

Editorial

Edoardo Ales^{*}
Iacopo Senatori[†]

The thematic session of this issue of the Italian Labour Law e-Journal is dedicated to the protection of self-employed workers. This topic is receiving a growing attention by labour law scholars and policy makers and is fueling a lively debate at the international level. The issues on the table are not limited to the phenomenon of misclassification, as several elements indicate that relevant shares of genuinely independent contractors and service providers suffer from the lack of basic guarantees in terms of pay, terms and conditions of employment, collective voice and social security.

The international conference “Beyond Employment. Protecting Autonomous Work”, hosted by the Marco Biagi Foundation of the University of Modena and Reggio Emilia in March 2021, provided an opportunity to discuss in depth the nature of the problems faced by the self-employed and to compare the initiatives undertaken by national and supranational lawmakers to tackle such problems. Part of the essays included in this Issue, namely those written by Chiara Garbuio, Caterina Mazzanti, Kamila Naumowicz and Veronica Papa, were originally presented in the conference. In this sense, they anticipate a broader collection of contributions forthcoming in the early months of 2022 by the publishing house Palgrave Macmillan. The essays by Garbuio, Mazzanti, Naumowicz and Papa elaborate on examples taken from the jurisdictions of Italy, Poland and the European Union, to illustrate possible ways to protect genuine independent contractors from the emerging risks of economic dependency, contractual imbalance and declining income that were typically deemed to characterize only subordinate employees. The picture is enriched by a further contribution by Maria Salas Porras that addresses the national case of Spain, where specific instruments have been introduced by the law to align the classification of certain categories of independent contractors to their actual labour market situation. The outcome is, we hope, a comprehensive overview on one of the most urgent matters for contemporary labour law, that will engage scholars, courts and policy makers for still a long time ahead.

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^{*} Professor of Labour Law, Università degli Studi di Napoli Parthenope.

[†] Assistant Professor of Labour Law, Università degli Studi di Modena e Reggio Emilia.