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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL on improving working conditions in platform work
- Statement by Lithuania

Delegations will find attached a statement by Lithuania in relation to the abovementioned proposal.

Statement by Lithuania

Lithuania supports the objectives of this Directive to improve the working conditions of platform workers and the protection of persons performing platform work regarding the processing of their personal data through the use of automated monitoring or decision-making systems.

Lithuania believes that the Directive should not restrict, but rather promote, social dialogue between persons performing platform work and digital labour platforms, and their representatives. This Directive should be consistent with the European Commission's Guidelines on the application of Union competition law to collective agreements regarding the working conditions of solo self-employed persons. We consider that measures or rules required by law or collective agreements shall not be taken into account for automatic trigger of the legal presumption and reclassification of the status.

At the same time, Lithuania emphasizes that the legal presumption, its criteria, the threshold of triggering the legal presumption, application of the legal presumption and its rebuttal should be proportionate and should not create the administrative burden for the genuine self-employed persons.