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# Food delivery platforms in Belgium: a contested grey zone of employment

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## Abstract

This paper aims at analyzing the dynamics of employment casualization and consequent labor struggle resulting from the development of digital platforms specialized in meal delivery. To do so, we draw on the concept of the grey zone of employment, which underlines the rule-making behavior of platforms coexisting even mixing with or opposing to established norms and regulations in this domain. A grey zone can also be understood as a public space involving various stakeholders – namely platforms, public authorities, unions and workers – in the contentious making of an hybrid regulation, and therefore as a contextual frame of labor conflicts.

Our study focuses on the case of Belgium, whose labor market is characterized by the prevalence of standard employment relationship, common in the Global North, and more distinctively by highly institutionalized industrial relations and a high rate of unionization. The rise of platform capitalism in this context has brought about labor flexibilization and casualisation through the spread of non-salaried forms of employment.

From a methodological standpoint, this contribution draws on fieldwork combining observations and interview campaigns with couriers, activists, and trade unionists conducted between 2016 and 2022.

This presentation thus seeks to retrace the key stages in the evolution of employment forms and labor management in this sector. Beyond legal rulings and legislative measures, particular attention will be paid to how workers' collectives, trade union and political actors have positioned and mobilize themselves on the issue. At first, the opening of a grey zone of employment by the local start-up Take Eat Easy has led to an early wave of unionization and the rare implementation of salaried contracts through Smart, a wage-portage company. In a second phase, the rise of Deliveroo - briefly followed by Uber Eats - called into question this fragile equilibrium by imposing the use of self-employment, and more specifically the peer-to-peer contract (P2P), a status close to informality created under the 2016 De Croo law which facilitated the influx of (undocumented) migrants into the sector. More recently, the introduction of a legal presumption of salaried employment in Belgium in 2022 represents a significant step forward, followed by judiciary successes for the unions. Nevertheless, this new regulation does not seem to close the grey zone considering the lasting employment status uncertainty and economic precarity for couriers.

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