national levels.

The FORMS partners also believe that informing the stakeholders is not enough to create the conditions for modernisation. The new forms of employment challenge the traditional one-to-one working relationship between an employer and an employee and require new thinking to ensure that they are adopted effectively and in a way that meets the needs of employers and protects the rights and conditions of the workforce. It is desirable to have a new transnational initiative which investigates more deeply, especially with those who are already using new forms of employment. Such an initiative can then research, analyse and develop detailed and practical guidelines for employers, employees and the large numbers of self-employed workers which will help them to select the new forms of employment most relevant to their needs and to implement them appropriately and fairly which requires capacity building at all levels. This goes much further than FORMS was able to do.



Through these types of build-on activities, the FORMS partners believe that new and emerging forms of employment in sport can be promoted, and labour regulations and practices which do not address the particular needs of the sector and place barriers in the way of implementation can be potentially reviewed and revised at both the European and national levels.

FORMS, therefore, should be seen as a launch platform for a set of broader and more ambitious initiatives which are set out in a series of concrete recommendations and priority actions below.

## 8.2 RECOMMENDATIONS AND PRIORITY ACTIONS

### RECOMMENDATION 1: Disseminate the initial findings on new forms of employment at EU, national and regional levels

#### **Priority Action 1.1: Disseminate the outputs of FORMS to the European Commission and international stakeholders**

The first priority going forward will be to disseminate this FORMS publication, *“Towards innovative ways of thinking about sport employment in Europe”*, now professionally designed, printed and made available electronically, to a much wider cohort of stakeholders. The first target for the publication will be the most relevant directorate generals in the European Commission, principally Education, Youth, Sport and Culture and Employment, Social Affairs and Inclusion. Further dissemination at the European level will also cover European and international sport federations and European sport network/umbrella organisations.

#### **Priority Action 1.2: Disseminate the outputs of FORMS to national and regional governments and sport sector stakeholders in Belgium, France, Luxembourg, Netherlands and Portugal**

In addition, the FORMS five national partners will address the relevant ministries in their own governments, principally those responsible for sport and employment. National partners will also distribute the publication to the main stakeholders in their sport sectors to include social partners, national sport federations, National Olympic Committees and other sport bodies, and education and training providers. At national and regional levels, this should also prompt stakeholders to consider the need for collective agreements specific to sport.

#### **Priority Action 1.3: Disseminate the outputs of FORMS to EU countries not represented in the project**

It will also be important to distribute *“Towards innovative ways of thinking about sport employment in Europe”* as widely as possible to the 22 EU nations who were not represented in FORMS. To do this, EOSE will leverage the influence of its network of national members and networks across Europe to ensure that national governments and sector stakeholders receive copies of the publication and are invited to consider its implications for the sport labour market.

## RECOMMENDATION 2: Establish follow-up projects and activities to further research the sport labour market, survey employers to establish specific employment problems and solutions and disseminate information materials to key stakeholders

### Priority Action 2.1: Continue to improve and carry out sport labour market research and analysis on an annual basis

One of the stimulants and key reference points for the FORMS project was EOSE's compilation and analysis of official and latest sport labour market statistics not only at the European level but also in each of the EU Member States. Tracking the size, characteristics, realities and tendencies of the paid sport workforce over the period 2011-2020 was vital in identifying not just its continuing growth, but also its realities and particular features by comparison with EU averages in all industrial sectors, for example the relatively low level of female employees, the greater percentages of youth, part-timers, the self-employed and those with higher levels of educational achievement.

These findings, combined with the Eurofound studies of 2013, 2015 and 2020, suggested that the sport labour market might be a fertile environment for new forms of employment which could begin to address some of the recruitment and retention challenges which sport organisations across the EU consistently report. Comparison of the years 2019 and 2020 also provided valuable insights into the potential negative impact of Covid-19 on the workforce and prompted much discussion within the FORMS project and beyond about how the pandemic had stimulated or accelerated the need and use of new forms of employment.

If we are to continue to build the statistical evidence base for new forms of employment in sport, it is vital that this valuable research must continue on an annual basis and be improved – for example, by getting to a more granular level in the statistics which are collected and analysed from the Labour Force Survey.

Furthermore, exploring the data for the years after the highpoint of Covid-19 (2021 and 2022 will be of particular interest) will give the sport sector a better understanding as to whether the workforce has recovered (or is beginning to recover) from the shrinkage identified in 2020 and therefore what the implications may be for new forms of employment.



## **Priority Action 2.2: Carry out a new European Sport Employer Skills Survey which contains a specific focus on barriers/disincentives to legal employment and therefore the professionalisation of the workforce**

The second key stimulant and reference point for FORMS was the first ever Employer Skills Survey in the sport sector, carried out under ESSA-Sport (2019). The ESSA-Sport Employer Skills Survey, which gathered nearly 4 000 contributions from sport organisations, revealed a considerable amount of data on skills needs and shortages in the sector across a range of key occupations and identified the challenge which employers were facing in terms of recruiting and retaining their human resources. These findings helped to validate anecdotal evidence emerging from the sector that recruitment and retention challenges were slowing the professionalisation of the workforce of paid staff and volunteers. However, although the survey questionnaire did explore some possible reasons for these challenges, it did not address issues relating to the forms of employment used or the specific challenges that employment legislation, regulations and traditional practices may present.

Research during the FORMS project indicates that, at least in the five countries where the partners are based, strongly suggest that traditional permanent or part-time employment contracts do not meet the particular features of the sport sector.

The case studies, developed as part of the FORMS research, strongly suggests that new forms of employment, in particular, employee sharing, guaranteed intermittent contracts, interim management, platform work, ICT-based mobile work and collaborative employment for micro-entrepreneurs, may offer some of the solutions. The greater flexibility offered by these new forms of employment appear to ease the transition from volunteerism and/or precarious short-term contracts to more secure careers in the sector, staff retention, longer-term progression routes, professional development and therefore professionalisation of sport. The relatively high proportions of youth, the self-employed and those with higher educational achievement, identified through the analysis of the sport labour market statistics suggest that new forms of employment could be highly attractive and capable of effective implementation.

A new European Employers' Skills Survey which includes specific questions on the issues outlined above will provide the opportunity to explore the sector's recruitment and retention challenges in greater detail across all the EU-27 nations and also highlight changes and new tendencies caused by the sudden and unexpected pandemic period. If the outcomes of a new survey validate the preliminary findings of FORMS as outlined above, this will help to build the case for new forms of employment in sport and with appropriate dissemination (under Recommendation 2.4 below) stimulate more creative approaches on the part of employers and, if necessary, a rethinking of employment laws and regulations in the countries affected.



### **Priority Action 2.3: Develop clear information materials aimed at the European Commission, national and regional governments and other key sector stakeholders on the particular features and needs of the sport labour market and the potential of new forms of employment**

Over a number of years, the European Commission and national governments have placed greater expectations and ambitions on sport to achieve wider health, social and economic objectives which can only be realised through the accelerated professionalisation of the workforce. This professionalisation requires stable, economically attractive employment, clear career progression routes, relevant education and training offer and continuing professional development at all levels.

A recurring theme throughout the FORMS project, agreed by all the partners, was the need to alert the main influencers and decision-makers at European, national and sectoral levels to the specific employment realities and needs of sport (outlined in 2.1 and 2.2 above), the potential which new, more flexible forms of employment present and the barriers that traditional employment laws and regulations sometimes create.

The partners feel that this can be best achieved through the production of a package of information materials based on the findings generated from the research activities detailed above in Priority Actions 2.1 and 2.2: the updated sport workforce statistics and the European Employers' Skills Survey. The information materials, through the use of stimulating infographics and supporting text, would aim to share new knowledge and data, and create a solid evidence base which clearly outlines the specific employment features of the sector and the practical ways in which new forms of employment can address recruitment and retention barriers and therefore assist professionalisation.

Production of the information materials would be done by broadening the existing FORMS partnership to include a minimum of five more countries (including from Eastern Europe) to ensure a more diverse and representative sample. Validation and refinement of the information materials will be through a series of analysis and multiplier events taking the form of national roundtable consultation events.





**Priority Action 2.4: Disseminate clear information materials aimed at the European Commission, national and regional governments and other key sector stakeholders on the particular features and needs of the sport labour market and the potential of new forms of employment to address these**

Target audiences for this initiative would include the European Commission and relevant ministries in national and regional governments (for example, culture, sport, youth and employment) and key stakeholder bodies such as the European social partners, European and international sport federations, national sport federations, National Olympic Committees and other sport bodies, European/Global sport network/umbrella organisations and education and training providers.

The partners will make the information materials available through a dedicated area of the EOSE website and will build a social media campaign to stimulate interest. It will, however, also be vital to make sure that the information materials reach and engage the most relevant influencers and decision-makers. The expanded partnership, therefore, will devote time and energy to identifying the specific departments and representatives at European and national levels and reaching out to them on an individual basis. The expanded partnership will also seek to organise a series of online seminars bringing specific stakeholders together at European level to examine and debate the findings and proposals.

The dissemination activities above will create the opportunity to gather a wide range of feedback on the findings and proposals. This, combined with ongoing tracking of developments in the sport labour market, will create the basis for further refinements to take place.



## RECOMMENDATION 3: Establish an initiative to build the capacity of the sport sector to adopt new forms of employment following good practice guidelines

### **Priority Action 3.1: Develop practical guidelines/roadmaps/online toolkits for employers, employees and micro-entrepreneurs on how to fairly, ethically and legally apply new forms of employment most relevant to sport**

The FORMS research and case studies provide an evidence base for the need for new forms of employment in sport and illustrate why their adoption and use could make an important contribution to the professionalisation of the workforce. This is vital step forward. However, sport organisations and the large army of self-employed micro-entrepreneurs in the sector who wish to take up these new forms of employment need very practical guidance for their implementation, in particular balancing the needs of employers and employees to create 'win-win' situations that benefit both and protect their respective rights and interests.

A new initiative with an expanded partnership representing greater diversity in the EU nations would be able to develop practical guidelines or 'roadmaps' and supporting online toolkits which would lead employers and self-employed through the process of identifying recruitment and retention issues, evaluating the potential for different new forms of employment to address these and offer practical guidance as to how to use these according to good practices.

The FORMS partners strongly believe that such concrete roadmaps should be developed for each of the five new forms of employment above identified as the most relevant for the sport sector. The roadmaps could be developed by reviewing relevant findings from the FORMS research and case studies and then carrying out further detailed research in the new targeted EU countries (therefore creating a broader research base gathering more countries), in order to identify and analyse the generic challenges and practical steps for which guidance can be developed and the country-specific ones which employers at the national level will need to explore more fully with relevant government departments and other relevant stakeholders.

Each roadmap should explain the types of challenges which the new form of employment can address, its relative advantages and disadvantages and provide detailed practical guidance which will lead employers and the self-employed through all the steps they need to follow. The five targeted roadmaps should then be validated and refined through national roundtable consultation workshops in the expanded partnership to ensure the content matches the needs and expectations from sport organisations.

When ready for publication, the roadmaps will be made available as interactive tools on a dedicated website and social media campaign will be organised at EU level targeted at relevant stakeholders to promote them.

### **Priority Action 3.2: Build the capacity of EOSE members and partners to become national ambassadors and points of contact for the new forms of employment and good practices in the sport sector**

Developing and populating a dedicated section of the EOSE website for the innovative roadmaps developed in 3.1 above and the social media campaign to promote it will be important. However, the partners also believe that the sector will benefit from informed and passionate advocates, 'ambassadors' and points of contact for sharing information and promoting the new forms of employment in sport as a potential solution to tackle some of the realities and identified challenges in the labour market.

This can be achieved through a series of online capacity building workshops targeted at EOSE members and partners to equip them to promote the new forms of employment and reasons for their adoption. EOSE currently has influential member organisations in 25 of the EU 27 countries with extensive networks of their own, and EOSE sees this as a powerful channel to continue to communicate, keep the momentum and champion the new forms of employment which FORMS has identified.



## 8.3 IMPLEMENTATION AND SUSTAINABILITY ACTION PLAN FOR FORMS RECOMMENDATIONS AND PRIORITY ACTIONS

### Recommendation 1: Disseminate the outputs of FORMS to the European Commission and international stakeholders

TIMING	PRIORITY ACTIONS	STAKEHOLDERS	METHODS/ACTIVITIES	RESPONSIBILITIES
2023	<p><b>1.1</b> Disseminate the outputs of FORMS to the European Commission and international stakeholders</p>	<ul style="list-style-type: none"> <li>• Relevant Directorates General in the European Commission</li> <li>• European and International sport federations</li> <li>• European sport network/umbrella organisations</li> </ul>	<ul style="list-style-type: none"> <li>• Identify appropriate DGs and contacts within DGs</li> <li>• Identify relevant European and International sport federations and contacts</li> <li>• Develop covering letters emphasising relevance and importance to each type of stakeholder</li> <li>• Dispatch copies of “Towards innovative ways of thinking about sport employment in Europe” and invite feedback</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> </ul>
2023	<p><b>1.2</b> Disseminate the outputs of FORMS to national and regional governments and sport sector stakeholders in Belgium, France, Luxembourg, Netherlands and Portugal</p>	<ul style="list-style-type: none"> <li>• Relevant ministries in Belgium, France, Luxembourg, Netherlands and Portugal</li> <li>• Social partners in the above countries</li> <li>• National sport federations in the above countries</li> <li>• Sport networks / umbrella organisations in the above countries</li> <li>• Education and training providers in the above countries</li> </ul>	<ul style="list-style-type: none"> <li>• Identify appropriate national and regional ministries (those responsible for Sport, Culture, Youth, Employment and Education) and contacts within those ministries</li> <li>• Identify appropriate social partners and contacts</li> <li>• Identify appropriate sport federations and contacts</li> <li>• Identify appropriate sport networks/umbrella organisations and contacts</li> </ul>	<ul style="list-style-type: none"> <li>• FORMS national partners</li> <li>• EOSE</li> <li>• EOSE Members</li> <li>• EOSE Partners</li> </ul>
2023	<p><b>1.3</b> Disseminate the outputs of FORMS to EU countries not represented in the project</p>	<ul style="list-style-type: none"> <li>• EOSE members and network of partners</li> </ul>	<ul style="list-style-type: none"> <li>• Identify relevant EOSE members and network of partners in countries not covered by the FORMS project</li> <li>• Develop covering letters emphasising relevance and importance to each type of stakeholder</li> <li>• Dispatch copies of “Towards innovative ways of thinking about sport employment in Europe” and invite feedback</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE Members</li> <li>• EOSE Partners</li> </ul>



**Recommendation 2: Establish follow-up projects and activities to further research the sport labour market, survey employers to establish specific employment problems and solutions and disseminate information materials to key stakeholders**

TIMING	PRIORITY ACTIONS	STAKEHOLDERS	METHODS/ACTIVITIES	RESPONSIBILITIES
<p><b>2024</b> - <b>2026</b></p>	<p><b>2.1</b> Continue to improve and carry out sport labour market research and analysis on annual basis</p>	<ul style="list-style-type: none"> <li>• European Commission</li> <li>• EOSE</li> <li>• Employers' sport organisations</li> <li>• European/ Global sport network/umbrella organisations</li> <li>• European/international sport federations</li> <li>• National and regional governments, sports councils and relevant agencies</li> <li>• National Olympic Committees, sport confederations and other sport bodies</li> <li>• National sport federations</li> <li>• Social partners</li> <li>• Sport and fitness clubs</li> <li>• Sport for all and sport for development organisations</li> <li>• Municipalities / Local authorities</li> <li>• Outdoor activity providers</li> <li>• Universities and training providers</li> </ul>	<ul style="list-style-type: none"> <li>• Establish a broad partnership representative of different types of EU nations</li> <li>• Collect and collate latest data / statistics</li> <li>• Analyse data / statistics</li> <li>• Identify key trends, characteristics, tendencies and challenges</li> <li>• Develop and publish infographic and summary factsheets for the EU and each member state</li> <li>• Disseminate statistical reports and factsheets across Europe</li> <li>• Engage in dialogue with sport stakeholders to identify priority actions, share good practice and encourage potential collaborations, synergies and links between stakeholders in the fragmented sport sector</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE network of partners and contacts</li> <li>• EU and international sport organisations</li> <li>• Umbrella organisations</li> <li>• Social partners</li> <li>• EOSE members</li> <li>• European Commission</li> </ul>

**Recommendation 2: Establish follow-up projects and activities to further research the sport labour market, survey employers to establish specific employment problems and solutions and disseminate information materials to key stakeholders**

TIMING	PRIORITY ACTIONS	STAKEHOLDERS	METHODS/ACTIVITIES	RESPONSIBILITIES
<p><b>2024</b> - <b>2026</b></p>	<p><b>2.2</b> Carry out a new European Sport Employer Skills Survey which contains a specific focus on barriers/ disincentives to legal employment and therefore the professionalisation of the workforce</p>	<ul style="list-style-type: none"> <li>• European Commission</li> <li>• EOSE</li> <li>• Employers' sport organisations</li> <li>• European/ Global sport network/umbrella organisations</li> <li>• European/international sport federations</li> <li>• National and regional governments, sports councils and relevant agencies</li> <li>• National Olympic Committees, sport confederations and other sport bodies</li> <li>• National sport federations</li> <li>• Social partners</li> <li>• Sport and fitness clubs</li> <li>• Sport for all and sport for development organisations</li> <li>• Municipalities / Local authorities</li> <li>• Outdoor activity providers</li> <li>• Universities and training providers</li> </ul>	<ul style="list-style-type: none"> <li>• Identify key themes to be explored in the employer skills survey</li> <li>• Identification of organisational types and organisations to be surveyed</li> <li>• Identification of distribution methods</li> <li>• Design of online survey questionnaire</li> <li>• Piloting and finalisation of online survey questionnaire</li> <li>• Translation of the survey questionnaire into the maximum of European languages</li> <li>• Distribution of notices about questionnaire with links to online survey platform</li> <li>• Follow-up activities to optimise questionnaire completion using students from university partners in selected countries</li> <li>• Collection and deep analysis of data (Global, per country, per sport, per type of organisations etc)</li> <li>• Production of detailed and short summary reports summarising findings at the European and national levels</li> <li>• Wide dissemination of findings and series of targeted consultation at both European and national/local levels</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE network of partners and contacts</li> <li>• EU and international sport organisations</li> <li>• Umbrella organisations</li> <li>• Social partners</li> <li>• EOSE members</li> <li>• European Commission</li> </ul>

**Recommendation 2: Establish follow-up projects and activities to further research the sport labour market, survey employers to establish specific employment problems and solutions and disseminate information materials to key stakeholders**

TIMING	PRIORITY ACTIONS	STAKEHOLDERS	METHODS/ACTIVITIES	RESPONSIBILITIES
<p><b>2025</b> - <b>2026</b></p>	<p><b>2.3</b> Develop clear information materials aimed at the European Commission, national and regional governments and other key sector stakeholders on the particular features and needs of the sport labour market and the potential of new forms of employment</p>	<ul style="list-style-type: none"> <li>• European Commission</li> <li>• EOSE</li> <li>• Employers' sport organisations</li> <li>• European/ Global sport network/umbrella organisations</li> <li>• European/international sport federations</li> <li>• National and regional governments, sports councils and relevant agencies</li> <li>• National Olympic Committees, sport confederations and other sport bodies</li> <li>• National sport federations</li> <li>• Social partners</li> <li>• Sport and fitness clubs</li> <li>• Sport for all and sport for development organisations</li> <li>• Municipalities / Local authorities</li> <li>• Outdoor activity providers</li> <li>• Universities and training providers</li> <li>• Practising workforce of paid staff and volunteers</li> <li>• Students</li> </ul>	<ul style="list-style-type: none"> <li>• Summarise in clear and readable format the outcomes of research undertaken in Recommendation 2.2 above.</li> <li>• Summarise the research outcomes and case studies from the FORMS project</li> <li>• Test draft materials through European and national consultation workshops, including employers and employees currently engaged in new forms of employment</li> <li>• Finalise content of innovative and informative materials</li> <li>• Professional design of materials</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE network of partners and contacts</li> <li>• EU and international sport organisations</li> <li>• Umbrella organisations</li> <li>• Social partners</li> <li>• EOSE members</li> <li>• European Commission</li> </ul>

**Recommendation 2: Establish follow-up projects and activities to further research the sport labour market, survey employers to establish specific employment problems and solutions and disseminate information materials to key stakeholders**

TIMING	PRIORITY ACTIONS	STAKEHOLDERS	METHODS/ACTIVITIES	RESPONSIBILITIES
<p><b>2025</b> - <b>2026</b></p>	<p><b>2.4</b> Disseminate clear information materials aimed at the European Commission, national and regional governments and other key sector stakeholders on the particular features and needs of the sport labour market and the potential of new forms of employment to address these</p>	<ul style="list-style-type: none"> <li>• European Commission</li> <li>• EOSE</li> <li>• Employers' sport organisations</li> <li>• European/ Global sport network/umbrella organisations</li> <li>• European/international sport federations</li> <li>• National and regional governments, sports councils and relevant agencies</li> <li>• National Olympic Committees, sport confederations and other sport bodies</li> <li>• National sport federations</li> <li>• Social partners</li> <li>• Sport and fitness clubs</li> <li>• Sport for all and sport for development organisations</li> <li>• Municipalities / Local authorities</li> <li>• Outdoor activity providers</li> <li>• Universities and training providers</li> <li>• Practising workforce of paid staff and volunteers</li> <li>• Students</li> </ul>	<ul style="list-style-type: none"> <li>• Consult with stakeholders to identify and prioritise specific targets and potential channels for wide dissemination</li> <li>• Distribute information materials to specific targets</li> <li>• Develop website section with information materials in a way that attracts searches on the topics covered</li> <li>• Organise social media campaign to attract visitors to website section</li> <li>• Organise a series of online seminars at European level at which the key findings and proposed solutions can be debated</li> <li>• Continue to review developments in the sport labour market regarding new forms of employment and update information materials accordingly</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE network of partners and contacts</li> <li>• EU and international sport organisations</li> <li>• Umbrella organisations</li> <li>• Social partners</li> <li>• EOSE members</li> <li>• European Commission</li> </ul>



### Recommendation 3:

## Establish an initiative to build the capacity of the sport sector to adopt new forms of employment following good practice guidelines

TIMING	PRIORITY ACTIONS	STAKEHOLDERS	METHODS/ACTIVITIES	RESPONSIBILITIES
<p><b>2024</b> - <b>2026</b></p>	<p><b>3.1</b> Develop practical guidelines/online toolkits for employers, employees and micro-entrepreneurs on how to fairly and legally apply the new forms of employment identified as the most relevant to sport</p>	<ul style="list-style-type: none"> <li>• EOSE members</li> <li>• EOSE network of partners</li> <li>• Social partners</li> <li>• Education and training providers</li> </ul>	<ul style="list-style-type: none"> <li>• Compile and review the outcomes of FORMS project</li> <li>• Carry out detailed research in further EU countries to examine a range of examples of each of the new forms of employment, exploring and consulting with employers and employees who are using these new forms and gathering their views on their benefits and disbenefits</li> <li>• Develop draft detailed practical guidelines/roadmaps for employers, employees and micro-entrepreneurs on how to implement these forms of employment</li> <li>• Test guidelines/roadmaps through national roundtable consultation events</li> <li>• Finalise roadmaps/guidelines and dispatch</li> <li>• Build social media campaign to promote the guidelines/roadmaps</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE members</li> <li>• EOSE network of partners and contacts</li> </ul>
<p><b>2024</b></p>	<p><b>3.2</b> Build the capacity of EOSE members and partners to become national ambassadors and points of contact for the new forms of employment and good practices</p>	<ul style="list-style-type: none"> <li>• EOSE members</li> <li>• EOSE network of partners</li> <li>• Employers' organisations</li> <li>• Education and training providers</li> </ul>	<ul style="list-style-type: none"> <li>• Develop a capacity building programme focusing on new forms of employment in the sport sector</li> <li>• Identify appropriate participants</li> <li>• Deliver capacity building programme</li> <li>• Gather feedback from participants on the effectiveness of the capacity building and its impact on the sector</li> </ul>	<ul style="list-style-type: none"> <li>• EOSE</li> <li>• EOSE members</li> <li>• EOSE network of partners and contacts</li> </ul>



# FORMS

Emerging Forms of Employment in Sport

NEW FORMS AND PATTERNS OF EMPLOYMENT ARE BEING CREATED IN RESPONSE TO THE GROWING AND CHANGING SPORT LABOUR MARKET AND TO ADDRESS NEW CHARACTERISTICS AND REALITIES OF THE SECTOR.



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