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## DIGITALNA TRANSFORMACIJA TRŽIŠTA RADA U HRVATSKOJ



## THE DIGITAL TRANSFORMATION OF THE LABOUR MARKET IN CROATIA

Hrvoje Butković, Višnja Samardžija

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Knjiga je financirana sredstvima Europske komisije u sklopu projekta “Prilagodba industrijskih odnosa novim oblicima rada” (referentni broj vs/2018/0039)

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RADA U HRVATSKOJ

THE DIGITAL TRANSFORMATION OF THE  
LABOUR MARKET IN CROATIA

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DIGITALNA TRANSFORMACIJA  
TRŽIŠTA RADA U HRVATSKOJ

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## KRATICE

BDP	Bruto domaći proizvod
CDU	Centar dijeljenih usluga
CEDEFOP (fr.)	Europski centar za razvoj strukovnog osposobljavanja
DESI (engl.)	Indeks digitalne ekonomije i društva
DZS	Državni zavod za statistiku
EFIP (engl.)	Europski forum nezavisnih profesionalaca
EGZO	Europski gospodarski i socijalni odbor
GDPR (engl.)	Opća uredba o zaštiti podataka
GSV	Gospodarsko socijalno vijeće
HDNP	Hrvatsko društvo nezavisnih profesionalaca
HGK	Hrvatska gospodarska komora
HUP	Hrvatska udruga poslodavaca
HZMO	Hrvatski zavod za mirovinsko osiguranje
HZSU	Hrvatska zajednica samostalnih umjetnika
HZZ	Hrvatski zavod za zapošljavanje
ICQS (engl.)	Sustav kontrole kvalitete anketara
IKT	Informacijsko-komunikacijska tehnologija
KRP	Katedra za radno pravo Pravnog fakulteta Sveučilišta u Zagrebu
MRMS	Ministarstvo rada i mirovinskog sustava RH
NEET (engl.)	Oni koji ne rade, ne obrazuju se niti osposobljavaju (odnosi se na mlade)
NGO	Nevladine udruge
NSZVO	Nezavisni sindikat znanosti i visokog obrazovanja
OECD (engl.)	Organizacija za ekonomsku suradnju i razvoj
PDV	Porez na dodanu vrijednost
STEM (engl.)	Znanost, tehnologija, inženjerstvo i matematika
Ured rdd	Središnji državni ured za razvoj digitalnog društva
ZOR	Zakon o radu



# UVOD

## Kontekst istraživanja

Ova je dvojezična studija rezultat istraživačkih aktivnosti u sklopu projekta „Prilagodba industrijskih odnosa novim oblicima rada“ (veljača 2018. – srpanj 2019.) financiranog uz potporu Europske komisije pod referentnim brojem VS/2018/0039. Projekt je analizirao rasprostranjenost i potencijalni rast novih oblika rada i digitalne ekonomije u pet novih država članica EU-a (Bugarska, Češka, Hrvatska, Poljska i Rumunjska) i jednoj državi kandidatkinji (Makedonija). Glavni cilj projekta bio je proširiti spoznaje o učincima novih oblika rada i digitalizacije ekonomije u analiziranim državama na tržište rada i industrijske odnose te time dati doprinos unapređenju institucionalnih i regulacijskih sustava. Na taj način nastojalo se stvoriti analitičku osnovu za konstruktivno suočavanje s vidljivim rizicima digitalizacije kao što su gospodarski rast bez rasta zaposlenosti, nestajanje poslova srednje razine kvalifikacija, slabljenje industrijskih odnosa itd.

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Specifični ciljevi projekta bili su: I) analizirati razmjere stalno rastućih novih oblika rada i zapošljavanja uključujući područje digitalne ekonomije kako bi se podigla svijest socijalnih partnera o postojećim i predstojećim izazovima, II) unaprijediti ekspertizu socijalnih partnera kako bi mogli bolje odgovoriti na potrebe i zahtjeve radnika u novim oblicima rada, III) razmjena informacija i najbolje prakse između projektnih partnera te stručnjaka iz starih zemalja članica EU-a koje imaju više iskustva s digitalnom ekonomijom, IV) podizanje svijesti radnika o mogućnostima koje pruža digitalna ekonomija te o njihovim pravima.

Studija koja je rezultat istraživanja provedenih u Hrvatskoj nastojala je evidentirati prisutnost i rasprostranjenost novih oblika rada potaknutih digitalizacijom. Polazište za provedbu tog cilja bila je kategorizacija novih oblika rada koju je 2015. objavio Eurofound. Prema Eurofoundu digitalizacija je uzrokovala ubrzan razvoj sljedećih novih oblika rada: I) dijeljenje zaposlenika, II) dijeljenje posla, III) privremeno upravljanje, IV) povremeni rad, V) mobilni rad putem IKT-a, VI) rad na temelju vaučera, VII) portfeljni rad, VIII) rad putem online platformi, IX) suradničko zapošljavanje. Mogućnosti razvoja tih novih oblika rada analiziraju se u svim poglavljima ove publikacije. Njihova je upotreba naglo porasla posljednjih dvadeset godina što uvelike koincidira s unapređivalim procesom industrijske revolucije 4.0.

Knjiga ima četiri glavna poglavlja. Prvo poglavlje bavi se izazovima digitalizacije za tržište rada na globalnoj, europskoj i na nacionalnoj razini. Analiziraju se učinci digitalizacije na tvrtke i na radnike, promjene u strukturi zaposlenosti, promjene koje donosi automatizacija te pozicija sindikata u novonastalim okolnostima. Poglavlje osim toga analizira strateški okvir za provedbu digitalizacije na razini Europske unije kao i s time povezane trendove. Analizira se i pozicioniranje Hrvatske u odnosu na druge države članice EU-a sukladno Indeksu digitalne ekonomije i društva (DESI), kao i specifičan transformacijski učinak digitalizacije na hrvatsko tržište rada.

Drugo poglavlje donosi ekonomski pregled te pregled zakonske regulative i statističkih pokazatelja u području nestandardnog rada u Hrvatskoj koji je usko povezan s procesom digitalizacije. Poglavlje razmatra nestandardno zapošljavanje regulirano putem Zakona o radu, ali i nestandardni rad koji izlazi iz okvira radnog odnosa.

Treće poglavlje studije donosi rezultate empirijskog istraživanja o novim oblicima rada u Hrvatskoj. Izlažu se glavni nalazi ankete temeljem pitanja postavljenih anketnim upitnikom te odabrani grafovi i tablice koji se odnose na tematski najvažnija pitanja.

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Četvrto poglavlje bavi se interpretacijom fokus grupa i intervjua. Dijelovi poglavlja koji razmatraju intervjue usmjereni su osobito na regulacijske i fiskalne aspekte novih oblika rada kao i na praktične aspekte rada i zapošljavanja u IKT sektoru u Hrvatskoj. Analiza rada fokus grupa primarno razmatra uvjete rada u digitalnoj ekonomiji, izazove za industrijske odnose te prioritete za radnike i poslodavce u novonastalim okolnostima na tržištu rada.

Završno poglavlje donosi zaključke poglavlja i preporuke za socijalne partnere i kreatore politika u Hrvatskoj. Studija je u cjelini prožeta brojnim samostalnim segmentima (okvirima) koji dublje analiziraju neka relevantna pitanja i primjere iz prakse.

Ova knjiga predstavljala je osnovu za implementaciju nekoliko daljnjih projektnih aktivnosti u Hrvatskoj. Temeljem zaključaka studije članovi projektnog tima pripremili su praktičan vodič za radnike u digitalnoj ekonomiji koji analizira njihova prava, mogućnosti i potrebne vještine. Nadalje, članovi projektnog tima organizirali su *webinar* s relevantnim predstavnicima akademske zajednice, socijalnim partnerima i kreatorima politika iz Hrvatske te sa stručnjakom za tržište rada iz Njemačke. U sklopu *webinara* predstavljeni su najvažniji zaključci studije za Hrvatsku, ali i podaci o praksi zapošljavanja nestandardnih radnika u Njemačkoj. Studija je također predstavljala podlogu za posebno osmišljen trening

za predstavnike socijalnih partnera, fokusiran na perspektive daljnjeg razvoja novih oblika rada i zapošljavanja u Hrvatskoj te na aktivnosti koje bi trebalo provesti radi boljeg usklađivanja ponude i potražnje na tržištu rada. Na kraju projektnog ciklusa rezultati ove publikacije prezentirani su na konferenciji za novinare u Zagrebu te na završnoj međunarodnoj konferenciji u Bukureštu.

## Metodološki pristup

Istraživanje za potrebe izrade ove studije provedeno je u nekoliko faza kombinacijom kvalitativnih i kvantitativnih metoda. U prvoj fazi provedeno je desk istraživanje odnosno prikupljanje relevantnih podataka iz znanstvene i stručne literature, zakona i strateških dokumenata. Uz to, članovi projektnog tima sudjelovali su na više okruglih stolova i sličnih javnih događanja u Hrvatskoj na kojima se raspravljalo o digitalizaciji i njezinim učincima na društvo i tržište rada. U sklopu tih događanja promoviran je projekt i uspostavljeni su kontakti s brojnim relevantnim stručnjacima. Dodatna aktivnost u sklopu prve faze implementacije projekta bilo je prikupljanje statističkih podataka iz Državnoga zavoda za statistiku i drugih srodnih institucija o rasprostranjenosti novih oblika rada potaknutih digitalizacijom. Ta aktivnost provedena je u skladu sa Zakonom o pravu na pristup informacijama.

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Druga faza odnosila se na terensko istraživanje, koje se sastojalo od tri komponente: provedbe ankete temeljem tipiziranog anketnog upitnika, provedbe dviju fokus grupe i intervjua. Osnovni cilj anketnog upitnika bila je analiza zastupljenosti i potencijala rasta novih oblika rada i digitalne ekonomije u Hrvatskoj. U kvantitativnom i kvalitativnom smislu istražena su iskustva i stavovi zaposlenih i samozaposlenih osoba u Republici Hrvatskoj. Istraživanje je uključilo sljedeće aspekte: oblici ugovornih odnosa i pozicija ispitanika u sadašnjim i prijašnjim zaposlenjima; radno iskustvo; tipovi poduzeća i tvrtki u kojima ispitanici rade; stavovi, iskustva i očekivanja od novih oblika rada; prednosti i problemi samozaposlenosti; stavovi o zakonodavstvu, udruživanju u sindikate i ocjena mogućnosti za nova zaposlenja. Upitnik je formuliran u skladu sa zajedničkim metodološkim predloškom koji je izradio koordinator projekta, a uključivao je 40 pitanja pretežno zatvorenog tipa uz manji broj iznimki.

Istraživanje je provedeno u listopadu 2018. na uzorku od N=500 ispitanika Republike Hrvatske. Primijenjen je reprezentativan uzorak zaposlenih osoba (uključujući samozaposlene) prema spolu, pet dobnih kategorija (18-24; 25-34, 35-44; 45-54; 55-64), pet kategorija veličina naselja te

šest regija temeljem popisa stanovništva iz 2011. godine. Ispitanici su odabrani slučajnim odabirom kućanstva i sugovornika unutar kućanstva. Anketu je provela agencija Hendal d.o.o metodom telefonskog CATI intervjua (Computer Assisted Telephone Interview), a proveli su je stručno osposobljeni suradnici agencije. Kvaliteta rada anketara verificirana je sustavom ICQS (Interviewers Control Quality System ) kojim se provjerava 25 posto rada svakog anketara.

Dvije fokus grupe također je provela agencija Henadl d.o.o. tijekom listopada 2018. u Zagrebu: prvu s predstavnicima socijalnih partnera (šest sudionika), drugu s predstavnicima nezavisnih profesionalaca (osam sudionika). Fokus grupe provedene su temeljem metodološkog predloška koji je predvidio raspravu u nekoliko tematskih blokova: profiliranje zaposlenika; novi oblici rada i zapošljavanja; rad putem online platformi; motivacija za odabir posla; zadržavanje radnika; zakonodavstvo; uloga socijalnih partnera. Fokus grupa sa socijalnim partnerima okupala je tri predstavnika reprezentativne udruge poslodavaca i tri predstavnika reprezentativnih sindikalnih središnjica. U sklopu druge fokus grupe okupljeni su nezavisni profesionalci koji ostvaruju prihode putem građanskih ugovora, vlasnici su obrta ili imaju registriranu samostalnu djelatnost. Sudionici okupljeni u drugoj fokus grupi bili su aktivni u različitim sektorima hrvatskoga gospodarstva: kulturi i umjetnosti, marketingu i komunikacijama, IKT sektoru te prevodilaštvu. Nakon fokus grupe s nezavisnim profesionalcima snimljen je kraći video film u sklopu kojeg su četiri sudionika izložila svoja profesionalna iskustva i koji je objavljen putem kanala YouTube.

U sklopu projekta članovi projektnog tima proveli su u Zagrebu tijekom rujna i listopada 2018. ukupno 15 dubinskih intervjua. Intervjui su propitali stavove poslodavaca u IKT sektoru te stručnjaka za digitalizaciju i tržište rada vezano uz aktualne politike zapošljavanja i ograničenja hrvatskoga radnog zakonodavstva. Za obje skupine ispitanika izrađen je strukturirani upitnik s po 12 pitanja otvorenog tipa. U upitniku za stručnjake pitanja su bila strukturirana u tri tematska bloka: proces digitalizacije u RH; novi oblici rada i zapošljavanja u RH; te hrvatsko zakonodavstvo. Upitnik za poslodavce bio je strukturiran na sličan način s tematskim blokovima: osnovne informacije o tvrtki; novi oblici rada i zapošljavanja u tvrtki; te hrvatsko zakonodavstvo. Intervjuirani su neki od vodećih stručnjaka i kreatora politika u području radnog prava i digitalizacije te predstavnici vodećih IKT tvrtki u Hrvatskoj. Svaki intervju trajao je oko 45 minuta.

Cilj anketnog upitnika, intervjua i fokus grupa bio je dopuniti spoznaje i podatke prikupljene tijekom desk istraživanja. Posljednja, treća faza istraživanja sastojala se od analize svih ulaznih podataka u svrhu izrade studije korištenjem kvantitativnih i kvalitativnih istraživačkih metoda.

# 1. IZAZOVI DIGITALIZACIJE

## 1.1. Promjene tržišta rada na globalnoj razini potaknute digitalizacijom

Globalno gospodarstvo ubrzano se transformira u digitalno, a ono raste sedam puta brže od tradicionalnog gospodarstva. Digitalizacija u suvremenom svijetu ne utječe samo na razvoj IKT sektora nego i na razvoj društva u cjelini. Ona unosi brojne pozitivne i negativne promjene na tržište rada.

Digitalizacija smanjuje transakcijske troškove poslovanja tvrtki, povećava trgovinu i olakšava usklađivanje ponude i potražnje. Osim toga, mijenja tvrtke iznutra utječući na promjene njihovih organizacijskih struktura i menadžerskih strategija, te izvana u odnosima s kupcima, partnerima i konkurentima (EGSO, 2017). Tehnološke promjene omogućuju veću fleksibilnost, pa tako rad postaje puno manje vremenski, prostorno, funkcionalno i organizacijski ograničen. Istovremeno se digitalizacijom uspostavljaju novi modeli nadziranja radnih procesa i rezultata rada (Pupillo et al., 2018). Uz pomoć digitalizacije tvrtke se danas mogu puno lakše usredotočiti na svoju temeljnu djelatnost uz istovremeno izdvajanje pomoćnih djelatnosti vanjskim pružateljima usluga (Todoli-Signes, 2015). Tehnološki napredak donosi mogućnosti veće efikasnosti tvrtki u pogledu cijena i rokova, kako u području proizvodnje tako i u sektoru usluga. Prema nekim procjenama digitalna transformacija omogućava povećanje produktivnosti od 20 do 30, a u sektoru usluga operativni se troškovi poslovanja mogu smanjiti i do 60 posto (EGSO, 2017, 28).

Mnoge studije upućuju na indirektno stvaranje poslova zbog digitalizacije. Prema jednoj takvoj studiji svaki novi posao koji se temelji na internetu podržava stvaranje oko 1,54 dodatnih poslova negdje drugdje u gospodarstvu (Du Rauseas, 2011). Nadalje, procjenjuje se da bi svaki posao stvoren u tehnološki visoko razvijenoj industriji kao što je robotika mogao stvoriti dodatnih pet novih poslova u širem gospodarstvu (Moretti, 2010). Ipak, danas nije sasvim jasno nadmašuju li brojčano svi ti novostvoreni poslovi on poslove koji zbog digitalizacije nestaju. Udio poslova ugroženih digitalizacijom ovisi o stupnju automatizacije svake pojedine države te raste sa smanjenjem tog stupnja. Na razini država OECD-a udio poslova koji su u riziku od digitalizacije relativno je visok te se procjenjuje na čak 57 (EGSO, 2017, 12).

Problem nije samo gubitak tradicionalnog tipa zaposlenja, već i činjenica da su gubitci uzrokovani digitalizacijom neravnomjerno raspoređeni i da

produbljuju nejednakosti u društvu. Za vrijeme posljednje ekonomske i financijske krize u SAD-u je izgubljeno 7,5 milijuna poslova u industrijama koje su radnicima osiguravale srednju razinu primanja. Međutim, kada je počeo oporavak samo je neznatan broj tih izgubljenih poslova ponovno kreiran u kategoriji te razine primanja. Naime, gotovo 70 novih poslova generirano je u kategoriji niže razine primanja, a oko 30 stvoreno je u kategoriji više razine primanja (Noam, 2018). Pri tome se ističe da je situacija u eurozoni bila i gora. Takva polarizacija tržišta rada rezultat je činjenice da je poslove srednje razine primanja, koji se uglavnom odnose na administrativna zanimanja, puno lakše automatizirati i preseliti izvan zemlje nego li poslove niže razine (ibid.). Polarizacija tržišta rada između poslova više i niže razine primanja negativno se odražava na mobilnost radnika. Prije je skok iz poslova srednje razine primanja u one više razine bio uobičajen, a danas je tranzicija iz kategorije niže razine primanja u onu više puno teža. Da bi se radnik koji obavlja posao niže razine primanja prebacio na posao više razine, treba veoma mnogo uložiti u svoje obrazovanje što u uvjetima sve skupljeg obrazovanja nije jednostavno (Pupillo et al., 2018).

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Ipak, čak i u slučaju da digitalizacija uništava više poslova nego što ih stvara, to dugoročno u razvijenim zemljama ne bi trebalo voditi strukturnoj nezaposlenosti jer danas u Europi i Sjevernoj Americi stanovništvo raste puno sporije nego u prošlosti. Osim toga, nove tehnologije rezultiraju rastom produktivnosti, a ona u pravilu donosi niže cijene, veće plaće i u konačnici povećanje potrošnje, čime se potiče otvaranje novih radnih mjesta (EGSO, 2017).

Automatizacijom rad postaje manje važnim proizvodnim faktorom što potiče proizvođače da proizvodne pogone koje su proteklih desetljeća premjestili u zemlje u razvoju vrata u razvijene zemlje Europe i Sjeverne Amerike. Taj je proces već počeo, a osim automatizacijom potaknut je povećanjem cijene rada u zemljama u razvoju, željom za većom kvalitetom proizvoda te potrebom smanjivanja udaljenosti od glavnih tržišta kako bi se lakše komuniciralo s kupcima i skratilo vrijeme isporuke (Eurofound, 2018). Dakako, uslijed digitalizacije i automatizacije broj zaposlenika u proizvodnim pogonima koji su se vratili u razvijene zemlje znatno je manji i znatno više uključuje visokoobrazovane kadrove (EGSO, 2017). Priom je važno naglasiti da digitalizacija i automatizacija industrije općenito smanjuju broj poslova izravno uključenih u proizvodnju, a istovremeno rastu poslovi prije i nakon proizvodnje kao što su dizajn, istraživanje i razvoj, marketing, prodaja, održavanje i tehnička podrška (Eurofound, 2018, 18).

### **Okvir 1. Povratak proizvodnih pogona u Europu**

Adidasova „speed tvornica“ u Ansbachu, Njemačka, jedan od primjera povratka proizvodnog pogona u Europu. Proizvodnja u Ansbachu temelji se na tehnologiji aditivne proizvodnje i napredne industrijske robotike što omogućuje godišnju proizvodnju stotina tisuća pari sportske obuće uz samo 160 zaposlenih. No, ušteda na troškovima rada nije bila jedini razlog povratka proizvodnog pogona u Njemačku. Proizvodnjom u Ansbachu eliminirani su raniji troškovi ekstenzivnih dobavnih lanaca. Uz to, proizvodnja je sada bliže dizajnerima, stručnjacima za tržište i kupcima čime je skraćen ciklus između dizajniranja i proizvodnje te omogućeno brže reagiranje na modne trendove uključujući i dizajn po mjeri. Drugi primjer je španjolski proizvođač odjeće Mango, koji je svoje proizvodne pogone iz Azije premjestio u Italiju, Španjolsku i Tursku. Bez obzira na to što se pri povratku proizvodnih pogona broj radnih mjesta znatno smanjuje, neizravan učinak na zaposlenost nije zanemariv jer otvaranje takvog pogona utječe na stvaranje radnih mjesta u drugim industrijama i uslužnim djelatnostima.

Izvor: Eurofound, 2018.

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Informacijske i komunikacijske tehnologije (IKT) postaju sve važnija komponenta gospodarstava, a njihova je upotreba predstavljala glavni i najvažniji motor gospodarskog rasta proteklih pedeset godina. Usporedno s tom radikalnom transformacijom u poslovnim i proizvodnim procesima radikalno su se transformirale i potrebe tržišta za vještinama radnika. Međutim, obrazovne institucije nisu dovoljno slijedile te potrebe te su danas još uvijek premalo fokusirane na STEM područje, ključno za razvoj vještina traženih na tržištu rada (Clarke, 2018). Kada se promišlja reforma obrazovnih sustava, odmah se nameće pitanje nedovoljnog broja učitelja i nastavnika iz STEM područja. No, taj problem nije nužno tako velik uzmu li e u obzir mogućnosti koje moderna tehnologija pruža u domeni virtualne nastave (ibid.). Međutim, sasvim je sigurno da će se obrazovni sustavi morati prilagoditi činjenici da će se sve veći udio profesionalnih znanja stjecati neformalnim putem izvan formalnih obrazovnih kanala (Eurofound, 2018).

Uz digitalizaciju je usko vezan fenomen rada putem online platformi. Te platforme povezuju radnike i poslodavce na globalnoj razini te poslovi postaju široko dostupni, no s obzirom na veličinu bazena iz kojeg se radnici regrutiraju istovremeno se smanjuje cijena rada. Online platforme

predstavljaju tehnološku evoluciju koja prati porast udjela nezavisnih profesionalaca u radno aktivnom stanovništvu. Uz to, one omogućuju fragmentaciju radnih zadataka koji se sada mogu rasporediti na velik broj pojedinaca koji često međusobno ni ne komuniciraju (Broughton et al., 2016). U osnovi postoje dvije kategorije tih radnika. Prvi nude intelektualne usluge i nisu u radu ograničeni lokacijom na kojoj žive. Drugi nude usluge fizičkog rada i vezani su za lokaciju na kojoj žive. Postoji međutim i razlika s obzirom na to predstavljaju li platforme radnicima koji rade putem njih glavni ili sporedni izvor zarade. Istraživanje koje je 2016. provela Fondacija za europske progresivne studije u pet starih država članica EU-a (Velika Britanija, Njemačka, Austrija, Nizozemska i Švedska) pokazalo je da je 11% stanovništva tih zemalja radilo putem online platformi. Međutim, za čak 45% ispitanika taj oblik rada osiguravao je manje od 10% ukupnih prihoda. Samo 2,4% ispitanika istaknulo je da im rad putem online platformi predstavlja glavni oblik zarade (FEPS, 2016).

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Prihodi od rada putem online platformi često nisu prijavljeni i porezno regulirani. S jedne strane, radnik ima ograničenu motivaciju za prijavu takvih prihoda jer u pravilu tako ne može ostvariti prava iz područja socijalne sigurnosti. Povrh toga, velik postotak radnika ni ne zna da sve prihode treba prijaviti. S druge strane, platforma nije obavezna prijaviti zaradu radnika. Platforme u pravilu nastoje ne prijavljivati zarade svojih radnika kako bi između ostalog izbjegle rizik da ih se proglasi za klasičnog poslodavca (EGSO, 2017). Taj problem nedavno je došao do izražaja u Velikoj Britaniji kada je Sud za zapošljavanje u Londonu presudio da vozače Ubera treba tretirati kao zaposlenike, a ne kao samozaposlene radnike, te im je stoga platforma Uber trebala početi isplaćivati minimalne plaće (ibid.). Uvjeti rada radnika koji rade putem platformi osobito su osjetljivo pitanje. Prvi i osnovni problem čine socijalna prava, koja ti radnici u pravilu ne ostvaruju što ih čini posebno ranjivom skupinom na tržištu rada. Nadalje, u sklopu takvih aranžmana od radnika se može zahtijevati da stalno budu dostupni čime se povećava rizik od stresa. U konačnici, fleksibilno radno vrijeme ima svoje prednosti, ali i mane, jer često briše granicu između poslovnog i privatnog života što za radnike nerijetko predstavlja dodatno opterećenje (Broughton et al., 2016).

Radnici putem online platformi poseban su izazov za sindikate a obzirom na to da takvi radnici nemaju stalnog poslodavca pa i ne mogu biti sindikalno organizirani u klasičnom smislu riječi. Sindikati se stoga na nacionalnim razinama bore za regulaciju rada putem platformi u sklopu radnog zakonodavstva kako bi ti radnici dobili poseban pravni i socijalni status, slično kao primjerice agencijski radnici. Kako bi se približili rad-

nicima koji rade putem platformi, brojni europski sindikati proveli su organizacijske promjene kako bi im omogućili učlanjivanje te ih posebnim pogodnostima privukli u članstvo (Todoli-Signes, 2015).

Uz učlanjivanje u sindikate, što uvelike ovisi o stanju na terenu, radnicima putem online platformi na raspolaganju su i neki drugi alternativni modeli organizacije. Oni se često organiziraju putem online foruma gdje komuniciraju kako bi lakše razlučili između legitimnih zahtjeva i onih koji bi se mogli nazvati izrabljivačkim, maksimirali svoje prihode i općenito dijelili svoja iskustva. Sljedeća je mogućnost organizacija putem radničkih centara, novog tipa institucija koje zagovaraju radnička prava, naročito u SAD-u. Radnički centri nezavisni su u svojem djelovanju te obično djeluju na ograničenom zemljopisnom području. Svojim članovima nude socijalne usluge, ali i poslovne mogućnosti. Tu je i mogućnost organiziranja putem radničkih zadruga. Radničke zadruge su oblik zadruga u kojima radnici predstavljaju većinu članstva te su istodobno vlasnici i sudionici u upravljanju. Glavna je zadaća radničkih zadruga stvaranje i zadržavanje održivih poslova (Johnston; Land-Kazlauskas, 2018).

Zabrinutost sindikata kada je riječ o digitalizaciji odnosi se na nekoliko osnovnih pitanja. Prvo, sindikati su zabrinuti zbog činjenice da nove tehnologije kriju velike potencijale za uništavanje postojećih poslova njihovih članova, prije svega u klasičnim industrijama u kojima dominiraju radnici s nižem stupnjem obrazovanja, tzv. „plavi ovratnici“. Drugo, nove tehnologije potiču rast zapošljavanja u IKT sektoru i drugim tehnološki visoko razvijenim dijelovima privatnog sektora gdje su sindikati slabi jer im je članstvo malobrojno. Treće, sindikati sa zabrinutošću gledaju na mogućnosti nadgledanja radnika koje donosi digitalna tehnologija. Oni u tome prepoznaju potencijalni rizik od kršenja radnih normi i privatnosti radnika (Eurofound, 2018). Sasvim je sigurno da će digitalizacija sve više utjecati na promjene u organizaciji rada. Stoga će jedan od najvažnijih zadataka socijalnog dijaloga biti njihova anticipacija i kvalitetno upravljanje takvim promjenama (ibid.).

### Okvir 2. Robotizacija u telekomunikacijama

Telekomunikacijska kompanija A1 Hrvatska instalirala je 2018. godine 40 robota koji sada mjesečno obavljaju više od 200.000 zadataka koje su prethodno obavljali zaposlenici. Ivan Bartulović, glavni direktor za ljudske resurse i korporativne komunikacije u kompaniji, istaknuo je da roboti nisu smanjili potrebu za zaposlenicima, upravo suprotno. Robotizacija i digitalizacija kompaniji su omogućile da automatizira dio procesa i oslobodi ljude repetitivnih zadataka te ih usmjeriti prema kreativnijim zadacima na kojima se mogu razvijati. Uz to, roboti ne rade sami. Njima upravlja osoba čije radno mjesto prije nije postojalo te koja surađuje sa specijalistima iz svakog odjela koji pomažu pri optimizaciji rada robota. Bez obzira na robotizaciju broj zaposlenika A1 nastavlja rasti - posljednjih godina narastao je na 1800. Iznos investicija u robotizaciju kompanije se ne navodi.

Izvor: Poslovni dnevnik, 2018.

## 1.2. Opće značajke digitalizacije u Europskoj uniji

U Europskoj uniji IKT sektor ubrzano raste te se procjenjuje da će do 2020. državama članicama nedostajati više od 700.000 visokoobrazovanih stručnjaka kao što su IKT inženjeri ili znanstvenici za podatke. Stoga se europske tvrtke nalaze u svojevrsnoj utrci s vremenom jer je za opstanak na tržištu ključno da provedu vlastitu digitalnu transformaciju prije nego što to učine njihovi europski i globalni konkurenti (Europska komisija, 2016). Na žalost većina tvrtki u EU-u u cijelosti ne koristi potencijalne koristi digitalnih inovacija. U 2015. samo je 1,7% poduzeća EU-a u potpunosti koristilo napredne digitalne tehnologije kao što su veliki podaci, računalni oblaci te mobilna rješenja. Uz to čak 41% poduzeća nije te tehnologije uopće koristilo (Europska komisija, 2015).

Razvoj digitalne infrastrukture predstavlja ključnu predispoziciju za dublju integraciju digitalnih tehnologija u poslovne i javne servise država članica EU-a. Riječ je o razvoju virtualnih mreža kojima će se transformirati postojeća mrežna infrastruktura u potpuno razvijenu podatkovnu infrastrukturu. Takva infrastruktura trebat će superračunalne sposobnosti, kapacitete za pohranu velikog broja podataka, visokobrzinsko povezivanje i najsuvremenije softverske usluge za znanosti, industriju i javni sektor (EGSO, 2018).

S obzirom na nebrojene učinke digitalizacije na društvo, Europska unija postavila je sebi cilj uspostaviti održivo digitalno jedinstveno tržište kako bi se u cijelosti iskoristile sve prednosti digitalizacije. Od 2000. godine digitalizacija je integrirana u središte svih europskih politika putem strategija, izvještaja i posebno kreiranih fondova. Međutim, put do digitalnog jedinstvenog tržišta trajao je dulje nego što se očekivalo i još nije dovršen zbog fragmentiranih nacionalnih politika, različitih pravnih okvira kao i divergentnih interesa država članica (Mondekar, 2017). Godine 2010. Europska unija je u sklopu desetogodišnje Strategije Europa 2020. donijela Digitalnu agendu za Europu. Bila je to prva od sedam ključnih inicijativa, a cilj joj je bio omogućiti gospodarstvu i građanima EU-a ostvariti maksimalnu dobrobit korištenjem digitalnih tehnologija. Agenda je uključivala 101 mjeru razvrstanu u sedam prioriternih područja djelovanja na razini EU-a. Napredak u ostvarivanju spomenutih mjera znatno se razlikovao među državama članicama. Imajući u vidu izazove digitalizacije za unutarnje tržište, Unija je 2015. godine usvojila novi krovni strateški dokument, Strategiju jedinstvenog digitalnog tržišta (Europska komisija, 2015).

Strategija se sastoji od tri stupa i 12 ključnih područja djelovanja koji predstavljaju temelj za uspostavu funkcionalnog jedinstvenog tržišta za digitalna dobra i usluge (vidi Okvir 3). Cilj je Strategije osigurati tvrtkama nove mogućnosti rasta putem razbijanja barijera prekograničnim online aktivnostima u što se primjerice ubrajaju razlike u regulaciji autorskih prava ili različite prakse u pogledu PDV-a. Strategijom se također nastoji uspostaviti adekvatan okvir za prekograničnu e-trgovinu te spriječiti nepoštene i diskriminatorne prakse usmjerene protiv potrošača i tvrtki. Strategija predstavlja jedan od deset političkih prioriteta EU-a do 2020. (Europska komisija, 2015).

### Okvir 3. Struktura Strategije jedinstvenog digitalnog tržišta

- I. Bolji online pristup digitalnim dobrima i uslugama za potrošače i tvrtke diljem Europe: ukidanje ključnih diskriminativnih razlika u online poslovanju kako bi se olakšala e-trgovina i prekogranična digitalna trgovina
  - donošenje pravila za olakšavanje prekogranične e-trgovine
  - efikasnija i pristupačnija dostava paketa
  - ukidanje nepravednog geoblokiranja
  - uspostava modernoga europskog okvira za autorska prava
  - smanjivanje opterećenja PDV-om.
- II. Stvaranje poticajnih uvjeta za razvoj naprednih digitalnih mreža i inovativnih usluga: stvaranje brze, sigurne i pouzdane infrastrukture za isporuku digitalnih sadržaja i regulatornog okvira za inovativne investicije i pravedno tržišno natjecanje
  - preustroj telekomunikacijskih pravila
  - preispitivanje okvira za regulaciju audiovizualnih medija
  - analiza uloge online platformi
  - stjecanje povjerenja i sigurnosti u digitalne usluge i rukovanje osobnim podacima.
- III. Maksimiranje potencijala rasta digitalnog gospodarstva: potpora razvoju računalnih oblaka, analitike velikih podataka, digitalnih vještina i boljih servisa e-uprave
  - predlaganje europske inicijative za slobodan protok podataka
  - definiranje prioriteta u području standarda i interoperabilnosti
  - uključivo digitalno društvo.

Izvor: Europska komisija, 2015.

U svibnju 2017. Komisija je objavila srednjoročni pregled implementacije Strategije jedinstvenoga digitalnog tržišta. U dokumentu se iznosi da je u skladu s planiranim izradila 35 zakonodavnih prijedlog i policy inicijativa te da će u predstojećem vremenu fokus biti na političkom usuglašavanju s Europskim parlamentom i Vijećem u pogledu tih prijedloga. U dokumentu je Komisija identificirala tri glavna područja u kojima je potrebno daljnje djelovanje EU-a: razvoj europske ekonomije podataka do njenih punih potencijala, zaštita imovine rješavanjem izazova kibernetске sigurnosti i promoviranje online platformi kao odgovornih subjekata u poštenom internetskom ekosustavu. Posebno je naglašena važnost strategija za digitalizaciju industrije s obzirom na to da je fokus u državama članicama do sada uglavnom bio na digitalizaciji javne uprave (Europska komisija, 2017). U skladu s postavkama Strategije jedinstvenoga digitalnog tržišta Europski parlament je u travnju 2016. usvojio Opću uredbu o zaštiti podataka (GDPR) koja je stupila na snagu u svibnju 2018. GDPR je zamijenio raniju uredbu koja je regulirala to područje radi usklađivanja zakona o privatnosti podataka u svim državama članicama, bolje zaštite podataka i preoblikovanja načina na koje organizacije pristupaju ovom pitanju (Europski parlament i Vijeće, 2016).

Mjerenje stupnja digitalizacije na razini EU-a isprva je bilo usmjereno na pristup internetu, a kasnije je dopunjeno drugim indikatorima kojima se mjere korištenje interneta, razvoj novih digitalnih usluga i digitalizacija industrije u sklopu tzv. Indeksa digitalne ekonomije i društva (DESI) koji objavljuje Europska komisija. DESI indeks sumira relevantne indikatore kojima se prati stanje digitalizacije u državama članicama EU-a radi poticanja njihove digitalne konkurentnosti. Na godišnjoj razini prate se indikatori s pet područja: povezivost, ljudski kapital, upotreba internetskih usluga, integracija digitalne tehnologije i digitalne javne usluge.<sup>1</sup>

U skladu s rezultatima DESI indeksa 2018. (koji rangira države prema pokazateljima za 2017. godinu), po ukupnim performansama najbolje su rangirane Danska, Švedska, Finska i Nizozemska, a od velikih zemalja Velika Britanija. Njemačka i Francuska nalaze se na razini prosjeka EU-a, a među velikim zemljama Poljska i Italija zaostaju. Sličan se raspored primjećuje u kategorijama umreženosti, ljudskog kapitala, korištenja interneta i digitalnih javnih servisa. U pogledu integracije digitalne tehnologije najbolje su rangirane Danska, Finska, Irska i Švedska. Od velikih zemalja u toj kategoriji najbolje je pozicionirana Njemačka, a sve druge velike zemlje nalaze se ispod prosjeka EU-a (Europska komisija, 2018d).

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1 Vidi: <https://ec.europa.eu/digital-single-market/en/desi>

Rezultati DESI indeksa 2018. pokazuju da još uvijek 13% stanovništva EU-a ne koristi internet, bez obzira na kontinuirano smanjivanje tog postotka. Pristup brzom širokopojasnom internetu osiguran je za 80% kućanstava što je napredak od četiri posto u odnosu na 2016. U 2017. među korisnicima interneta 65% ih je participiralo na društvenim mrežama, 61% je koristilo internetsko bankarstvo, 21% tražili su smještaj putem interneta, a 10% tražilo je putem interneta prijevoz. Čak 58% građana EU-a tražilo je javne usluge putem interneta. Istraživanje pokazuje da je 2017. samo petina kompanija u EU-u bila visoko digitalizirane te da postoje velike razlike među državama članicama. Dok je u Danskoj i Nizozemskoj visoko digitalizirano 40% tvrtki, u Bugarskoj i Rumunjskoj taj postotak iznosi manje od 10% (ibid.).

### 1.3. Novi oblici rada u digitalnoj ekonomiji EU-a

Eurofound (Europska zaklada za unapređivanje životnih i radnih uvjeta) objavio je 2015. studiju o novim oblicima rada u kontekstu stalno rastuće digitalne ekonomije. Studija je identificirala devet novih oblika rada i zapošljavanja koji su se u Europi pojavili većinom nakon 2000. godine. Ti novi oblici rada i zapošljavanja mogu se općenito klasificirati u dvije skupine: I) novi modeli zapošljavanja između poslodavca i zaposlenika ili klijenta i radnika, II) novi obrasci rada, tj. novi načini obavljanja posla. Dodatna razdjelnica može se povući s obzirom na to primjenjuju li se ti novi oblici na zaposlenike ili na samozaposlene, s tim da se pojedini oblici mogu odnositi na obje kategorije radnika, a moguća su i preklapanja. Studija zaključuje da kod svih navedenih novih oblika rada i zapošljavanja fleksibilnost predstavlja ključnu karakteristiku koja je izbila u prvi plan zbog povećane potražnje za fleksibilnim radom kako kod poslodavaca tako i kod radnika. No, također se zaključuje da zbog nestabilnih ekonomskih prilika za radnike i za poslodavce upuštanje u nove oblike rada i zapošljavanja nije nužno slobodan izbor već često izbor iz nužde. Sistematizirani pregled spomenutih oblika rada koji su u glavnom fokusu interesa ovog istraživanja daje se u nastavku:

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- Dijeljenje zaposlenika - više poslodavaca angažira jednog zaposlenika kako bi se zadovoljile potrebe za ljudskim resursima više tvrtki, što rezultira punim radnim vremenom za tog zaposlenika.
- Dijeljenje posla – poslodavac zapošljava dva ili više zaposlenika kako bi zajedno radili na nekom poslu, kombinirajući dva ili više poslova s nepunim radnim vremenom u jedno radno mjesto s punim radnim vremenom.

- Privremeno upravljanje – poslodavac privremeno zapošljava visoko kvalificiranog stručnjaka za specifičan projekt ili rješavanje nekog problema, čime se integriraju vanjski kapaciteti menadžmenta u organizaciji rada.
- Povremeni rad – poslodavac nije obavezan redovito davati posao zaposleniku, nego ima fleksibilnost pozvati ga na zahtjev.
- Mobilni rad temeljen na informacijsko-komunikacijskim tehnologijama (IKT) – poslodavac omogućuje radniku obavljati posao s bilo kojeg mjesta u bilo koje vrijeme, uz podršku IKT-a.
- Rad na temelju vaučera – poslodavac plaća usluge vaučerima kupljenim od ovlaštene organizacije koja pokriva plaće i doprinose za socijalno osiguranje angažiranih radnika.
- Portfeljni rad – više poslodavaca koristi samozaposlenog pojedinca za obavljanje manjih poslova za svakog od njih.
- Online platforme koje uparuju poslodavce i zaposlenike – poslodavac ili klijent velike zadatke obično dijeli među zaposlenicima putem „virtualnog oblaka“.
- Suradničko zapošljavanje – honorarni radnici, samozaposleni ili mikropoduzeća djeluju zajedno kako bi prevladali ograničenja svoje veličine i profesionalne izolacije.

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Studija Eurofounda također je naznačila da diljem Europe ti novi oblici rada i zapošljavanja nisu kao takvi bili predmet brojnih policy rasprava. Umjesto toga raspravljalo se o modalitetima povećanja fleksibilnosti i inkluzivnosti tržišta rada, legalizaciji neformalnih praksi zapošljavanja, osiguravanju solidnih uvjeta za socijalnu zaštitu kao i o suzbijanju potiskivanja standardnog zapošljavanja od strane novih oblika rada i zapošljavanja. Studija također naglašava da su takve debate obično vodili socijalni partneri. Poslodavci su većinom branili fleksibilnosti i smanjivanje troškove koje donosi novi oblici rada i zapošljavanja, dok su sindikati izražavali zabrinutost vezano uz socijalnu zaštitu, prava iz zaposlenosti itd. Čini se da su se diljem Europe vlade tek sporadično uključivale u tu vrstu policy rasprava.

#### 1.4. Značaj digitalizacije za tržište rada u Hrvatskoj

Digitalizacija u velikoj mjeri određuje trendove na tržištu rada u Hrvatskoj, mijenja uvjete rada donoseći nove prilike, ali i rizike. IKT sektor u Hrvatskoj predstavlja brzo rastući sektor koji značajno utječe na digitalizaciju cijeloga gospodarstva (okvir 4). Uz pretpostavku uspješne proved-

be reformi, digitalizacija bi mogla imati još značajnije učinke na strateški pristup razvoju gospodarstva u Hrvatskoj, zakonodavstvo, nove oblike zapošljavanja, obrazovanje i izobrazbu te razvoj ljudskih potencijala u cjelini.

#### Okvir 4. IKT sektor u Hrvatskoj

Prema analizi koju je 2015. provela konzultantska tvrtka Biondea, IKT sektor u Hrvatskoj zapošljava gotovo 32 tisuće ljudi i ostvaruje prihod od 31 milijardu kuna. Konsolidirani izvoz tog sektora premašio je 5 milijardi kuna i raste po stopi od 12%, što je znatno više od rasta izvoza ostatka gospodarstva. Računalno programiranje kao podsektor IKT-a uvršteno je u ključne industrijske sektore, a svojim rezultatima nalazi se u samome vrhu hrvatskog gospodarstva, uz bok farmaceutske i metalne industriji. Čak 31% prihoda u tom podsektoru u 2015. godini ostvareno je izvozom. Prema analizi, može se očekivati da će zaposlenost u IKT sektoru u Hrvatskoj dosegnuti 50.000 u 2023. godini i to većinom u razvoju softvera i IKT usluga. Međutim, za uspješan daljnji razvoj sektora potrebne su daljnje reforme, a jedna od ključnih jest reforma sustava obrazovanja kako bi se osigurao dovoljan broj educiranih kadrova za kojima postoji velika potražnja.

Izvor: Poslovni dnevnik, 2016., temeljem Biondeea.

Hrvatska prema spomenutom DESI 2018 indeksu (*Digital Economy and Society Index*) koji rangira države prema pokazateljima za 2017. i dalje zaostaje za većinom država članica EU 28 i pozicionirana je na 22. mjestu. Nalazi se u skupini manje uspješnih zemalja EU-a, a to su Rumunjska, Grčka, Bugarska, Italija, Poljska, Mađarska, Cipar i Slovačka. Treba napomenuti da su u metodologiji izračunavanja DESI indeksa u 2018. unesene manje izmjene, pa pozicioniranje država EU-a nije potpuno usporedivo s prethodnim godinama. Međutim, retroaktivni izračun za prethodnu godinu pokazuje da bi uz primjenu iste metodologije Hrvatska bila na 23. mjestu te da je općenito gledano postigla stanovit napredak.

Tablica 1. Pozicija Hrvatske prema DESI indeksu u odnosu na skupinu zemalja među kojima je smještena i EU 28 prosjek (2018. i 2017.)

DESI ukupni rang	Hrvatska		Skupina	EU
	rang	rezultat	rezultat	rezultat
DESI 2018.	22.	46,7	43,5	54,0
DESI 2017.	23.	43,2	40,4	50,8

Izvor: Europska komisija, 2018d.

Hrvatski građani služe se internetom više od prosjeka EU-a, a poduzeća uvode digitalne tehnologije u svoje poslovanje. Najveći izazov u pogledu digitalizacije za Hrvatsku predstavlja jačanje povezivosti, po kojoj smo uz određena poboljšanja i dalje na 27. mjestu. Dostupnost širokopojasne veze u ruralnim područjima i pokrivenost brzom širokopojasnom mrežom vrlo su ograničene, a cijene fiksnog širokopojasnog pristupa i dalje među najvišima u Europi. U području e-uprave Hrvatska ostvaruje spor napredak te je i dalje na 25. mjestu. Broj korisnika usluga e-uprave je iznad prosjeka EU-a, ali nije vidljiv napredak u pružanju tih usluga. Hrvatska ostvaruje dobre rezultate u pogledu otvorenih podataka i usluga e-zdravstva.

U izgradnji ljudskih kapitala za digitalno društvo Hrvatska ostvaruje prema DESI indeksu 2018. napredak u odnosu na prethodnu godinu povećanjem broja stručnjaka za IKT (sa 2,7% građana na 3,3% građana, čime se približava prosjeku EU 28 od 3,7%) te povećanjem osoba s diplomom sa STEM područja (17,1 na 1000 građana u dobi 20-29 godina), što je među tim ispod prosjeka EU 28 koji iznosi 19,1.

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Tablica 2. Ljudski kapital – pozicija Hrvatske prema DESI indeksu u odnosu na skupinu zemalja među kojima je smještena i EU 28 prosjek (2018. i 2017.)

Ljudski kapital	Hrvatska		Skupina	EU
	rang	rezultat	rezultat	rezultat
DESI 2018.	18.	49,8	42,2	56,5
DESI 2017.	19.	45,9	40,6	54,6

Izvor: Europska komisija, 2018d

Tablica 3. Pregled napretka Hrvatske prema kategorijama ljudskog kapitala (2018. i 2017.)

Kategorije	Hrvatska				EU
	DESI 2018.		DESI 2017.		DESI 2018.
	vrijednost	rang	vrijednost	rang	vrijednost
Korisnici interneta % građana	nije primjenjivo 2017.		71% 2016.	22.	81% 2017.
Najmanje osnovna razina digitalnih vještina % građana	nije primjenjivo 2017.		55% 2016.	13.	57% 2017.
Stručnjaci za IKT % građana	3,3% 2016. ↑	17.	2,7% 2015.	18.	3,7% 2016.
Osobe s diplomom iz područja STEM-a na 1000 građana (u dobi od 20 do 29 godina)	17,1 2016. ↑	16.	15,7 2014.	20.	19,1 2015.

Kategorija u kojoj Hrvatska ostvaruje najbolje rezultate, rezultate koji premašuju prosjek EU-a, jest sklonost građana upotrebi različitih vrsta internetskih usluga. Pomak u integraciji digitalne tehnologije je spor u odnosu na prethodnu godinu te smo se na tom planu sa 17. mjesta (2017) pali na 21. mjesto u 2018. Međutim, hrvatska poduzeća već nekoliko godina iznadprosječno koriste mogućnosti internetske trgovine te je Hrvatska sa 17,1% MSP-ova koji nude usluge internetske trgovine vrlo blizu prosjeku EU-a (17,2%). Na području e-uprave Hrvatska postupno napreduje, ali i dalje je na 25. mjestu, znatno ispod prosjeka EU-a. (Europska komisija 2018d, DESI 2018. Izvješće za Hrvatsku).

Imajući u vidu utjecaj digitalizacije na tržište rada, iznimno je važno ostvariti napredak u jačanju digitalnih vještina građana jer su one ključne za uključivanje u tržište rada. Prema rezultatima DESI indeksa, Hrvatska je na začelju država članica prema digitalnoj pismenosti cjelokupne radne snage u 2017. Dok na razini EU 28 tek 10% radne snage (koja uključuje zaposlene i nezaposlene) nema nikakvih digitalnih vještina, u Hrvatskoj je taj udio gotovo dvostruko veći. Nasuprot tome, u EU-u znatan udio radne snage ima barem osnovna digitalna znanja (u prosjeku oko 65%), a u Hrvatskoj tek polovina radne snage raspolaže takvim, barem osnovnim znanjima te smo po tome na 24. mjestu.

Potencijalni učinci digitalizacije na tržište rada jedno su od područja analize u studiji koju je u studenom 2018. objavila tvrtka McKinsey&Company pod naslovom „Hrvatska – digitalni izazivač u nastajanju - Digitalizacija kao novi pokretač razvoja Hrvatske (*Croatia – Emerging Digital Challenger, Digitalisation as the new growth engine for Croatia*). U nastavku se kratko obrazlažu ključni nalazi relevantni za utjecaj digitalizacije na tržište rada u Hrvatskoj.

Studija predviđa da bi digitalno gospodarstvo moglo biti nov pokretač razvoja Hrvatske i sudjelovati u BDP-u s do 8,3 milijarde eura do 2025. godine (što znači dodatnih 2000 eura BDP-a po glavi stanovnika). Zaključuje da Hrvatska još uvijek nedovoljno koristi digitalno gospodarstvo. Većina hrvatskih sektora (uključujući javnu upravu) nije digitalno napredna, neki od njih<sup>2</sup> zaostaju u smislu digitalizacije dok se samo IKT sektor može smatrati digitalnim predvodnikom. Iako automatizacija podrazumijeva da će neka radna mjesta postati nepotrebna, ona također stvara nova radna mjesta veće produktivnosti te bi automatizacija mogla pomoći sektorima s najvećom stopom slobodnih radnih mjesta jer smanjuje potražnju za radnicima. U studiji se nadalje ističe da se od automatizacije očekuje poticanje značajnog preokreta u traženim vještinama. To je potrebno zato što hrvatska radna snaga zaostaje u naprednim i osnovnim digitalnim vještinama za predvodnicima digitalizacije u Europi<sup>3</sup>. U usporedbi s državama srednje i istočne Europe, položaj Hrvatske u pogledu digitalnih vještina jednak je ili malo bolji, posebice kad se analizira mlađa radna snaga. Zanimljivo je istaknuti da među studentima u Hrvatskoj ima više diplomanata u području IKT-a nego u državama predvodnicama te državama srednje i istočne Europe. Međutim, cijena rada u IKT industriji u Hrvatskoj je niža nego u državama predvodnicama i nekim državama srednje i istočne Europe.

Naposljetku, u studiji se ističe da su uz stvaranje IKT infrastrukture, razvoj digitalnih vještina i poticanje poduzetničkog okruženja za daljnji razvoj digitalizacije potrebna poboljšanja u obrazovnom sustavu. Neka se od ovih područja podudaraju s ključnim slabostima istaknutima u DESI izvještaju za Hrvatsku. Na temelju takvih analiza studija donosi preporuke za javni i privatni sektor u cilju povećanja digitalizacije u Hrvatskoj. Sa stajališta tržišta rada najvažniji su prijedlozi koji se odnose na ulaganje u ljudski kapital i potporu prilagodbi novim tehnologijama. Predloženo

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2 Sljedeći sektori mogli bi se smatrati zaostalima u smislu digitalizacije: trgovina, financije i osiguranje te profesionalne, znanstvene i tehničke usluge.

3 Države koje bi se prema McKinseyjevoj studiji mogle smatrati predvodnicima digitalizacije: Belgija, Danska, Estonija, Finska, Nizozemska, Irska, Norveška, Luksemburg i Švedska.

ulaganje u ljudski kapital podrazumijeva donošenje strategije o prekvalifikaciji za digitalizaciju, bolje obrazovanje mladih i aktivnu borbu protiv odljeva mozgova. Predlaže se i strategija razvoja talenata za digitalizaciju. Za lakše prilagođavanje tehnološkoj adaptaciji ključne su teme brži razvoj internetskih javnih usluga, promicanje digitalne transformacije i donošenje povoljnih regulativa za omogućavanje e-trgovine. Prije svega potrebno je poticati prodigitalnu organizacijsku kulturu (McKinsey & Company, 2018).

Položaj hrvatskih poduzeća u kontekstu razvoja IT-a analiziran je i u studiji tvrtke A. T. Kearney Consultancy, koja je 2016. u suradnji s Hrvatskom udrugom poslodavaca provela istraživanje „Digitalni indeks hrvatskog gospodarstva“. Istraživanje je obuhvatilo više od 200 hrvatskih poduzeća. Osnovni cilj istraživanja bio je ustanoviti kako se hrvatska poduzeća nose s digitalizacijom i kako ona utječe na njihove poslovne aktivnosti. Istraživanje A. T. Kearneyja pokazalo je da će učinci digitalizacije na hrvatski poslovni sektor biti značajni. Studija je predvidjela da će do 2020. godine više od 50% prihoda dolaziti iz digitalnih kanala ili će biti dobiveno digitalnim proizvodima, uslugama ili poslovnim transakcijama. Zanimljivo je da je oko 70% menadžera uključenih u istraživanje ocijenilo kako će se puni učinci digitalizacije pokazati u sljedećih pet godina (A. T. Kearney i HUP, 2016; Samardžija et al., 2017).

#### Okvir 5. Centar dijeljenih usluga

Jedan od najvećih projekata digitalizacije u javnoj upravi u Hrvatskoj uspostava je Centra dijeljenih usluga (CDU) koji partnerski provode Agencija za podršku informacijskim sustavima i informacijskim tehnologijama (APIS), Ministarstvo uprave i Središnji ured za razvoj digitalnog društva. Vrijednost projekta je 305 milijuna kuna, od čega 85 posto financira EU. Pokretanjem Centra dijeljenih usluga bit će na jednome mjestu, u takozvanom „oblaku“, objedinjeni razni sustavi javne uprave, što znači da će građanin prava ostvarivati bez donošenja potrebnih dokumenata jer će ih službenik sam „povlačiti“. Više neće svako ministarstvo imati svoje baze na svojem serveru nego će sve biti smješteno u APIS-u, što znači da će sve baze biti povezane. CDU će omogućiti i uvođenje horizontalnih usluga i servisa koji će dovesti do standardizacije poslovnih procesa zajedničkih svim tijelima javnog sektora koji su danas podržani raznovrsnim IKT rješenjima. Projektom će se osigurati transparentnost, brže izdavanje dokumenata i rješavanje predmeta, a ostvarit će se i velike uštede za državni proračun.

Izvor: Ministarstvo uprave RH, 2018.

## 2. SOCIO-EKONOMSKI TRENDOVI I ZAKONODAVNI OKVIR NESTANDARDNOG RADA U HRVATSKOJ

### 2.1. Glavni ekonomski indikatori

Na tržište rada u Hrvatskoj snažno je utjecala gospodarska kriza koja je izbila 2008. godine, a negativni trendovi trajali su u njoj dulje nego u drugim državama članicama Europske unije. Hrvatska je ušla u EU u gospodarski nepovoljnom trenutku i krenula kao gospodarski slabija članica od drugih, što je trebalo nadoknaditi djelotvornijom i bržom provedbom reformi. To se, međutim, nije dogodilo jer se reformski procesi odvijaju sporije nego u drugim novim članicama Unije.

Između 2008. i 2014. realni pad BDP-a bio je veći od 12%. (Europska komisija, 2016b). Nakon šest godina produljene recesije hrvatsko je gospodarstvo 2015. ušlo u razdoblje sporog, ali stalnog oporavka sa skromnim rastom BDP-a od 2,4%. Unatoč pozitivnim trendovima u 2016. (3,5%), rast BDP-a je sa stopom 2,8% u 2018. manji nego u svim ostalim novim državama članicama EU-a, ali je iznad prosjeka EU 28 koji u 2018. prema prognozama iznosi 2,1%. Prema prognozama Europske komisije gospodarski rast bi se na sličnoj razini (2,6%) trebao zadržati do 2020. (Europska komisija, 2018c). Potrošnja kućanstava u Hrvatskoj je kao i prethodnih godina jedan od glavnih pokretača rasta zahvaljujući rastu plaća, rastu turizma koji otvara mogućnosti zapošljavanja te investicijama koje se, međutim, oporavljaju sporije nego što se predviđalo (Europska komisija, 2016b). Prema ostvarenom BDP-u po glavi stanovnika prema standardu kupovne moći (PPS) Hrvatska je u odnosu na EU 28 nisko pozicionirana. U 2017. godini ostvarila je 62% BDP p/c od prosjeka EU 28. Po tom indikatoru nalazi se među najlošije pozicioniranim novim državama članicama jer je iza nje samo Bugarska (49%), dok su niže na ljestvici pozicionirane države jugoistočne Europe.

Hrvatska je nakon ulaska u EU uspješno i relativno brzo izašla iz procedure prekomjernog deficita, ali se posljednjih nekoliko godina nalazi u skupini zemalja EU-a koje su u postupku pojačanog nadzora zbog prekomjernih makroekonomskih neravnoteža. Proračunski deficit, koji je u vrijeme ulaska u EU znatno prelazio granicu od 3% BDP-a, smanjen je i zadržan u dopuštenim okvirima (u 2018. iznosi -0,5% BDP-a) zahvaljujući uspješnoj provedbi mjera fiskalne konsolidacije. Nasuprot tome, razina i dinamika rasta duga opće države predstavljala je nakon ulaska u EU izrazit problem hrvatskoga gospodarstva. Javni dug je postupno stabiliziran te ima daljnju tendenciju smanjenja, ali je još uvijek znatno iznad

referentne vrijednosti od 60% (prema Jesenjoj prognozi EK u 2018. iznosi 73,5% BDP-a) a u narednim godinama očekuje se dodatno smanjenje (tablica 4).

Socijalni oporavak u Hrvatskoj sporo napreduje, ali vidljivi su određeni pozitivni pomaci na tržištu rada. Međutim, imajući u vidu činjenicu da je nakon recesije krenula s nižih pozicija nego druge nove države članice te da se reforme vezane uz tržište rada sporo provode, Hrvatske je prema indikatorima zaposlenosti i nezaposlenosti i dalje na začelju EU-a.

Stopa nezaposlenosti u Hrvatskoj postupno se smanjuje u razdoblju nakon ulaska u EU (u 2014. bila je 17,2%) te je u 2018. godini iznosila 9,1%. To je iznad prosjeka EU 28 (6,9%), ali bi se prema prognozama Komisije do 2020. nezaposlenost u Hrvatskoj trebala smanjiti na 6,6% i tako se približiti prosjeku EU-a. Treba napomenuti da smanjenje stope nezaposlenosti nije samo rezultat povećanja zaposlenosti i aktivnosti stanovništva, nego da je dijelom potaknuto i negativnim migracijskim tokovima i starenjem stanovništva. Po udjelu mladih koji se ne obrazuju, ne rade niti se stručno usavršavaju (tzv. NEET populacija, 20-34 godine), koji je u 2017. godini iznosio 21,4%, Hrvatska se također nalazi na dnu ljestvice EU-a te je iza nje samo Grčka. (Eurostat).

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Stopa zaposlenosti u Hrvatskoj polako ali kontinuirano raste u razdoblju nakon ulaska u EU te se sa 59,2% u 2014. povećala na 63,6% u 2017. godini (Europska komisija, 2016b). Međutim unatoč blagom rastu u 2017. godini stopa rasta je i dalje među najnižima u Europi, a iza Hrvatske bile su pozicionirane samo Grčka i Italija. Treba također naglasiti da se prema zacrtanim ciljevima za zapošljavanje u okviru Strategije Europa 2020. Hrvatska pokazala manje ambicioznom u odnosu na brojne druge države članice koje su sebi postavile isti cilj kao i EU (75% zaposlenih do 2020.). Hrvatska je za dobnu skupinu 20-64 godine do 2020. predvidjela stopu zaposlenosti od samo 65,2%, koju je praktički već ostvarila (Europska komisija, 2018a).

Tablica 4. Ekonomski indikatori za Hrvatsku i EU 28

Indikatori	HRVATSKA									EU 28			
	2009.-13.	2014.	2015.	2016.	2017.	2018. (p)	2019. (p)	2020. (p)	2017	2018 (p)	2019 (p)	2020 (p)	
Realna godišnja stopa rasta BDP-a (% promjene prema prethodnoj godini) <sup>1</sup>	-2,4	-0,1	2,4	3,5	2,9	2,8	2,8	2,6	2,4%	2,1%	1,9%	1,8%	
Ukupna populacija (% promjene prema prethodnoj godini) <sup>1</sup>	-0,3	-0,4	-0,9	-0,7	-0,7	-0,6	-0,5	-0,5	0,2	0,3	0,2	0,2	
Ukupne investicije (% promjene prema prethodnoj godini) <sup>1</sup>	-7,1	-2,8	3,8	6,5	3,8	4,1	5,4	5,8	3,1	3,2	2,9	2,8	
Proračunska bilanca – deficit opće države <sup>1</sup>		-3,4	-2,3	-0,7	0,7	-0,5	-0,7	-1,1	-1,0	-0,9	-1,0	-1,1	
Dug opće države kao % BDP-a <sup>1</sup>	63,8	84,0	83,7	80,2	77,5	73,5	70,1	68,2	83,2	81,4	79,5	77,6	
Ukupna zaposlenost (godišnji % promjene) <sup>1</sup>	-2,9	2,7	1,2	0,3	2,2	2,3	2,0	1,3	1,6	1,2	0,8	0,7	
Stopa zaposlenosti (% na razini opće populacije) <sup>3</sup>	64,2	59,2	60,6	61,4	63,6	/	/	/	72,2				

Stopa nezaposlenosti (% radno sposobnog stanovništva) <sup>1</sup>	13,6	17,2	16,1	13,4	11,1	9,1	7,6	6,6	7,6	6,9	6,6	6,3
Stopa nezaposlenosti mladih (% mladih 15-24 godine) <sup>1</sup>	37,3	45,5	42,4	31,3	27,4	/	/	/	16,8	/	/	/
Stopa NEET populacije (% mladi koji nisu zaposleni, u obrazovanju niti u izobrazbi, 20-34 godine) <sup>4</sup>	22,4	25,1	23,7	22,5	21,4	/	/	/	17,2	/	/	/
Produktivnost rada (% realni BDP po osobi, promjena u odnosu na prethodnu godinu) <sup>1</sup>	0,5	-2,7	1,1	3,2	0,7	0,5	0,8	1,2	0,8	0,9	1,1	1,1
Jedinični troškovi rada (% promjene u odnosu na prethodnu godinu) <sup>1</sup>	0,4	-2,6	-0,8	-1,8	-1,8	1,5	0,9	0,2	1,2	2,0	1,5	1,8

NAPOMENA: Nedostupno (/); prognoza (p)

Izvori:

1. Europska komisija. 2018c. European Economic Forecast Autumn 2018. Statistical Annex. European Economy.
2. Eurostat. Unemployment Statistics. Statistics Explained. <https://ec.europa.eu/eurostat/statistics-explained/pdfscache/1163.pdf>
3. Eurostat. Employment and activity by sex and age.
4. Eurostat. Young people neither in employment nor in education and training by sex, age and educational attainment level (NEET rates).

Pokazuje se da obeshrabrenost, neusklađenost vještina, odgovornost za skrb te brojni razlozi ranog napuštanja tržišta rada predstavljaju glavne prepreke za veću zaposlenost. Pozitivan trend predstavlja činjenica da se od 2017. godine smanjuje broj novih ugovora na određeno vrijeme a povećava broj novih ugovora na neodređeno vrijeme (Europska komisija, 2018a, 34-37). Nadalje, nakon što je za duže razdoblje rast plaća bio ograničen, one su u 2017. ponovo počele blago rasti.

Europska komisija ocjenjuje kako socijalni dijalog u Hrvatskoj nije dovoljno razvijen, unatoč formalnom postojanju struktura socijalnog dijaloga u obliku nacionalnog Gospodarsko-socijalnog vijeća. Socijalni partneri imaju priliku prije donošenja Nacionalnog programa reformi i ostalih relevantnih akata i inicijativa dostaviti svoje stavove i doprinose. Međutim, interakcija nadležnih tijela i ostalih dionika u procesu ocjenjuje se nedostatnom, a rascjepkanost sindikata bitnim ograničavajućim i otežavajućim čimbenikom za aktivnije uključivanje u socijalni dijalog (Europska komisija, 2018a, 37).

Temeljem spomenutih pokazatelja Europska komisija u okviru Europskog semestra redovito izdaje preporuke za Hrvatsku, no ne provode se sve one djelotvorno. Proteklih su godina preporuke Komisije vezane uz tržište rada bile usmjerene na odvratanje od ranog umirovljenja, poboljšanje obrazovanja odraslih osoba, osobito starijih radnika, niskokvalificiranih radnika i dugotrajno nezaposlenih te ubrzanje reforme obrazovnog sustava u cjelini s naglaskom na unapređenje relevantnosti za tržište rada mladih ljudi kao i odraslih (Europska komisija, 2018a, 59-60; Europska komisija 2018a). Za većinu spomenutih preporuka Komisija ocjenjuje da je ostvaren ograničen napredak te da bi trebalo uložiti više napora u njihovu provedbu, imajući u vidu njihov značaj za poboljšanje tržišta rada.

## 2.2. Nestandardno zapošljavanje temeljem Zakona o radu

U sklopu ove studije nestandardni rad definira se kao svaki oblik rada koji se ne odvija temeljem ugovora o radu na neodređeno vrijeme te u punom radnom vremenu. Najrasprostranjeniji oblik nestandardnog zapošljavanja u Hrvatskoj predstavlja rad na određeno vrijeme. Premda Zakon o radu definira rad na određeno vrijeme kao iznimku (Čl. 12.), posljednjih je desetak godina zapošljavanje na određeno vrijeme postalo je dominantan oblik novog zapošljavanja u Hrvatskoj (Butković et al., 2018). S obzirom na veličinu tvrtke vrijedi pravilo: što je tvrtka manja vjerojatnije je da će se koristiti ugovori o radu na određeno vrijeme. Mladi

radnici na početku karijere najčešće se zapošljavaju na temelju takvih ugovora (Matković, 2013). Kao opće pravilo, ukupno trajanje svih uzastopnih ugovora o radu na određeno vrijeme ne smije biti neprekinuto duže od tri godine, osim u slučaju zamjene privremeno nenazočnog radnika ili zbog nekih drugih objektivnih razloga dopuštenih zakonom ili kolektivnim ugovorom. U posljednjim izmjenama Zakona o radu iz 2014. godine propisano je da se spomenuto ograničenje od tri godine ne primjenjuje na prvi takav ugovor, koji može trajati i dulje od tri godine. Ta novost uvedena je kako bi se poslodavcima omogućilo zapošljavanje radnika na određeno vrijeme za rad na određenom projektu ili zadatku s unaprijed poznatim rokom trajanja.

Rad u nepunom radnom vremenu u hrvatskom radnom pravu jasno je odvojen od rada u skraćenom radnom vremenu. Dok rad u skraćenom radnom vremenu predstavlja poseban instrument zaštite radnika, rad u nepunom radnom vremenu isključivo je posljedica objektivnih uvjeta na tržištu rada (Zuber, 2006). Sukladno Zakonu o radu (Čl. 62.) rad u nepunom radnom vremenu definiran je kao svaki rad koji traje kraće od 40 sati tjedno. Zakon također precizira da se, osim plaće i doprinosa na plaću, i sva ostala materijalna prava radnika koji rade na nepuno radno vrijeme moraju regulirati u skladu s njihovim radnim vremenom. No, tako precizna odredba dodana je u Zakon tek 2014. godine zbog čega je ranije rad u nepunom radnom vremenu poslodavcima često bio preskup (Butković et al., 2018).

Kako bi se dobila što potpunija slika o nestandardnom radu i zapošljavanju u Hrvatskoj, uz statističke pokazatelje za cjelokupno gospodarstvo, gdje god je bilo moguće, za ovu su analizu prikupljeni podaci i za pet odabranih sektora. Riječ je o: I) trgovini na veliko i na malo, II) djelatnosti pružanja smještaja te pripreme i usluživanja hrane, III) informacijama i komunikacijama, IV) djelatnosti zdravstvene zaštite i socijalne skrbi te V) umjetnosti, zabavi i rekreaciji. U sklopu ovog izbora djelatnost pružanja smještaja te pripreme i usluživanja hrane, umjetnost, zabava i rekreacija te informacije i komunikacije odabrani su kao sektori u kojima su novi digitalizacijom izazvani oblici rada i zapošljavanja snažno zastupljeni. S druge strane, trgovina na veliko i na malo odabrana je kao klasična djelatnost pretežno u privatnom vlasništvu, dok je zdravstvena zaštita i socijalna skrb odabrana kao tipični predstavnik sektora koji se primarno nalazi u državnom vlasništvu.

Iz prikupljenih podataka Državnoga zavoda za statistiku vidljivo je da je rad na određeno vrijeme znatno zastupljeniji u privatnom sektoru nego u javnom te da je u oba sektora zabilježen trend rasta (tablica 5 i slika 1). U 2017. godini u javnom je sektoru na određeno vrijeme radilo 10,02%

radnika, dok ih je u privatnom bilo 22,57%. U skladu s time, na neodređeno vrijeme u javnom sektoru radilo je 89,23% radnika, dok je njihov postotak u privatnom sektoru iznosio 77,25%. Kada se analizira proteklo trogodišnje razdoblje, slična dinamika odnosa između rada na određeno i neodređeno vrijeme poduzeća u državnom i privatnom vlasništvu zabilježena je i u pet odabranih gospodarskih sektora za koje su prikupljeni statistički podaci. Pri tome treba istaknuti da je u području djelatnosti pružanja smještaja te pripreme i usluživanja hrane kao i u području umjetnosti, zabave i rekreacije zastupljenost ugovora na određeno vrijeme u tvrtkama u privatnom vlasništvu i veća. U 2017. godini ona je u prvom od ovih sektora iznosila 36,77% a u drugom 31,86% (aneks 1).

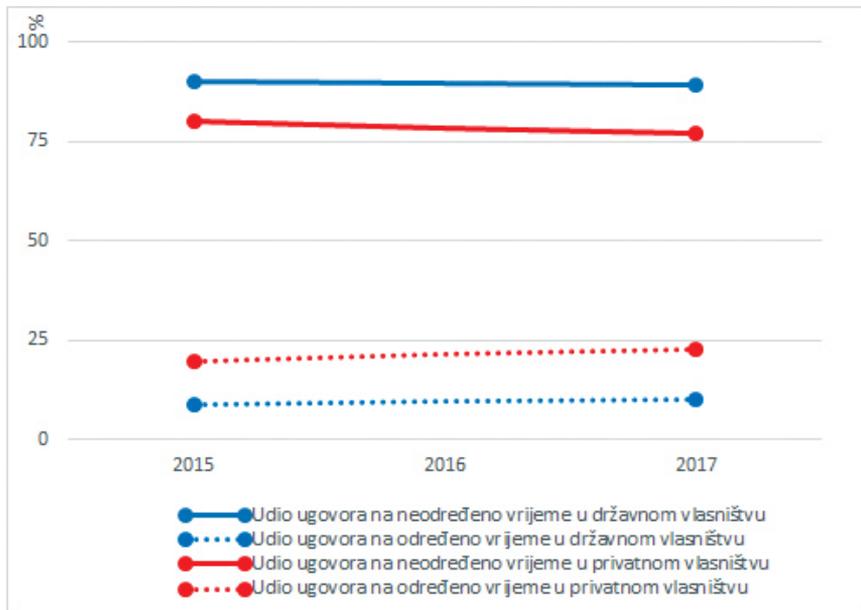
Prikupljeni podaci Državnoga zavoda za statistiku također govore da je u 2016. godini oko 95% radnika u javnom sektoru i 96% u privatnom radilo u punom radnom vremenu, dok je oko 5% radnika u javnom sektoru i 4% radnika u privatnom bilo zaposleno u nepunom radnom vremenu. Podaci prikupljeni na razini pojedinih gospodarskih grana upućuju na slične trendove kada je riječ o radnom vremenu (aneks 1).

Tablica 5. Zaposlenost prema obliku radnog odnosa i ugovorenom radnom vremenu u RH

Kategorija	Državno vlasništvo			Privatno vlasništvo		
	2015.	2016.	2017.	2015.	2016.	2017.
<b>Ukupan broj zaposlenih</b>	400,913	405,842	391,670	571,765	640,319	630,193
<b>Oblik radnog odnosa</b>						
Broj ugovora na neodređeno vrijeme	362,017	363,576	349,493	456,982	500,464	486,848
Udio ugovora na neodređeno vrijeme	90.29%	89.58%	89.23%	79.92%	78.16%	77.25%
Broj ugovora na određeno vrijeme	34,640	38,845	39,234	113,000	137,556	142,252
Udio ugovora na određeno vrijeme	8.64%	9.57%	10.02%	19.76%	21.48%	22.57%
<b>Ugovoreno radno vrijeme</b>						
Puno	380,638	384,245	-	553,890	616,385	-
Nepuno	19,212	20,806	-	17,065	23,026	-

Izvor: Državni zavod za statistiku RH (informacija na zahtjev autora).

Slika 1. Udio ugovora na neodređeno i određeno radno vrijeme u tvrtkama u državnom i privatnom vlasništvu u RH



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Izvor: Državni zavod za statistiku RH (informacija na zahtjev autora).

Zakon o radu definira agenciju za privremeno zapošljavanje kao poslodavca koji ustupa radnike za privremeni rad drugom poslodavcu na temelju ugovora o ustupanju radnika (čl. 44-52). Sukladno Zakonu o radu agencija može sklopiti ugovor za privremeno obavljanje posla na određeno i na neodređeno vrijeme. U razdoblju kada ustupljeni radnik na neodređeno vrijeme nije ustupljen korisniku, on od agencije prima naknadu u iznosu prosječne plaće primljene tijekom protekla tri mjeseca. U praksi se međutim svi ugovori koje koriste agencije u Hrvatskoj sklapaju na određeno vrijeme. S obzirom na to da poslodavci ne vode evidenciju o agencijskom radu u svojim poslovnim knjigama kao zapošljavanje, takav je rad poželjan kada se ne želi prikazati porast zapošljavanja (Butković et al., 2018). Prema podacima Eurostata, u 2016. godini agencijski radnici u Hrvatskoj činili su 1,2% radno aktivnog stanovništva.

### Okvir 6. Mirovinska reforma

Mirovinski sustav u više stupnjeva uveden je u Hrvatskoj 1998. godine. Prvi i drugi stup određeni su kao obavezni (drugi stup obavezan je za zaposlenike do 40 godina života), dok je treći stup uspostavljen kao dobrovoljan. Međutim, zbog demografskih trendova i starenja stanovništva Hrvatska ima vrlo nepovoljan omjer umirovljenika i onih koji plaćaju doprinose od 1:1,16 u 2018. godini (HZMO, 2018). Prosječan radni staž iznosi samo 30 godina. Uz to, u sustavu je manje od polovine korisnika starosnih mirovina (44%), a ostatak se odnosi na korisnike obiteljskih mirovina (19%), prijevremenih starosnih mirovina (17%), invalidskih mirovina (11%), starosnih mirovina prevedenih iz invalidskih (7%) te starosnih mirovina za dugogodišnjeg osiguranika (2%), koje sve nisu u potpunosti pokrivene doprinosima. U konačnici Hrvatska ima vrlo nisku relativnu mirovinu, koja je 2018. iznosila samo 42% prosječne plaće (ibid.). Radi održavanja financijskog sustava Vlada RH je 2018. godine pokrenula cjelovitu mirovinsku reformu. Sukladno tom programu od 1. siječnja 2019. došlo je do izmjene šest zakona kako bi se mirovinski sustav učinio financijski održivim te kako bi se ispravile nejednakosti koje trenutačno postoje između različitih generacija umirovljenika. Između ostalog mirovinska reforma donosi promjenu prema kojoj će rođeni nakon 1. siječnja 1966., koji će na dan 1. siječnja 2033. imati navršenih 67 godina života, odlaziti u starosnu mirovinu s navršenih 67 godina života. Jedan je od ciljeva mirovinske reforme duži ostanak u svijetu rada, pa će se postrožiti uvjeti potrebni za ostvarivanje prava na prijevremenu starosnu mirovinu (MRMS, 2018). Sindikati su se oštro usprotivili predloženoj reformi te zahtijevaju povratak dobne granice za odlazak u punu starosnu mirovinu na 65 godina i ublažavanje penalizacije za prijevremeno umirovljenje

Izvor: HZMO, 2018; MRMS, 2018; NSZVO, 2018.

Institut sezonskog radnika uveden je u Zakon o radu 2001. godine. Sukladno odredbama Zakona ugovor na određeno vrijeme za stalne sezonske poslove obvezuje poslodavca na plaćanje doprinosa za sezonskog radnika tijekom cijele godine (čl. 16.). Nadalje, takav ugovor obvezuje poslodavca da zaposleniku ponudi novi ugovor o radu za sljedeću sezonu. Ako radnik neopravdano odbije ponudu za sklapanje ugovora o radu, poslodavac ima pravo od radnika tražiti povrat sredstava za uplaćene

doprinosu. U razdoblju kada ne radi, stalni sezonac od države prima određenu naknadu. Institut stalnog sezonca najzastupljeniji je u turizmu zbog sezonskog karaktera djelatnosti. Prema podacima Hrvatskoga zavoda za zapošljavanje u 2017. godini u Hrvatskoj je bio registriran 2831 stalni sezonac (HZZ, 2017a).

### **Okvir 7. Nacionalna razvojna strategija**

Nacionalna razvojna strategija hijerarhijski je najviši akt strateškog planiranja u Republici Hrvatskoj te služi za oblikovanje i provedbu razvojnih politika. Nacionalna razvojna strategija sadrži dugoročnu viziju razvoja Hrvatske i prioritete za ulaganje u desetogodišnjem razdoblju. Izradu prve Nacionalne razvojne strategije Republike Hrvatske za razdoblje do 2030. godine koordinira Ministarstvo regionalnoga razvoja i fondova Europske unije. Trenutačno su svi sektori uključeni u izradu Nacionalne razvojne strategije. Zakonski rok za izradu te strategije i prijedlog za usvajanje je kraj 2019. godine. Nacionalna razvojna strategija bit će krovna strategija za sve strategije, a kasnije će svaki sektor izraditi vlastite strategije koje će se u pravilu donositi za razdoblje od dvije do pet godina i povremeno ažurirati. Središnji državni ured za razvoj digitalnog društva zadužen je za izradu dijela Nacionalne razvojne strategije pod radnim nazivom Digitalna Hrvatska koji će se baviti razvojem digitalnog društva. Taj dio razvojne strategije bit će podijeljen u tri stupa; prvi je gospodarstvo, drugi javna uprava, a treći uključenosť i digitalne vještine. Za taj treći stup biti će zadužen Središnji državni ured za razvoj digitalnog društva. Strategija Digitalna Hrvatska vjerojatno će biti desetogodišnja strategija koja će detaljnije propisati zadaće za dostizanje ciljeva na nacionalnoj razini do 2030.

Izvor: Intervju, Ured rdd, 2018.

## **2.3. Rad izvan radnog odnosa**

U Hrvatskoj postoje tri oblika ugovora za rad izvan radnog odnosa (tzv. građanskih ugovora): ugovor o djelu, autorski ugovor i studentski ugovor. Ti alternativni oblici rada nisu regulirani putem Zakona o radu nego putem drugih zakonskih akata kao što su Zakon o obveznim odnosima (ugovor o djelu), Zakon o autorskom pravu i srodnim pravima (autorski ugovor) i Zakon o obavljanju studentskih poslova (studentski ugovor). Navedeni ugovori mogu se koristiti kao pravna osnova za neke nove oblike rada i zapošljavanja koje je identificirao Eurofound.

U sklopu ugovora o djelu izvođač se obvezuje izvršiti određeni posao u zamjenu za naknadu koju se naručitelj obvezuje isplatiti. Izvođač nije obavezan rad obavljati osobno, već ga može obaviti i preko treće strane (Gotovac, 2011). Opseg poslova koji se mogu obavljati putem autorskog ugovora puno je uži u odnosu na ugovor o djelu. Autorski ugovor koristi se za rad koji se definira kao autorsko djelo definirano zakonom kao originalna intelektualna tvorevina iz književnog, znanstvenog i umjetničkog područja koja ima individualni karakter, neovisno o načinu i vrsti izražavanja. Prethodno je rad putem ugovora o djelu bio vezan uz obavezu plaćanja određenih doprinosa državi što u slučaju rada putem autorskog ugovora nije bio slučaj. Međutim, od siječnja 2017. obaveza plaćanja doprinosa proširena je i na autorske ugovore.

Rad putem studentskih ugovora rezerviran je za redovite studente koji se angažiraju putem posebnih pravnih osoba, tzv. studentskih servisa. Priroda posla koji se obavlja na taj način bolje korespondira sa standardnim zapošljavanjem nego s drugim oblicima rada izvan radnog odnosa. Studentski rad za razliku od drugih spomenutih oblika rada temeljem građanskih ugovora nije toliko fokusiran na rezultate rada, već važnu ulogu igra i sam radni proces. Obavezni doprinosi za mirovinsko i zdravstveno osiguranje kod studentskog rada plaćaju se u smanjenom obliku (Mrnjavac, 2015).

Studentskim radom ne ostvaruju se prava iz područja mirovinskog osiguranja. S druge strane, radom putem ugovora o djelu i autorskih ugovora ostvaruju se takva prava ako su plaćeni svi doprinosi. Međutim, s obzirom na nižu osnovicu za obračun doprinosa te često kratka i isprekidana razdoblja aktivnosti, mirovine ostvarene putem rada na takvim ugovorima obično su niže od prosječnih mirovina u Hrvatskoj (Grgurev i Vukorepa, 2018). Svi radnici koji ostvaruju glavninu svojih prihoda putem ugovora o djelu i autorskih ugovora mogu se registrirati kao samozaposleni. Ipak, u praksi samo se manji broj radnika odlučuje za taj korak jer su u tom slučaju obavezni plaćati mirovinske i druge doprinose, čak i za razdoblja bez poslovne aktivnosti. Osim toga, rad izvan radnog odnosa predstavlja najjeftiniji oblik legalnog rada u Hrvatskoj. Stoga takvi radnici svoje usluge mogu pružati po nižim cijenama nego redovito zaposleni ili samozaposleni (Intervju sa KRP, 2018).

Prema Anketi poslodavaca Hrvatskoga zavoda za zapošljavanje za 2014. godinu 12,7% ugovora hrvatskih poslodavaca bili su ugovori za rad izvan radnog odnosa. U sklopu tog postotka 4,0% odnosilo se na ugovore o djelu, 3,6% na autorske ugovore, a 5,1% na studentske ugovore. U 2016. situacija je bila slična - bilo je 11,9% ugovora izvan radnog odnosa. U sklopu toga 3,7% odnosilo se na ugovore o djelu, 3,1% na autorske ugovore i 5,1% na studentske ugovore (tablica 6). U oba razdoblja takvi ugovori bili

su više zastupljeni u javnom nego u privatnom sektoru (HZZ, 2015; HZZ, 2017b). Na razini odabranih djelatnosti u 2016. godini građanski ugovori najviše su se koristili u području informacija i komunikacija te umjetnosti, zabave i rekreacije (tablica 7).

Tablica 6. Zastupljenost građanskih ugovora na općoj razini u RH

Oblik ugovora	Godina	
	2014.	2016.
Ugovori o djelu	4,0%	3,7%
Autorski ugovori	3,6%	3,1%
Studentski ugovori	5,1%	5,1%
Ukupno građanski ugovori	12,7%	11,9%

Izvor: HZZ, 2015; HZZ, 2017b.

Tablica 7. Zastupljenost građanskih ugovora u odabranim sektorima u 2016. u RH

Područje djelatnosti	Oblik ugovora		
	Ugovor o djelu	Autorski ugovor	Studentski ugovor
Trgovina na veliko i na malo	2,8%	0,4%	7,2%
Djelatnosti pružanja smještaja te pripreme i usluživanja hrane	4,7%	5,9%	15,7%
Informacije i komunikacije	3,8%	51,1%	12,4%
Djelatnosti zdravstvene zaštite i socijalne skrbi	4,5%	1,8%	1,2%
Umjetnost, zabava i rekreacija	10,4%	26,1%	21,1%

Izvor: HZZ, 2017b.

Ipak, glavni problem Ankete poslodavaca predstavlja činjenica da ona ne razlikuje između rada temeljenog na Zakonu o radu, koji je u pravilu dugoročan i rada izvan radnog odnosa, koji je vrlo često kratkoročnog karaktera. Nadalje, u sklopu skupine ugovora za rad izvan radnog odnosa Anketa ne razlikuje između ugovora koje koriste radnici u radnom odnosu kao dodatan oblik zarade i ugovora za osobe koje isključivo rade na taj način te tim putem ostvaruju svoja socijalna i mirovinska prava. Broj osoba koje isključivo rade putem ugovora o djelu i autorskih ugovora zasigurno je manji od navedenih pokazatelja.

Samozaposlenost nije regulirana putem Zakona o radu već putem poreznih propisa gdje se samozaposleni definiraju kao osobe koje vode neko poduzeće i zapošljavaju jednog ili više zaposlenika i kao samozaposleni koji ne zapošljavaju druge zaposlenike. Osim toga, taj pojam obuhvaća i članove proizvodnih zadruga i neplaćenih radnika, tj. članove obitelji koji su neplaćeni, ali sudjeluju u zaradama poduzeća (Kulušić, 2009). Samozaposlena osoba u Hrvatskoj može odabrati dva načina registracije obavljanja gospodarske djelatnosti. Jedan je da se registrira kao obrtnik sukladno Zakonu o obrtu, a drugi da osnuje trgovačko društvo sukladno Zakonu o trgovačkom društvima (Krmelić, 2014). U samozaposlene se ubrajaju i djelatnosti slobodnih zanimanja kao što su novinar, umjetnik, sportaš itd., a fizičke osobe koje obavljaju tu vrstu djelatnosti upisane su u registar obveznika poreza na dohodak.

U nekim profesijama na hrvatskom tržištu rada, kao što je novinarstvo, bilježi se fenomen opadanja broja radnika koji rade temeljem ugovora o radu te povećanja broja samozaposlenih. Taj trend povezan je s troškovima rada koji su niži u slučaju samozaposlenosti (Intervju s Infobipom, 2018). Međutim, usprkos tom trendu, broj samozaposlenih u post kriznom periodu u Hrvatskoj kontinuirano se smanjuje. Od približno 289.000 samozaposlenih u 2009. godini njihov se broj u 2017. smanjio na oko 168.000. To se može objasniti činjenicom da su uslijed krize samozaposleni postali jedna od najosjetljivijih skupina na hrvatskom tržištu rada. Riječ je o grupi koja se pokazala puno osjetljivijom na krizu nego radnici u javnom sektoru ili čak radnici u većim privatnim kompanijama (Samardžija et al., 2017). Kada je počeo oporavak kao posljedica ulaska u EU (2013), zemlju je zahvatio val emigracije s obzirom na otvaranje tržišta rada zapadnoeuropskih zemalja te je time onemogućen prirodni rast samozaposlenih. Taj trend podjednako se može pratiti u području opće samozaposlenosti kao i kada se radi o samozaposlenima bez zaposlenika tj. portfeljnim radnicima.

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U 2017. godini u Hrvatskoj je prema podacima Eurostata bilo 1 603.000 zaposlenih. U istoj godini samozaposlenih je bilo 167.600 što je oko 10,4% zaposlenih, dok je portfeljnih radnika bilo 90.900 ili oko 5,6% ( tablica 8). Na razini odabranih djelatnosti broj portfeljnih radnika u posljednjih se pet godina smanjio u trgovini na veliko i malo, djelatnosti pružanja smještaja i usluživanja hrane te u domeni umjetnosti, zabave i rekreacije. U području informacija i komunikacija kao i u sklopu zdravstvene zaštite i socijalne skrbi broj portfeljnih radnika je stagnirao (tablica 8).

Tablica 8. Samozaposleni i portfeljni radnici (samozaposleni bez drugih zaposlenika) u Hrvatskoj – izraženo u tisućama

Kategorija	2013.	2014.	2015.	2016.	2017.
<b>Ukupan broj samozaposlenih</b>	229,5	207,0	201,6	184,6	167,6
<b>Ukupan broj portfeljnih radnika</b>	163,9	126,1	120,9	104,3	90,9
<b>Broj portfeljnih radnika u odabranim sektorima</b>					
Trgovina na veliko i na malo	12,4	11,0	9,7	7,8	6,8
Djelatnosti pružanja smještaja te pripreme i usluživanja hrane	5,6	1,9	2,0	1,4	1,7
Informacije i komunikacije	2,6	2,2	2,2	1,3	2,2
Djelatnosti zdravstvene zaštite i socijalne skrbi	1,7	2,0	1,2	2,1	2,4
Umjetnost, zabava i rekreacija	4,6	1,6	1,4	-	-

Izvor: Eurostat

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Godine 2012. Zakon o poticanju zapošljavanja (Čl. 9.-13.) uveo je mogućnost rada za vrijednosne kupone u poljoprivredi, što omogućuje dnevni rad u tom sektoru. Takav rad ograničen je na 90 dana u okviru kalendarske godine i nije dopušten maloljetnicima i roditeljima koji koriste porodiljini dopust. Nadalje, rad putem kupona u poljoprivredi zabranjen je osobama u radnom odnosu i samozaposlenima. Kupnjom vrijednosnog kupona poslodavac unaprijed plaća doprinose svojim radnicima na dnevnoj osnovi (Grgurev i Vukorepa, 2018). Prema podacima dobivenim na zahtjev od Hrvatskoga zavoda za mirovinsko osiguranje u rad na temelju vaučera bilo je 2015. godine uključeno 4075 radnika, 2016. njih 3195, a 2017. bilo ih je 2269.

Zakon o poticanju zapošljavanja (Čl. 6.-8.) iz 2012. godine proširio je prvotni krug ljudi koji mogu biti zahvaćeni mjerom stručnog osposobljavanja bez zasnivanja radnog odnosa. Ta mjera stupila je na snagu prvi put 2010. godine u sklopu Zakona o radu. Sukladno Zakonu o poticanju zapošljavanja država isplaćuje plaće (od 2015. na približnoj razini minimalne plaće) i doprinose za poslodavce koji osposobljavaju mlade sa završenim fakultetskim obrazovanjem u trajanju od 12 mjeseci. Osposobljavanje se može primijeniti i na mlade koji su završili strukovne srednje škole i koji se osposobljavaju u razdoblju od 24 mjeseca. Zakon o radu i kolektivni ugovori primjenjuju se na polaznike stručnog osposobljavanja, osim odredbi koje se tiču materijalnih prava (Butković, 2018).

Prema podacima Hrvatskoga zavoda za zapošljavanje u 2017. Godini tom je mjerom bilo obuhvaćeno 10.736 polaznika što je čini jednom od najpopularnijih mjera aktivnih politika tržišta rada u Hrvatskoj (HZZ, 2017a).

#### Okvir 8. Izazovi pred strukovnim obrazovanjem

Kako bi poboljšala komparativno loše rezultate zapošljavanja osoba koje završavaju strukovno obrazovanje, Hrvatska je u rujnu 2016. usvojila Program razvoja sustava strukovnog obrazovanja i osposobljavanja za razdoblje od 2016. do 2020. godine koji bi trebao usmjeravati izmjene programa strukovnog obrazovanja. U studenom 2016. Ministarstvo znanosti i obrazovanja usvojilo je i akcijski plan za implementaciju tog programa. Program razvoja sustava strukovnog obrazovanja i osposobljavanja donosi sveobuhvatnu reformu kurikula strukovnog obrazovanja u Hrvatskoj. Fokus je na jačanju raznih modela učenja na poslu (alternativni planovi rada, strukovno naukovanje, razdoblja izobrazbe na poslu u odabranim kompanijama). Programom se promovira participacija zainteresiranih dionika, naročito veća uključenost poslodavaca u učenju na poslu kao i planiranju i osmišljavanju programa strukovnog obrazovanja i osposobljavanja. Također se nude poticaji pružateljima praktične izobrazbe kao i kompanijama koje osiguravaju izgradnju kapaciteta za svoje mentore. Akcijski plan nabraja specifične mjere, očekivane rezultate, indikatore, rokove i financijske izvore za financiranje tog programa.

Izvor: CEDEFOP, 2018.

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## 2.4. Novi oblici rada u digitalnoj ekonomiji i hrvatski pravni okvir

Vezano uz devet novih oblika rada i zapošljavanja koje je 2015. godine identificirao Eurofound, treba istaknuti da su u nekim državama članicama EU-a (npr. Velika Britanija, Italija ili Mađarska) neki od ovih oblika rada i zapošljavanja regulirani novim zakonskim odredbama i dobro uhodani, dok u drugim državama to nije slučaj. U Hrvatskoj navedeni novi oblici zapošljavanja nisu regulirani putem Zakona o radu (ZOR), već se u praksi provode na temelju različitih otprije poznatih odredbi zakona i propisa. Ivana Grgurev i Ivana Vukorepa u nedavno objavljenom radu dale su sistematiziranu tablicu koja pokazuje na koji se način i temeljem koje pravne osnove svaki od devet novih oblika rada i zapošljavanja

može provoditi u Hrvatskoj (tablica 9). U budućnosti se može očekivati da će se i kod nas barem neki od navedenih novih oblika regulirati Zakonom o radu i drugim zakonodavstvom.

Tablica 9. Pravna osnova za rad putem novih oblika rada i zapošljavanja u Hrvatskoj

<b>Novi oblici rada prema kategorizacije Eurofounda iz 2015.</b>	<b>Pravna osnova za takav rad u Hrvatskoj</b>
Rad putem vaučera	Dopušteno u poljoprivredi Čl. 9.13. Zakona o poticanju zapošljavanja (najviše 90 dana u kalendarskoj godini)
Povremeni rad <ul style="list-style-type: none"> <li>• isprekidani rad</li> <li>• rad na poziv (ugovor za nulti broj sati)</li> </ul>	Nije regulirano putem ZOR-a Moguće putem ugovora o djelu (Zakon o obveznim odnosima)
Dijeljenje zaposlenika <ul style="list-style-type: none"> <li>• ad hoc dijeljenje zaposlenika (udruživanje rada)</li> <li>• strateško dijeljenje zaposlenika</li> </ul>	Nije regulirano putem ZOR-a Moguće jedino putem ugovora o privremenom upućivanju radnika u neku povezanu tvrtku; Čl. 10/3. ZOR-a (najviše 6 mjeseci unutar Hrvatske); Čl. 18/4. ZOR-a (najviše 2 godine kada se radi o inozemstvu)
Dijeljenje posla	Moguće jedino putem odredbi o nepunom radnom vremenu ZOR-a
Privremeno upravljanje	Nije regulirano putem ZOR-a Trenutačno moguće jedino putem (1) ugovora na određeno vrijeme (2) ugovora o djelu/rada samozaposlenih osoba ili vlasnika tvrtke (Zakon o obveznim odnosima)
Mobilni rad temeljen na IKT-u	Nije regulirano putem ZOR-a Trenutačno moguće jedino slijedeći odredbe ZOR-a o ugovorima s alternativnim mjestom rada
Rad putem on-line platformi	Nije regulirano putem ZOR-a Rad se može obaviti putem (1) ugovora o radu (ZOR), (2) rada samozaposlene osobe (3) ugovora o djelu (Zakon o obveznim odnosima) - najvjerojatnije u praksi
Portfeljni rad	Nije reguliran putem ZOR-a, potpada pod Zakon o obveznim odnosima (ugovor o djelu)
Suradničko zapošljavanje (krovne organizacije, zadruga itd.)	Nova mogućnost za samozaposlene i start-up tvrtke Nije regulirano putem ZOR-a ali potpada pod Zakon o obveznim odnosima (ugovorne strane slažu se s uvjetima dijeljenja radnog prostora i drugim potpornim zadacima)

Izvor: prema Grgurev i Vukorepa, 2018.

**Okvir 9. Porezna reforma**

Cjelovita porezna reforma jedna je od ključnih mjera Programa Vlade Republike Hrvatske za razdoblje 2016. – 2020. Ona uključuje sve aspekte proznog sustava s naglaskom na pojednostavljenje, proširujući poreznu osnovicu i porezne olakšice za građane i poduzeća. Reforma pokriva porez na dobit, porez na dohodak, doprinose, porez na dodanu vrijednost, porez na promet nekretninama i porez na imovinu (VRH, 2016). Promjene u poreznom sustavu započete 2017. značile su porezno rasterećenje od 3,6 milijardi kuna, a izmjene s kojima se krenulo početkom 2019. donijet će rasterećenje za dodatnih 2,7 milijardi kuna (izjava ministra Marića, Net.hr, 2018). Za 2019. predviđeno je smanjivanje poreza na dodanu vrijednost za neke proizvode, ukidanje doprinosa od 0,5% za ozljede na radu te doprinosa od 1,7% za zapošljavanje. Istodobno trebalo bi doći do povećanja doprinosa za zdravstveno osiguranja sa 15 na 16,5%. Vežano uz porez na dohodak najavljeno je širenje razreda za oporezivanje nižom stopom od 24% (ibid.). Poslodavci smatraju da porezna reforma predstavlja korak u dobrom smjeru. Ipak, zalažu se za daljnja snižavanja poreznih stopa. S druge pak strane sindikati pozivaju na poreznu reformu koja bi vodila više računa o socijalnoj dimenziji i jednakosti te se protive daljnjim promjenama radnog zakonodavstva (Samarđžija et al., 2017). Set mjera u sklopu porezne reforme predviđen za 2019. negativno će utjecati na porezne prihode, ali bi se mogao pozitivno odraziti na gospodarski rast.

Izvor: Poslovni dnevnik, 2018.

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### 3. REZULTATI EMPIRIJSKOG ISTRAŽIVANJA O NOVIM OBLICIMA RADA U HRVATSKOJ

#### 3.1. Oblici zaposlenosti ispitanika – standardni i nestandardni rad

Među ukupno anketiranim ispitanicima (N=500) više od 86% zaposleno je kod poslodavca, 12% su samozaposleni, a nešto manje od 2% ispitanika ne može se svrstati ni u koju od spomenute dvije kategorije. Nešto više od trećine ispitanika koji su samozaposleni su jedini zaposlenici u vlastitoj tvrtki ili obrtu (36% od N=66), dok su 29% njih direktori vlastitih

tvrtki ili obrta koji zapošljavaju i druge djelatnike. Daljnja četvrtina samozaposlenih ispitanika (25%) zaposleni su kao podizvođači, honorarni radnici, suradnici preko agencije ili poslovni partneri, a preostalih 10% nije se izjasnilo.<sup>4</sup> Postotak samozaposlenih sličan je podacima iz Ankete o radnoj snazi za 2017. godinu koja bilježi 11% samozaposlenih (DZS, 2019).

Većina ispitanika koji su zaposleni kod poslodavca (N= 434) ima ugovor na neodređeno vrijeme (71%), a petina ima sklopljen ugovor na određeno vrijeme (21%). To je vrlo slično podacima iz Ankete o radnoj snazi za 2017. godinu prema kojoj je zaposlenih s ugovorima na neodređeno vrijeme bilo 68%, a zaposlenih s ugovorima na određeno vrijeme 21% (DZS, 2019). Ostale vrste ugovora rjeđe su zastupljene (primjerice ugovor o djelu ili autorski ugovor, pripravništvo, ugovor na određeno vrijeme preko agencije). Bez ugovora radi 3% ispitanika od onih koje su angažirali poslodavci. Nadalje, ugovori koji su sklopljeni na neki od oblika rada na određeno vrijeme (N= 104) najčešće traju do godine dana.<sup>5</sup> Vezano uz razinu obrazovanja u skupini sa srednjom stručnom spremom, 74% ispitanika ima ugovor na neodređeno vrijeme, a samo 19% ih ima ugovor na određeno vrijeme. U skupini zaposlenika s visokom stručnom spremom, 68% ispitanika ima ugovor na neodređeno vrijeme a 22% na određeno vrijeme. To upućuje na veću zastupljenost nestandardnog rada među visoko obrazovanim ispitanicima.

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Najveći udio ispitanika (59%) u ukupnom broju radi u privatnom sektoru, a trećina (33%) u javnom sektoru. Zajedničke privatne ili javne tvrtke, neprofitni sektor ili NGO-i zastupljeni su u odgovorima kod tek oko 6% ispitanika dok se oko 2% ispitanika nije opredijelilo ili odgovor nije primjenjiv na njihov status. Nadalje, najviše ispitanika zaposleno je kod poslodavaca koji imaju više od 250 zaposlenih (31%), nešto manje (22%) radi kod poslodavaca sa 50-249 zaposlenika, 37% radi među 2-49 zaposlenika, 6% ispitanika navodi kako rade sami, a 4% su neopredijeljeni.

Najčešće spominjani gospodarski sektori u kojima ispitanici rade su trgovina na veliko i malo (12%) i obrazovanje (10%). „Ostale“ uslužne djelatnosti sudjeluju sa 18%, dok su svi ostali sektori zastupljeni s najviše 6% ili znatno manje (od jače zastupljenih prema manje zastupljenima: građevinarstvo, zdravstvena zaštita i socijalna skrb, prerađivačka industrija, znanost i tehničke djelatnosti, ugostiteljstvo, administrativne i pomoćne

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4 Pitanje 2. U posljednjih 12 mjeseci radite li kao zaposlenik ili ste samozaposleni? Pitanje 2a. Primete li plaću od poslodavca? Pitanje 5. Odaberite kategoriju koja se odnosi na vaš glavni plaćeni posao!

5 Pitanje 3. Koju vrstu radnog ugovora imate na svom glavnom poslu? Pitanje 4. Koje je trajanje vašeg ugovora u broju godina i mjeseci?

uslužne djelatnosti, prijevoz i skladištenje, IKT sektor, poljoprivreda, šumarstvo i ribarenje, opskrba energijom, javna uprava i obrana itd.).<sup>6</sup>

Najveći broj ispitanika ima relativno kratko iskustvo u sadašnjoj tvrtki ili instituciji, do pet godina ukupno njih oko 47% (N=500). Nešto manje od jedne trećine (30%) navodi kako u sadašnjoj tvrtki ili instituciji radi između jedne i pet godina, dok je 17% na novom radnom mjestu manje od godine dana. Nasuprot tome, oko 16% ispitanika navodi kako u sadašnjoj tvrtki ili instituciji radi više od 20 godina.

Većina ispitanika, njih 58%, u prosječnom tjednu radi 40 sati, a nešto više od petine (21%) radi između 41 i 60 sati tjedno. Manji je broj onih koji rade kraće (10% ispitanika radi do 20 sati, a tek 5% ih do 21-39 sati). U prosjeku zaposleni ispitanici tjedno rade 39 sati, a samozaposleni ispitanici u prosjeku rade 45 sati tjedno.<sup>7</sup>

Puno radno vrijeme prevladava u ugovorima o radu, a udio onih koji rade u nepunom radnom vremenu je manji. Istraživanje pokazuje kako je većina ispitanika, njih 80%, do sada imala između jednog i pet zaposlenja s punim radnim vremenom, a blizu 10% imalo je i desetak takvih ugovora. Nasuprot tome, 6% ispitanika nikada nije radilo s punim radnim vremenom. S druge strane, između jednog i pet zaposlenja s nepunim radnim vremenom imalo je 21% ispitanika. Samo 3% je odgovorilo da su imali pet i više zaposlenja s nepunim radnim vremenom. Čak 48% ispitanika nikad nije radilo u nepunom radnom vremenu, no taj postotak je vjerojatno i viši zato što je na pitanje o radu u nepunom radnom vremenu 25% ispitanika odgovorilo sa nije primjenjivo.<sup>8</sup>

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### 3.2. Specifične karakteristike radnog mjesta – radno vrijeme, lokacija rada, pozitivni i negativni aspekti radnog mjesta

Među ispitanicima obuhvaćenim anketom u prosjeku 71% nikada ne radi noću, 38% ne radi vikendom a 51% nikada ne radi više od 10 sati dnevno. Ako rade noću, najčešće se to dogodi 1-5 puta mjesečno (13%) ili 6-10 puta mjesečno (9%). Četvrtina ispitanika navodi kako rade svaki vikend u

6 Pitanje 6. U kakvoj vrsti poduzeća radite? Pitanje 8. Koji je ukupan broj zaposlenika u vašoj tvrtki ili instituciji za koju radite? Pitanje 7. U kojem gospodarskom sektoru radite?

7 Pitanje 9. Koliko godina radite u sadašnjoj tvrtki ili instituciji? P11. Koliko sati tjedno obično radite na svojem glavnom poslu?

8 Pitanje10. Koliko zaposlenja ste imali do sada?

mjesecu, a jednak udio ispitanika također navodi kako ostanu prekovremeno raditi između 1 do 5 puta mjesečno. Pokazuje se da samozaposleni ispitanici u prosjeku češće rade vikendom i prekovremeno u odnosu na zaposlene ispitanike. Nadalje, usporedba reprezentativnih uzoraka dobrih skupina pokazuje da ispitanici stariji od 25 godina češće od mlađih rade više od 10 sati dnevno.<sup>9</sup>

Značajno najveći udio ispitanika (72% od svih ispitanika) svakodnevno radi u sjedištu svoje tvrtke, a istovremeno 14% ispitanika navodi kako nikada ne rade u vlastitim prostorima. Ostale ispitane lokacije nisu toliko korištene te se pokazuje da 60% ispitanika nikada ne radi u prostoru klijenta, 61% nikada ne radi u vlastitom domu dok čak 76% nikada ne radi u javnom prostoru. Imajući u vidu dob, ispitanici stariji od 25 godina značajno češće u odnosu na mlađe ispitanike navode kako svakodnevno rade u sjedištu poslodavca. Kada se analiziraju samozaposleni ispitanici, pokazuje se da češće svakodnevno rade od kuće ili na javnome mjestu, a rjeđe u prostoru klijenta nego što je slučaj sa zaposlenima kod poslodavca.<sup>10</sup>

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Polovina ispitanika ocjenjuje da svakodnevno doživljava stres na svome poslu. Oko 46% ispitanika smatra kako bi lako mogli pronaći slično plaćeni posao u slučaju da izgube trenutni. Podjednak je udio onih koji smatraju da su adekvatno plaćeni za svoj posao (40%) i ispitanika sa suprotnim mišljenjem (41%). Ipak većina ispitanika ocjenjuje kako zadaci na radnom mjestu nemaju negativan učinak na njihov privatni život (53%) i ne očekuju da bi mogli izgubiti posao u idućih 6 mjeseci (66%).<sup>11</sup>

Većina ispitanika nema drugih plaćenih poslova (72%) osim osnovnog plaćenog posla. Samo 4% ispitanika redovito obavlja dodatne poslove za koje su plaćeni, a 18% obavlja ih tek povremeno. Među onima koji redovito rade na dodatnim plaćenim poslovima (N=19) najviše ih na njima rade 10-15 sati tjedno (42%). Nešto manje od trećine (30%) na njima radi samo 1-9 sati tjedno, a 28% na takvim poslovima radi 16 ili više sati.<sup>12</sup>

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9 Pitanje 23. U prosjeku koliko puta mjesečno radite noću, vikendom ili više od 10 sati?

10 Pitanje 22. Koliko često ste radili na svakoj od ovih lokacija u zadnjih 12 mjeseci na vašem stalnom plaćenom poslu (javni prostori kao što su kafići, zračne luke itd.).

11 Pitanje 7. U kojoj mjeri se slažete / ne slažete sa sljedećim izjavama o svojem poslu (izloženost stresu, mogućnost pronalaženja novog posla, adekvatnost plaće u odnosu na zahtjeve posla, učinak zahtjeva radnog mjesta na privatni život, sigurnost posla)?

12 Pitanje 20. Uz vaš stalni plaćeni posao, imate li neki drugi plaćeni posao / poslove?  
Pitanje 21. Koliko sati tjedno radite u prosjeku na poslovima koji nisu vaš stalni plaćeni posao?

Čini se da ispitanici nisu potpuno sigurni koja su glavna ograničenja barijere za obavljanje njihove željene djelatnosti. Oko 41% ispitanika (podjednako zaposlenih i samozaposlenih) smatra kako ih sadašnji Zakon o radu u velikoj mjeri ograničava u ostvarivanju željene djelatnosti. Jednak je udio onih koji se ne slažu s tom tvrdnjom. Nešto manji udio ispitanika (37%) ocjenjuje da im fiskalno zakonodavstvo predstavlja značajnu prepreku. Treba naglasiti i da čak 18% ispitanika nije moglo procijeniti kakav utjecaj Zakon o radu i fiskalno zakonodavstvo imaju na njihovu djelatnost.<sup>13</sup>

### 3.3. Socijalni i ostali benefiti te ograničenja radnoga mjesta

U cjelini gledajući, veći je broj socijalnih benefita (6 predloženih kategorija benefita) koje ispitanici imaju mogućnost koristiti na svojem radnom mjestu u odnosu na benefite koji im nisu dostupni (4 kategorije). Naime, značajno najveći udio ispitanika (85%) uživa benefite obveznog zdravstvenog osiguranja temeljem rada, 79% ih ima redovit plaćeni godišnji odmor, 71% ima mogućnost odlaska na plaćeno bolovanje, 65% koristi subvencionirani prijevoz, otprilike polovina ispitanika (50%) ima mogućnost usavršavanja na radnome mjestu a 48% ima mogućnost dobivanja kredita i zajmova. Nasuprot tome, tek 25% ispitanika dobiva besplatnu ili subvencioniranu hranu, 20% ima mogućnost plaćene brige za djecu, a 41% plaćene medicinske usluge ili dodatno zdravstveno osiguranje. Zaposleni ispitanici navode češće nego samozaposleni da uživaju benefite plaćenog godišnjeg odmora, plaćenog bolovanja i subvencioniranog prijevoza.<sup>14</sup>

Vezano uz mogućnost korištenja informacijsko-komunikacijskih tehnologija (IKT) na radnome mjestu, 87% ispitanika navodi kako ima pristup internetu, 71% koristi osobno računalo, 62% koristi aplikacije pametnog telefona (smartphone), 60% koristi laptop a tek 34% tablet.<sup>15</sup>

Tri četvrtine svih ispitanika u ovom istraživanju (75%) nisu članovi sindikata, a najviše su zastupljeni u dobnim skupinama do 34 godine. Različiti su razlozi neučlanjivanja u sindikate koje navode oni koji nisu učlanjeni. Njih 29% odgovara kako sindikati ne postoje na njihovu području, a njih 26% nije zainteresirano za članstvo. Slaba usluga za cijenu razlog je

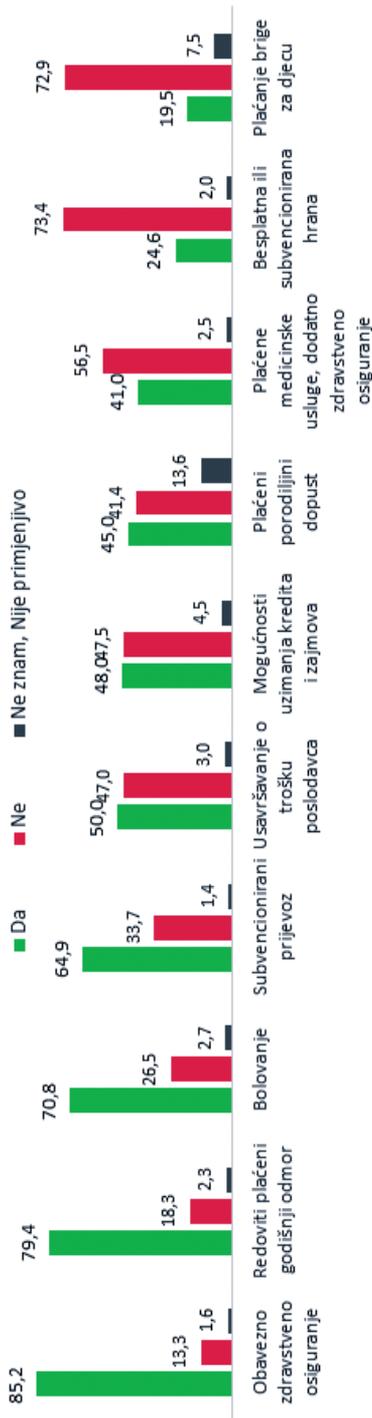
13 Pitanje 33. Smatrate li da je trenutni Zakon o radu ograničavajući za vašu željenu djelatnost / oblik rada? Pitanje 34. Smatrate li trenutno fiskalno zakonodavstvo ograničavajućim za vašu željenu djelatnost / oblik rada?

14 Pitanje 29. Koje od sljedećih socijalnih benefita uživate?

15 Pitanje 32. Koristite li sljedeće uređaje za rad, bilo da vam to omogućava poslodavac ili sami (pristup internetu, PC, *smartphone* aplikacije, laptop, tablet)?

Slika 2. Korištenje socijalnih benefita

Baza: Svi ispitanici (N=500)



Izvor: HendaI istraživanje za IRMO, 2018.

ne pripadanja sindikatu za 15% ispitanika, 10% ih navodi kako nemaju vremena za sindikate, a 7% ispitanika osjeća se nedovoljno informiranima.<sup>16</sup>

### 3.4. Stavovi i iskustvo u radu kroz samozaposlenost

Razlozi samozaposlenosti (N=58) su različiti. Trećina ispitanika navodi nezavisnost i slobodu posla, 28% fleksibilno radno vrijeme (najčešće zastupljeno u najmlađoj dobnoj skupini), dok 23% ispitanika ocjenjuje kako u njihovu slučaju nije bilo drugih mogućnosti za rad. Petina ispitanika odabrala je samozaposlenost jer je to izazov koji uz sebe veže mogućnost za kreativnost, uspjeh i vlastitu satisfakciju. Tek 19% ispitanika ocjenjuje kako samozaposlenost omogućuje veće, čak neograničene prihode, dok se 17% zaposlenika odlučilo na taj oblik rada zbog manje stresa i mogućnosti za rad od kuće (16%). Manji je broj ispitanika koji su se na samozaposlenost odlučili iz sljedećih razloga: mogućnost usklađivanja poslovnog i obiteljskog života (15%), preuzimanje obiteljskog posla (15%), mogućnost kontrole, preuzimanje odgovornosti, donošenje odluka (9%), priroda posla koja iziskuje samozaposlenost (6%), dok su manji porezi najrjeđe spomenuti razlog (tek 3%).

Kao najveće probleme samozaposlenosti ispitanici najčešće navode preozno opterećenje (45%), a slijede ga neizvjesnost (34%), stres (20%) i previše obveza (19%). Rjeđe su navođeni razlozi (10-15%): poteškoće u dobivanju financiranja od banaka, obveze koje prate vođenje vlastitih poslovnih aktivnosti (biznis), previše rada, nedostatak slobodnog vremena, nepostojanje povlastica kao što su božićnica ili regres, negativni utjecaj na obiteljski život i niski prihodi. Tek manje od 10% ispitanika kao najveći problem vezan uz samozaposlenost navodi rad u izolaciji i fluktuaciju prihoda. Karakteristično je da veći broj samozaposlenih ispitanika navodi kako je trenutačno fiskalno zakonodavstvo ograničavajuće za njihovu djelatnost nego što je to slučaj s ostalim zaposlenim ispitanicima.

Prije no što su postali samozaposleni, većina ispitanika (61%) radila je kod poslodavca, 22% ih je već prije bilo samozaposleno, 10% tražilo je posao a 3% pohađalo školu ili fakultet.<sup>17</sup>

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16 Pitanje 30. Jeste li član sindikata? P. 31. Koji je glavni razlog zašto ne pripadate takvoj organizaciji?

17 Pitanje 16. Koji su glavni razlozi zašto ste postali samozaposleni umjesto da radite za poslodavca? P. 17. Što je za vas najveći problem kod samozaposlenosti? P. 18. Čime ste se bavili u 12 mjeseci prije nego što ste pokrenuli vlastiti posao?

Tablica 10. Karakteristike samozaposlenosti

Baza: Samozaposleni ispitanici (N=58)

<b>Razlozi za samozaposlenost</b>	<b>%</b>
Nezavisnost, sloboda, sam svoj šef	34,1
Fleksibilno radno vrijeme	27,8
Nije bilo druge mogućnosti za rad	23,3
Izazov, kreativnost, uspjeh, satisfakcija	19,8
Više novca, neograničeni prihodi	19,1
Manje stresa	17,1
Rad od kuće	16,2
Usklađivanje poslovnog i obiteljskog života	15,3
Pridružio sam se ili preuzeo obiteljski posao	15,1
Kontrola, odgovornost, donošenje odluka	8,9
Moram biti samozaposlen (priroda posla)	6,4
Manji porezi, porezni odbici	3,4
Ne znam, nije primjenjivo	3,4
<b>Problemi samozaposlenosti</b>	<b>%</b>
Porezno opterećenje	44,9
Neizvjesnost	34,4
Stres	20,3
Previše obaveza	19,1
Poteškoće u dobivanju financiranja od strane banaka	14,1
Obaveze vezano uz vođenje vlastitog biznisa	13,1
Previše sati rada, nedostatak slobodnog vremena	12,7
Nepostojanje koristi kao što su božićnica ili regres	11,9
Uplitanje u obiteljski život	10,9
Niski prihodi	10,0
Rad u izolaciji	9,7
Fluktuacije u prihodima	8,4
Nešto drugo	4,0
Ne znam, nije primjenjivo	8,7
<b>Posao prije samozapošljavanja</b>	<b>%</b>
Radio sam za poslodavca	60,8
Samozaposleni	22,3
Tražio sam posao	10,5
Pohađao školu ili fakultet	3,2
Ne znam, nije primjenjivo	3,2

Izvor: Hendal istraživanje za IRMO, 2018.

### 3.5. Iskustvo i stavovi ispitanika o novim oblicima rada

Polovina ispitanika navela je kako je radila u barem jednom novom obliku rada (N=500). Zanimljivo je da novi oblici rada nisu nepoznanica za ispitanike te se pokazuje kako samo mali broj ispitanika (između 2% i 3%) nije nikada čuo za nove oblike rada koji se spominju u anketi.

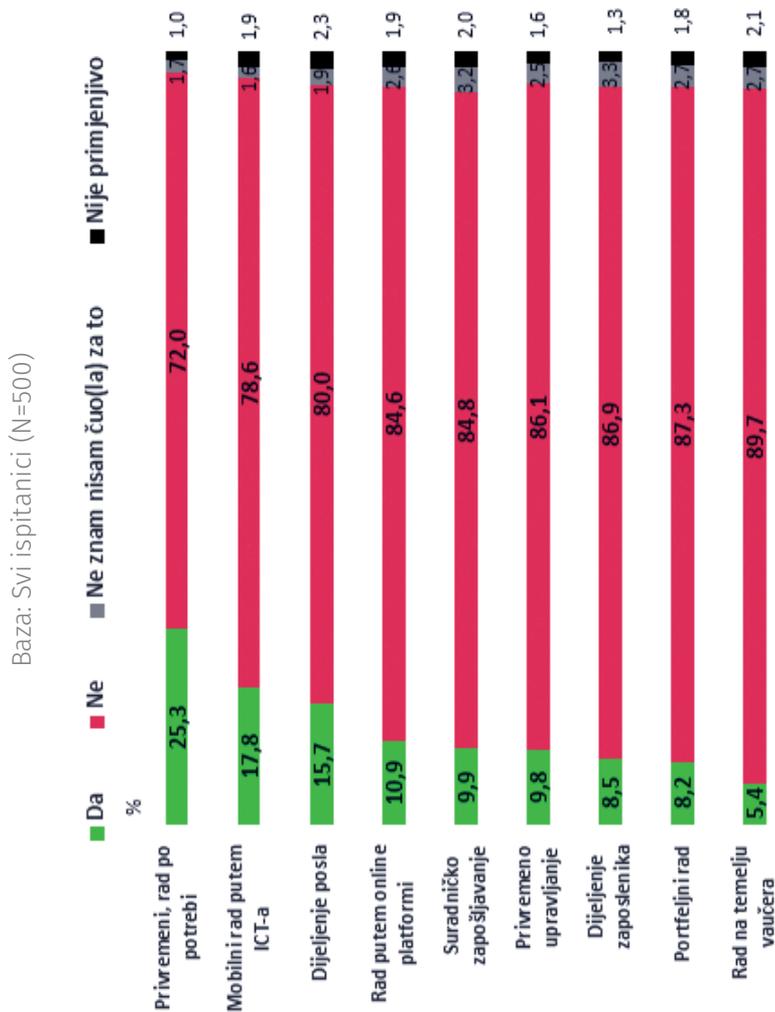
Značajno najveći broj ispitanika bio je zaposlen na privremenom radu, odnosno radu po potrebi (25%); 18% ispitanika navodi kako su sudjelovali u mobilnom radu putem informacijsko-komunikacijske tehnologije (IKT), 16% radilo je putem dijeljenja posla, a 11% je barem jednom radilo putem online platformi. U nekom od ostalih oblika rada ukupno je sudjelovalo manje od 10% ispitanika. U nastavku se navode spomenuti ostali oblici rada, počevši s onima koji su najčešće zastupljeni u odgovorima, do onih najmanje zastupljenih. Riječ je o suradničkom zapošljavanju (10%), privremenom upravljanju (10%), dijeljenju zaposlenika (9%), portfeljnom radu (8%) i radu na temelju vaučera (5%).

Najčešće su u novim oblicima rada bili zaposleni mlađi ispitanici (posebice oni od 25-34 godine). Na privremenom je radu najviše zaposleno mladih ljudi do 24 godine (čak tri četvrtine ukupno privremeno zaposlenih). Nadalje, mlađi ispitanici (18-34) češće nego stariji ispitanici navode kako su barem jednom radili putem online platformi, vaučera, s pomoću ICT-a, putem privremenog rada i dijeljenja posla. Zanimljivo je najviše onih koji su uključeni u mobilni rad putem IKT-a u nižoj dobnoj skupini (do 34 god) i u najstarijoj skupini (65+).<sup>18</sup> Imajući u vidu obrazovnu strukturu ispitanika koji su sudjelovali u novim oblicima rada, pokazuje se da je iznimno malen udio ispitanika s osnovnim obrazovanjem. Približno je jednak udio osoba sa srednjim i visokim obrazovanjem među onima koji su radili kroz privremeni rad ili u dijeljenju posla, a kada je riječ o mobilnom radu putem IKT-a prevladavaju ispitanici s visokim obrazovanjem.

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18 Pitanje 12. Jeste li ikada radili u nekom od sljedećih oblika rada?

Slika 3. Učestalost zaposlenja u novim oblicima rada



Izvor: HendaI istraživanje za IRMO, 2018.

Vezano uz online platforme koje spajaju poslodavce i radnike, 38% ispitanika informirano je o postojanju takvih platformi, ali ih nikada nisu posjetili. Vrlo je mali broj onih koji redovito ili povremeno koriste usluge platformi (14%) ili su bili na nekoj platformi i platili za usluge koje nude (6% ispitanika). Oko 12% ispitanika posjetilo je platforme, ali ih nikada nisu koristili. Nasuprot tome, četvrtina ispitanika (25%) navodi kako nikada nije ni čula za takve platforme.<sup>19</sup>

U prosjeku se ispitanici slažu da novi oblici rada predstavljaju odgovor na većinu aktualnih problema na tržištu rada. Čak 70% ili više ispitanika smatra kako bi novi oblici rada mogli riješiti probleme prevelikog opozivanja, birokratiziranosti i niskih plaća. Iznimka su izazovi niske zaposlenosti i rigidnosti tržišta rada. Za obje kategorije tek oko 48% ispitanika smatra kako novi oblici rada predstavljaju dobar odgovor, dok brojni ispitanici daju neutralnu ocjenu. Još je manja mogućnost odgovora novih oblika rada na problem prejakih sindikata za koje ispitanici u prosjeku smatraju kako ih novi oblici rada ne bi mogli riješiti (tek 14% pozitivnih odgovora). Ispitanici koji su barem jednom radili u novom obliku rada u prosjeku se u većoj mjeri slažu da novi oblici rada predstavljaju odgovor na birokratiziranost, nisku zaposlenost i iseljavanje.<sup>20</sup>

Kao razloge zapošljavanja u novim oblicima rada ispitanici navode vlastitu opredjeljenje koje vodi boljim prihodima, profesionalnu motivaciju te potrebu za stjecanjem radnog iskustva. Sva tri spomenuta razloga imaju prosječnu ocjenu na razini 4 (slažem se), a predstavljaju stavove od najviše 71% ispitanika do najmanje 61%. Ostali razlozi ocijenjeni su neutralnom ocjenom (3), odnosno u rasponu od 51% ispitanika do najmanje njih 24%. Spomenuti se stavovi odnose na nužnost takvog rada kako bi se ostvarili bolji prihodi, nemogućnost pronalaska standardnog zaposlenja, vlastitu preferenciju prema takvom načinu rada, shvaćanje novih oblika rada kao prvog koraka prema pokretanju vlastitog posla, ili je to jednostavno jedina mogućnost koja se ispitaniku nudi. Mlađi ispitanici (18-34) u prosjeku bi češće, a stariji ispitanici rjeđe odabrali raditi u novom obliku zapošljavanja zbog potrebe za stjecanjem iskustva i prvog koraka pri pokretanju vlastitog posla.

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19 Pitanje 28. Koji je od sljedećih odgovora u skladu s vašim iskustvom vezanim uz online platforme koje spajaju poslodavce i radnike ili potrošače roba i usluga s dobavljačima?

20 Pitanje 13. U kojoj mjeri novi oblici rada predstavljaju odgovor na ključne izazove tržišta rada?

Slika 4. Novi oblici rada kao odgovor na ključne izazove na tržištu rada

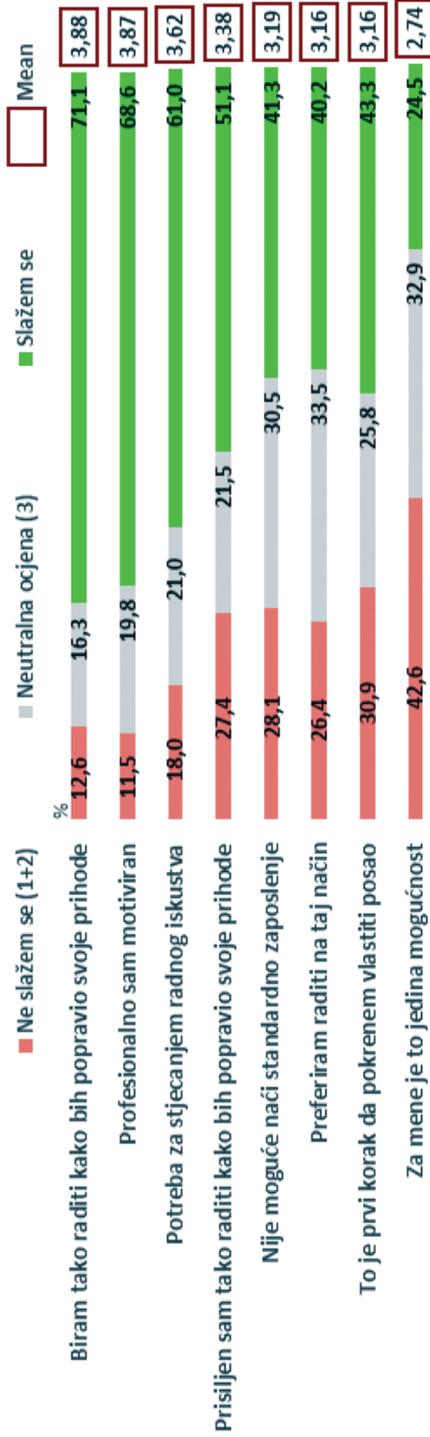
Baza: Svi ispitanici (N=500)



Izvor: Hendaal istraživanje za IRMO, 2018.

Slika 5. Razlozi potencijalnog zapošljavanja u novim oblicima rada

Baza: Svi ispitanici (N=500)



Izvor: Hendaal istraživanje za IRMO, 2018.

Kao razloge zapošljavanja u novim oblicima rada ispitanici navode vlastitu opredjeljenje koje vodi boljim prihodima, profesionalnu motivaciju te potrebu za stjecanjem radnog iskustva. Sva tri spomenuta razloga imaju prosječnu ocjenu na razini 4 (slažem se), a predstavljaju stavove od najviše 71% ispitanika do najmanje 61%. Ostali razlozi ocijenjeni su neutralnom ocjenom (3), odnosno u rasponu od 51% ispitanika do najmanje njih 24%. Spomenuti se stavovi odnose na nužnost takvog rada kako bi se ostvarili bolji prihodi, nemogućnost pronalaska standardnog zaposlenja, vlastitu preferenciju prema takvom načinu rada, shvaćanje novih oblika rada kao prvog koraka prema pokretanju vlastitog posla, ili je to jednostavno jedina mogućnost koja se ispitaniku nudi. Mlađi ispitanici (18-34) u prosjeku bi češće, a stariji ispitanici rjeđe odabrali raditi u novom obliku zapošljavanja zbog potrebe za stjecanjem iskustva i prvog koraka pri pokretanju vlastitog posla.

Oko dvije trećine ispitanika (65%) navodi kako su spremni raditi u nekom od novih oblika rada.<sup>21</sup> Treba naglasiti da bi ispitanici koji su barem jednom radili u nekom od novih oblika rada češće nego ostali ponovno odabrali raditi u novom obliku zapošljavanja jer žele popraviti svoje prihode, preferiraju raditi na taj način, stjecati iskustvo te stvoriti uvjete za pokretanja vlastitog posla.<sup>22</sup>

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### 3.6. Izazovi traženja novog radnog mjesta

U situaciji da nemaju posao, nešto više od polovine ispitanika (52%) prihvatilo bi raditi za manju financijsku naknadu nego je ugovorom propisano, dok bi 37% ispitanika pristalo raditi i bez ugovora.<sup>23</sup>

Značajno najveći udio ispitanika (93%) smatra da su komunikacijske vještine veoma važne prilikom traženja dobrog posla. Na drugom mjestu nalaze se strani jezici (86%), a slijede ih IKT vještine (81%). Oko 70% ispitanika smatra da je opće znanje o poslovnom svijetu važno za uspjeh u traženju dobrog posla, a 53% ispitanika to pripisuje knjigovodstveno-računalnim vještinama.<sup>24</sup>

Većina ispitanika (59%) smatra kako posjeduju dovoljno vještina koje im pomažu u nošenju i s ozbiljnijim zadacima na poslu. Nešto manje od

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21 Pitanje 14. Jeste li spremni raditi u bilo kojem od navedenih oblika rada iz pitanja 12?

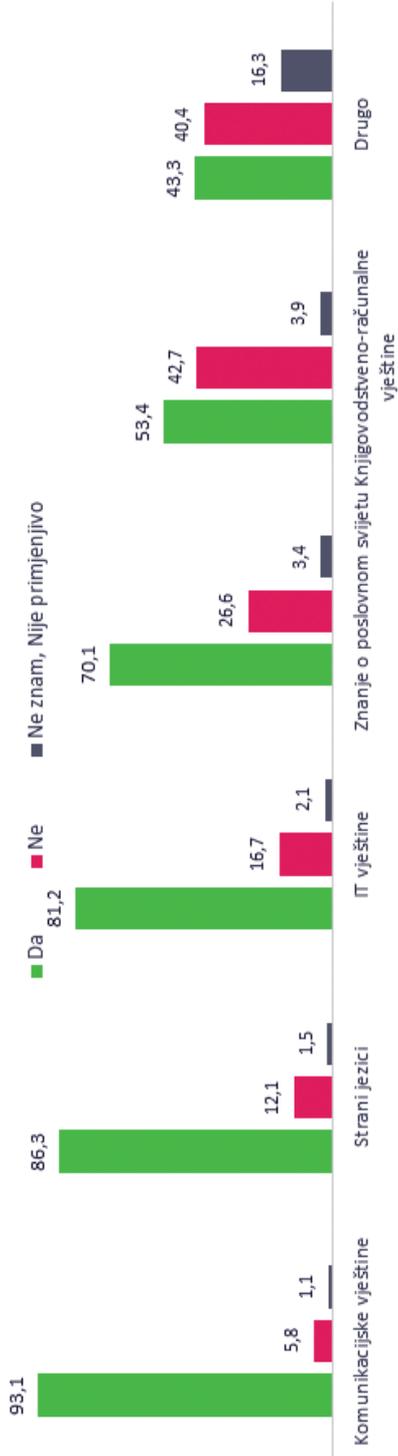
22 Pitanje 15. Zašto biste tražili posao u nekom od novih oblika rada i zapošljavanja?

23 Pitanje 19. Da nemate posao i tražite ga, u cilju zapošljavanja biste li prihvatili...?

24 Pitanje 26. Koje vještine smatrate da trebate imati kako biste imali dobar posao?

Slika 6. Ključne vještine prilikom traženja dobrog posla

Baza: Svi ispitanici (N=500)



Izvor: Hendaal istraživanje za IRMO, 2018.

trećine ispitanika (30%) smatra da njihove sadašnje vještine dobro korrespondiraju s obvezama, a tek 10% ispitanika ocjenjuje da im je potrebna dodatna edukacija kako bi se mogli nositi s trenutačnim poslovnim obvezama.<sup>25</sup>

Kada bi tražili novi posao, većina ispitanika (64%) ocjenjuje kako bi im sadašnje radno iskustvo i vještine veoma ili prilično pomogli, a 20 % smatra da bi im to dovoljno pomoglo da ga dobiju. Nasuprot tome, 15% ispitanika smatra kako im sadašnje iskustvo i vještine ne bi puno pomogli u traženju novog posla.<sup>26</sup>

U nastavku se daje tabelarni pregled glavnih obilježja ispitanika.

**Tablica 11. Obilježja ispitanika prema regiji stanovanja i veličini naselja**  
Baza: Svi zaposleni ispitanici (N=500), zbroj po svakoj kategoriji 100%

<b>Regija</b>	<b>% ispitanika</b>	<b>Veličina naselja</b>	<b>% ispitanika</b>
Zagreb	29,4	Do 2.000	20,2
Sjeverna Hrvatska	16,0	2.001-10.000	23,6
Slavonija	15,4	10.001-100.000	24,6
Lika, Kordun, Banija	7,4	Više od 100.000	31,6
Istra, Hrvatsko Primorje, Gorski kotar	13,2		
Dalmacija	18,6		
Ukupno	100	Ukupno	100

Izvor: Anketa Henda za IRMO, listopad 2018.

25 Pitanje 25. Koje od sljedećih izjava najbolje opisuju vaše vještine na poslu?

26 Pitanje 24. Kada biste tražili novi posao, u kojoj mjeri smatrate da bi vam vaše trenutačno radno iskustvo i vještine pomogli da ga nađete?

Tablica 12. Obilježja ispitanika prema stupnju obrazovanja, dobnim skupinama, bračnom statusu, spolu te mogućnosti pokrivanja troškova života u kućanstvu

Baza: Svi zaposleni ispitanici (N=500), zbroj po svakoj kategoriji 100%

Dobna skupina	% ispitanika	Spol	% ispitanika	Stupanj obrazovanja	% ispitanika	Mogućnost pokrivanja troškova života u kućanstvu	% ispitanika
15-24	7,0	Muški	54,0	Rano obrazovanje za djecu	0,3	Vrlo lako	7,4
25-34	27,4	Ženski	46,0	Osnovno obrazovanje	1,4	Lako	18,3
35-44	27,2			Niže srednjoškolsko obrazovanje	8,3	Prilično lako	20,6
45-54	25,8			Više srednjoškolsko obrazovanje	41,8	S nekim poteškoćama	38,7
55-64	11,8			Postsekundarno netercijarno obrazovanje	3,5	Teško	10,0
65+	0,8			Kratki ciklus tercijarnog obrazovanja (strukovna škola)	3,0	Jako teško	4,0
				Bakalaureat ili slično	12,1	Ne znam, nije primjenjivo	1,1
				Magisterij ili slično	28,4		
				Doktorat ili slično	0,5		
				Ne znam, nije primjenjivo	0,7		
Total	100	Total	100	Ukupno	100	Ukupno	100

Izvor: Anketa Hendaal za IRMO, listopad 2018.

## 4. ANALIZA INTERVJUA I FOKUS GRUPA O UČINCIMA DIGITALIZACIJE NA TRŽIŠTE RADA U HRVATSKOJ

### 4.1. Intervjui sa stručnjacima za tržište rada i digitalnu ekonomiju

Vezano uz Zakon o radu istaknuto je da je on jedan od važnijih razloga zbog kojih se sve više koriste nestandardni oblici rada. Pri tome nije problem samo u visokim troškovima otpuštanja nego i u sudskom postupku koji može uslijediti i posljedično dovesti do vraćanja radnika na posao (Intervju, Katedra za radno pravo, 2018). Osim toga, brzina promjena u tehnologiji i tržišnim trendovima poslodavce (pogotovo početnike) često dovodi u situaciju da se ne usude koristiti standardne ugovore na neodređeno vrijeme, već radnicima radije nude ugovore na određeno vrijeme (Intervju, Impact Hub Zagreb, 2018).

Nedovoljna fleksibilnost Zakona o radu nastojala se popraviti zadnjim zakonskim izmjenama iz 2014. godine kada je uvedena mogućnost rada na dodatni ugovor o radu s drugim poslodavcem u maksimalnom trajanju od osam sati tjedno, tj. do 180 sati godišnje. Isto tako, korisnicima starosne mirovine omogućeno je da se zaposle do polovine punog radnog vremena, a da im se pri tome ne obustavi isplata mirovine. U konačnici je 2014. uvedena i mogućnost dnevnog rada u poljoprivredi (Intervju, MRMS, 2018). Ipak, neki stručnjaci drže da sve te izmjene nisu otišle dovoljno daleko, jer bi primjerice dnevni rad putem vaučera trebalo uvesti i u svim drugim djelatnostima kao instrument uvođenja veće fleksibilnosti i borbe protiv sive ekonomije (Intervju, Katedra za radno pravo, 2018).

Kada je riječ o radu izvan radnog odnosa naglašeno je da on omogućuje radniku nuditi usluge koje su cijenom najpovoljnije na tržištu jer takvi radnici sami postavljaju uvjete poslovanja (Intervju, HGK, 2018). Kod takvog rada ne samo da ne postoje troškovi otpuštanja, nego za poslodavca nema ni drugih troškova koji proizlaze iz prava vezanih uz radni odnos kao što su bolovanje, godišnji odmor, božićnica itd. Ipak, tu postoje i ograničenja jer u skladu sa Zakonom tvrtka ne može uzeti radnika na ugovor o djelu ili autorski ugovor ako temeljem svojeg opisa djelatnosti ima obavezu zaposliti radnika na ugovor o radu za taj određeni posao (Intervju, HZZ, 2018). Sve one koji su radili na ugovor o djelu ili autorski ugovor Hrvatski zavod za zapošljavanje bilježi kao da su radili, čime se povećava službena stopa zaposlenosti. Oni nisu bili zaposleni, ali su radili i ostvarili dohodak što Zavod valorizira (Intervju, HZZ, 2018).

Uz nestandardne oblike rada često se vežu državni poticaji u smislu osiguravanja poslodavcima nižih naknada za socijalna davanja ili nižih poreznih davanja, a sve radi sprečavanja sive ekonomije i sličnih problema. Stoga su u Hrvatskoj nestandardni oblici rada kao i samozapošljavanje formalno pokriveni socijalnim osiguranjem, ali s velikim razlikama u visinama osnovica po kojima se ti doprinosi uplaćuju (Intervju, MRMS, 2018). U sklopu intervjua naglašeno je da treba razlikovati da li se na neki oblik rada uopće plaćaju doprinosi, koji se doprinosi plaćaju i ako se plaćaju, koja je stopa doprinosa i koja je osnovica za plaćanje tih doprinosa. Sve je to važno i utječe na cijenu rada (Intervju, Katedra za radno pravo, 2018). Prema mišljenju nekih stručnjaka, radi razvoja novih oblika rada trebalo bi pronaći modele koji su jednostavni u pogledu fiskalnih učinaka. Stoga bi bilo dobro uvesti jedinstvenu stopu poreza (Intervju, HZZ, 2018). Svi bi trebali plaćati porez, ali bi porezna stopa trebala biti puno niža nego sada, npr. deset posto na cjelokupni iznos (Intervju, Katedra za radno pravo, 2018).

U sklopu intervjua istaknuta je bojazan od učinaka predloženog podizanja osnovice na direktorske plaće. Prvi put to se dogodilo prije nekoliko godina kada je direktorska osnovica podignuta s običnog minimalca na direktorski minimalac od 5080 kn. Tada je bilo malo otpora toj odluci, ali sada se predlaže daljnje podizanje na 8000 kn.<sup>27</sup> Istaknuto je da će takvo podizanje biti vrlo veliko opterećenje, jer vjerojatno pola današnjih malih tvrtki i start-upova ne bi postojalo da su takvi uvjeti bili na snazi u vrijeme kada su se osnivali (Intervju, Impact Hub Zagreb, 2018). Porezna politika u Hrvatskoj ide na ruku nestandardnom radu zato što postoji porezna olakšica na isplate do 3800 kn. To prema jednom sugovorniku znači da se poslodavce stimulira da radnike prijavljuju na minimalne plaće, a da im ostatak zarade isplaćuju na ruke, umjesto da ih se stimulira da isplaćuju plaće koje su više od minimalne (Intervju, Katedra za radno pravo, 2018).

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27 U srpnju 2018. minimalna plaća u Hrvatskoj iznosila je 3440 kn ili 466 eura.

### **Okvir 10. Impact Hub Zagreb**

Impact Hubovi su mjesta koja promiču i podržavaju poduzetništvo usmjereno na relevantne društvene i okolišne izazove i koja funkcioniraju zahvaljujući digitalnoj ekonomiji. Okupljaju globalnu zajednicu poduzetnika, aktivista, kreativaca, profesionalaca i svih pojedinaca koji žele raditi ili već rade na idejama ili pothvatima koji stvaraju pozitivne promjene. Impact Hub Zagreb svojim članovima, pojedincima, tvrtkama i organizacijama nudi zajedničke radne prostore (+ pristup bežičnom internetu, besplatnu kavu/čaj, govornice za razgovore, sobu za sastanke, mogućnost printanja i kopiranja), pristup lokalnoj i globalnoj zajednici nositelja promjena te kvalitetne programe i usluge. Impact Hub Zagreb djeluje kao poduzetničko -potporna institucija (PPI) što znači da je službeno na listi institucija koje svojim aktivnostima pomažu poduzetničke aktivnosti, pa tako privlači brojne nezavisne profesionalce, tvrtke i obrte. Organizacija nudi cijeli niz tzv. inkubacijskih ili mentorskih programa ovisno o interesu i broju određene vrste korisnika. Financira se manjim dijelom kroz potpore iz Strukturnih fondova. Puno veći dio dolazi iz najma prostora, ali većina prihoda ostvaruje se od dizajna i kreiranja novih programa za klijente koji su uglavnom iz inozemstva.

Izvor: Intervju, Impact Hub Zagreb, 2018.

Hrvatskoj su potrebne promjene u obrazovnom sustavu kako bi bolje odgovarao današnjim potrebama tržišta rada. Naglašeno je da dobri primjeri iz prakse postoje kada govorimo o privatnim fakultetima i njihovim poveznicama s tržištem rada, no sveučilišni studiji su još uvijek previše akademski i znanstveno usmjereni. Međutim, da bi se započeo taj veliki organizacijski posao potrebno je urediti baze podataka, evidencije, klasifikaciju zanimanja i vještina te srednjoškolske i visokoobrazovne upisne kvote (Intervju, MRMS, 2018). U sklopu intervjuja istaknuto je da je nedavno izmijenjen nacionalni kurikulum koji vodi Ministarstvo znanosti i obrazovanja te je eksperimentalno u petom i šestom razredu uvedena informatika. Ipak, na putu k potpuno uspješnoj provedbi te mjere stoji problem nedostatka kvalitetnog kadra i nedostatka kompetencija učitelja i nastavnika koji predaju sve predmete, a ne samo informatiku. Jedan od izazova svakako je primjena informatike u predmetima koji nisu tehnološke prirode. Dakle, nije samo pitanje postoji li u školi informatika, nego i na koje će se načine koristiti nove metode učenja (Intervju, Ured rdd, 2018).

Velik problem vezano uz digitalizaciju i obrazovanje predstavlja i činjenica da broj studenata koji završavaju STEM fakultete ne prati broj radnih mjesta koja se otvaraju u toj industriji. Uz ono što se nudi na državnoj razini postoje dva privatna elektrotehnička fakulteta, što je sve zajedno daleko ispod iskazanih potreba IKT tvrtki na godišnjoj razini (Intervju, MRMS, 2018). Kao posebno pitanje istaknuta je dilema kako IKT stručnjake zaposliti u državnoj upravi kojoj su potrebni, a ona nije u mogućnosti ponuditi plaće koje bi bile na razini onoga što je standard u privatnom sektoru (Intervju, Ured rdd, 2018). Dodatni je problem vrlo nefleksibilan način primanja u državnu službu. Da bi se zapošljavanje realiziralo potrebno je imati plan zapošljavanja i razna druga odobrenja što sve onemogućava brzo reagiranje na potrebe za IKT stručnjacima (Intervju, Logička matrica, 2018).

## 4.2. Intervjuji s poslodavcima u IKT sektoru

Poslodavci u IT sektoru najviše zapošljavaju djelatnike na neodređeno vrijeme. Razlog je velika potražnja za stručnjacima kojima se, kako bi ih se zadržalo, nastoje ponuditi najbolji mogući uvjeti rada. Ipak, velik broj ispitanika potvrdio je da manjim dijelom (do 10%) zapošljavaju stručnjake i u nestandardnim oblicima rada. Tu se prije svega radi o angažiranju vanjskih suradnika koji djeluju kao samozaposleni ili pak pružaju usluge putem autorskih i ugovora o djelu, a što bi se prema nomenklaturi Eurofonda moglo svrstati pod portfeljni rad i privremeno upravljanje, ovisno o karakteru posla (Intervju, Perpetuum Mobile, Croz, Infobip, Nanobit, 2018). Takav tip angažmana uglavnom je vezan uz rad na projektima čije je trajanje vremenski ograničeno a provedba iziskuje posjedovanje specifičnih vještina. Neki od ispitanika naglasili su da su brojnim takvim stručnjacima nudili i trajan posao, no oni su to odbili jer kao nezavisni profesionalci imaju veću profesionalnu slobodu i smatraju da mogu bolje zaraditi (Intervju, Perpetuum Mobile, Nanobit, Bonobostudio, 2018).

Brojne tvrtke koriste i studentski rad, između ostalog i kao metodu za upoznavanje potencijalnih novih zaposlenika. Vrlo često se studenti nakon završetka studija trajno zapošljavaju u tvrtki za koju su prethodno povremeno radili putem studentskih ugovora. Ipak, učestala je i pojava da studenti nakon diplome isprva pokušavaju samostalno pokrenuti posao te se tek nakon nekoliko godina, suočeni s teškoćama samostalnog poslovanja, zapošljavaju u renomiranim IKT tvrtkama. Iz perspektive poslodavaca u IKT sektoru takav karijerni put mladih ljudi ne ide nikome u korist i vjerojatno bi se u obostranom interesu mogao prevladati

boljom profesionalnom orijentacijom još tijekom školovanja (Intervju, Croz, 2018; Intervju, Comping, 2018). Neke od IKT tvrtki nude stipendije studentima u sklopu kojih odrađuju praksu u tvrtki što predstavlja priliku za bolje međusobno upoznavanje, dok druge radije nude mogućnosti pripravništva kao probnog razdoblja prije potpisivanja standardnog ugovora o radu (Intervju, Comping, 2018; Intervju, Nanobit, 2018).

Mobilni rad temeljen na IKT-u u Hrvatskoj je omogućen odredbama Zakona o radu koje se odnose na ugovore s alternativnim mjestom rada. Međutim, u intervjuima je više poslodavaca izrazilo nezadovoljstvo usvojenom zakonskom regulativom koju drže previše kompliciranom za učestalije korištenje. Za korektnu primjenu usvojenih odredbi potrebno je s radnikom sklopiti ugovor o radu s izdvojenim mjestom rada, paziti na zaštitu na radu, voditi drugačiju evidenciju radnog vremena, paziti na opremu koju radnik koristi itd. (Intervju, Nanobit, Croz, Infobip, 2018). S druge pak strane, više poslodavaca istaknulo je da kada je riječ o kraćim razdobljima povremeno toleriraju rad od kuće, jer za tvrtku nije važna forma već obavljen posao (Intervju, Logička matrica, Perpetuum Mobile, Gidenon Brothers, Bonobostudio, Srce 2018).

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Većina intervjuiranih poslodavaca ne koristi online platforme kako bi pronalazili radnike za obavljanje određenih manjih poslova. Ipak, kada je riječ o vrlo specifičnim zadacima za koje tržište u Hrvatskoj ne postoji, takve se platforme koriste. Primjerice, tvrtka Nanobit, koja se bavi razvojem mobilnih igara, redovito traži narativne dizajnere koji kreiraju priče za njihove igre putem Upwork platforme. Pri tome sa stranim radnikom sklapaju autorski ugovor kako bi uredno podmirili fiskalne obaveze prema državi (Intervju, Nanobit, 2018). Ipak, više intervjuiranih poslodavaca naglasilo je da radnici koji rade putem platformi često nisu fiskalno i statistički prepoznati, čime se u sektoru stvara nelojalna konkurencija, pa to upućuje na potrebu razvoja dodatne zakonske regulative (Intervju, Bonobostudio, 2018; Intervju, Comping, 2018).

Dijeljenje radnika nije regulirano Zakonom o radu iako zbog manjka stručnjaka za tim postoji velika potreba unutar IKT sektora (Intervju, Nanobit, Perpetuum Mobile, Infobip, 2018). Neki poslodavci međutim smatraju da će to u praksi biti vrlo teško provesti zbog odredbi europske direktive o zaštiti podataka (Intervju, Infobip, 2018). Rad putem vaučera u poljoprivredi pohvaljen je kao inovativan iskorak te je istaknuto da bi isto trebalo omogućiti i u drugim sektorima uključujući IKT gdje je fleksibilnost izrazito važna (Intervju, Nanobit, 2018; Intervju, Croz, 2018).

Za poslodavce u IKT sektoru nedovoljna fleksibilnost Zakona o radu predstavlja prepreku uspješnijem poslovanju. Zbog toga se zalažu za promjene Zakona o radu koje bi svim novim oblicima zapošljavanja

omogućile jednak društveni, gospodarski i fiskalni tretman. Rad putem ugovora o djelu i autorskih ugovora za poslodavca nije jeftin, a radniku koji tako radi ne osigurava usporedive beneficije koje donosi radni odnos u obliku socijalnih i materijalnih prava (Intervju, Croz, Infobip, Nanobit, Gideon Brothers, 2018). Stoga smatraju da bi bilo korisno liberalizirati mogućnost rada na dodatni ugovor o radu s drugim poslodavcem, što je trenutačno ograničeno na osam sati tjedno (Intervju, Nanobit, 2018). Poslodavci ističu da se IKT sektor više nego druga područja nalazi u bespoštednoj globalnoj utakmici te da ih kaska za svjetskim trendovima kada se radi o radnom zakonodavstvu čini manje konkurentima (Intervju, Croz, Infobip, Nanobit, Gideon Brothers, 2018).

Intervjuirani poslodavci istaknuli su da im je Europska direktiva o zaštiti podataka prilično zakomplicirala poslovanje jer je previše rigorozna i uvodi neke dodatne korake što nije u interesu poslovnih kompanija s obzirom na to da procesi sada dulje traju (Intervju, Infobip, 2018). Osim toga, provedba te direktive je skupa. Nakon donošenja Direktive razvila se čitava industrija pravnika i drugih stručnjaka koji zarađuju na njezinoj zahtjevnoj implementaciji. Sve to naročito opterećuje male tvrtke koje rade s relativno malim sredstvima i sada su još manje u prilici uspješno poslovati (Intervju, Impact Hub, 2018).

Prema poslodavcima, za uspješnije poslovanje u IKT sektoru trebalo bi puno bolje zakonski urediti pitanje dijeljenja dobiti sa zaposlenicima, ustupanja malih udjela u tvrtki djelatnicima ili opcionalnih udjela. Kad bi se to pitanje moglo riješiti izvan klasičnog okvira suvlasništva u tvrtki to bi, prema ispitanicima, za zaposlenike bilo vrlo privlačno i psihološki poticajno (Intervju, Perpetuum Mobile, 2018; Intervju, Croz, 2018). Nadalje, istaknuto je da bi u fiskalnom smislu trebalo smanjiti porez na dobit, koji u Hrvatskoj iznosi 20% što je čini nekonkurentnom destinacijom za rad stranih stručnjaka u IT sektoru (Intervju, Perpetuum Mobile, 2018).

#### Okvir 11. Rimac Automobili

Rimac Automobili je globalno poznat hrvatski proizvođač automobila osnovan 2009. godine s vizijom stvaranja sportskih automobila za 21. stoljeće uz pomoć digitalne tehnologije. Tvrtka proizvodi električne hiperautomobile, pogonske sustave i sustave baterija. U posljednjih pet godina Rimac je povećao prihode sa 0,5 milijuna eura na 8 milijuna eura. Broj zaposlenika povećan je sa 16 na više od 400 zaposlenika iz 26 zemalja svijeta. Tijekom godina Rimac Automobili postao je dobavljač električnih pogonskih sustava za neke od vrhunskih svjetskih marki automobila kao što su Merce-

des-AMG (SLS E-Cell), Koenigsegg (Regera), Aston Martin (Valkyrie) i VW Group (Cupra e-Racer). Nedavno je Porsche kupio manjinski udio u kompaniji radi suradnje na budućim električnim sportskim automobilima. Osnivač i direktor tvrtke dobio je 2017. godine Nagradu Ernst & Young zapoduzetnika godine. U rujnu 2018. Tvrtka Automobili Pininfarina najavila je ugovor o suradnji s Rimcem u vrijednosti od 80 milijuna eura. Rimac će osigurati elektropogon, softver, hardver i baterijski sustav za tu tvrtku i razvoj njihova prvog električnog automobila visokih performansi, PF0. U prosincu 2018. Europska investicijska banka odobrila je tvrtki Rimac Automobili zajam vrijedan 30 milijuna eura za istraživanje, razvoj i proširenje proizvodnih kapaciteta, omogućen kroz Investicijski plan za Europu.

Izvor: [www.rimac-automobili.com](http://www.rimac-automobili.com)

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Može se pretpostaviti da će se u budućnosti u IKT sektoru nastaviti započeti trendovi na tržištu rada. Prema ispitanicima nastavit će se pomak prema novim oblicima rada i zapošljavanja jer među radnicima postoji velika potreba da sami kreiraju svoje radno vrijeme i poslove koje obavljaju. Osim toga, plaća više nije jedini čimbenik koji ljude drži zaposlenima. Tu su i ostale beneficije koje kompanija nudi, kao što su to dodatne edukacije ili dječji vrtić (Intervju, Infobip, Gideon Brothers, Nanobit, 2018.). Tvrtka Nanobit veliku pažnju posvećuje ugodnoj radnoj atmosferi, koja postaje sve važniji čimbenik pri odabiru posla. Tako svojim zaposlenicima Nanobit omogućuje sat vremena pauze kada se relaksiraju uz društvene igre poput stolnog tenisa ili Playstationa, nakon čega se osvježeni vraćaju na posao (Intervju, Nanobit, 2018).

Softveri postaju sve manji, brže se koriste, brže mijenjaju, brojniji su i lakše se rade. Takav razvoj nužno usmjerava radnu snagu u IKT sektoru prema manjim timovima. Zato velike tvrtke od nekoliko tisuća ljudi neće nestati, ali će se morati reorganizirati. U budućnosti će naglasak vjerojatno biti na fleksibilnim malim timovima koji će se brže povezivati i razdvajati s timovima iz drugih tvrtki u sklopu suradnje na pojedinim projektima. Istaknuto je da već sad postoje online platforme koje povezuju IKT tvrtke na takvoj osnovi kako bi se omogućila veća efikasnost i kvaliteta. Međutim, za nesmetani daljnji razvoj u tom smjeru nužna je odgovarajuća zakonska i fiskalna regulacija kako takva perspektivna suradnja ne bi zapala u sivu zonu (Intervju, Perpetuum Mobile, 2018).

**Okvir 12. Četverodnevni radni tjedan**

U rujnu 2018. mala hrvatska konzultantska tvrtka Logička matrika prva je u zemlji odlučila prijeći na četverodnevni radni tjedan. Takav raspored u skladu je sa Zakonom o radu prema kojem je puno radno vrijeme četrdeset sati tjedno, s tim da između dvije smjene mora biti razmak od najmanje dvanaest sati. Prije uvođenja ove nove organizacije rada tvrtka se informirala u pravnoj službi Hrvatske udruge poslodavaca gdje je dobila podršku. Predviđen je rad od četiri dana u tjednu po deset sati, a djelatnicima bi bilo prepušteno na izbor koji će dan uzeti slobodno. Uvođenje četverotjednog radnog tjedna većinom je naišlo na odobravanje javnosti, no neki sindikati smatraju da će radnici morati raditi više i dulje, a ministar rada je izjavio da će taj eksperiment trebati temeljito i pažljivo promatrati. Četverodnevni radni tjedan već je isproban na Novom Zelandu, a tamošnja akademska istraživanja potvrdila su da je takav raspored unaprijedio posao, doveo do boljih rezultata, ali i do većeg zadovoljstva radnika. Čak 78 posto radnika izjavilo je da na takav način dobro usklađuju poslovni i privatni život. Slični eksperimenti s pozitivnim ishodom iskušavani su i u nekim skandinavskim zemljama. Iz tvrtke poručuju da su novi obrasci upravljanja radnim vremenom zasnovani na novim tehnologijama koje omogućuju efikasnije upravljanje radnim procesima, efikasniju proizvodnju i reduciranje vremena potrebnog za putovanje do radnog mjesta. Prelazak na četverodnevni radni tjedan u Logičkoj matriki uvodit će se postupno. Isprva će samo jedan djelatnik (uz rotacije abecednim redom) raditi četiri dana u tjednu, a ako se to pokaže dobrim rješenjem, cjelokupni posao organizirat će se na taj način.

Izvor: Bogdanić, 2018.

### 4.3. Fokus grupa sa socijalnim partnerima

Vežano uz raspravu o motivima za rad sudionici su naglasili da je za radnika temeljni i osnovni motiv plaća, ali da su motiv i dugi aspekti poput npr. sigurnosti što je naročito izraženo u tranzicijskim društvima. Kao jedan od daljnjih motiva za rad i zadržavanje na nekom poslu istaknuto je poticajno radno okruženje što uključuje dobru atmosferu, povjerenje, ali i adekvatna primanja. Predstavnici sindikata sumirali su raspravu ističući šest dimenzija dobrog radnog mjesta: dobra plaća; sigurnost zaposlenja; adekvatno riješeno pitanje radnog vremena; mogućnost daljnjeg

obrazovanja; zaštita na radu; te glas na radnom mjestu. Kao ključne elemente korektnog odnosa prema radu oba socijalna partnera istaknula su odgovornost, marljivost, predanost i točnost.

Usljedila je rasprava o dilemi što je za poslodavca važnije kada traži novog radnika, radno iskustvo ili potencijali. Predstavnici poslodavaca ustvrdili su kako to ovisi o potrebama specifičnog radnog mjesta te da nije moguće imati jedinstven stav koji bi se mogao primijeniti na sve situacije. Međutim, sindikati to nisu prihvatili već su zaključili da je poslodavcima u Hrvatskoj obično važnije radno iskustvo od potencijala. To su objasnili činjenicom da se brojni radnici zapošljavaju na određeno vrijeme iz čega slijedi da poslodavci ne namjeravaju ulagati u razvoj njihovih potencijala. Oba socijalna partnera pozitivno su ocijenila princip prema kojem bi mladi ljudi kada ulaze u svijet rada što je više moguće trebali surađivati sa starijim kolegama kako bi profitirali od njihovog iskustva i na taj način najbolje usmjerili i razvijali svoje potencijale.

Slika 7. Redoslijed važnosti koristi koje radnik može ostvarivati na svom radnom mjestu – stavovi sindikata i poslodavaca

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\*Elementi jednake važnosti

U sklopu fokus grupe predstavnici sindikata i poslodavaca iz vlastite su perspektive poredali prema redoslijedu važnosti različite koristi koje zaposlenici mogu ostvarivati na nekom radnom mjestu. Pokazalo se da se fleksibilno radno vrijeme te zdravstveno osiguranje pojavljuju među prva tri prioriteta u obje skupine, dok je vezano uz ostale koristi uočena razmjerno velika podijeljenost. Velika razlika može se uočiti vezano uz profesionalno usavršavanje, koje je grupa poslodavaca odredila kao najvažniju korist za radnika, dok su je sindikati smjestili tek na peto mjesto svoje liste prioriteta (slika 7). Predstavnici sindikata naglasili su da su listu sastavili prema osobnom nahođenju te da bi u skladu s postulatima sindikalizma materijalna prava kao što su besplatni prijevoz, božićnica i regres trebalo bolje rangirati. U raspravi su se socijalni partneri složili da kad nastane problem vezano uz bilo koji od navedenih pojmova, tada on postaje najvažniji, te je utoliko bitno da se o svemu vodi računa.

Socijalni partneri izdvojili su spremnost na učenje kao ključan čimbenik u digitalnoj ekonomiji. To je objašnjeno činjenicom da je digitalna ekonomija dinamična i da se u njoj sve vrlo brzo mijenja. Uz to kao bitni čimbenici izdvojene su samodisciplina i samoodgovornost s obzirom na to da danas nestaju stari hijerarhizirani sustavi nadzora radnika, a radnik je često u položaju da se zalaganjem izbori za više.

Odlazak radne snage iz Hrvatske, naročito obrazovane i digitalno pismene, prema mišljenju sudionika fokus grupe značajno utječe na usporavanje razvojnih procesa i sporo dostizanje razine razvijenosti digitalne ekonomije prisutne u zapadnoeuropskim zemljama. Najizraženiji negativni aspekt odlaska radne snage, prema mišljenju sudionika, predstavlja činjenica da su tim fenomenom zahvaćeni najviše mladi, koji su najotvoreniji prema usvajanju digitalnih vještina. Ipak, rečeno je i da problem odlaska radne snage barem donekle ublažava činjenica da digitalizacija ruši granice, čime fizička lokacija radnika u brojnim situacijama gubi na važnosti.

Pokazalo se da udruga poslodavaca, kao i sindikati, ima malo izravnog iskustva s novim oblicima rada i zapošljavanja u digitalnoj ekonomiji sukladno kategorizaciji Eurofonda iz 2015. godine. Prema procjenama sudionika, na hrvatskom je tržištu zastupljeno privremeno upravljanje, posredstvom konzultantskih tvrtki, kada postoji potreba za financijskim restrukturiranjem. Nadalje, zastupljen je i portfeljni rad, često u vidu in-house edukacija. Rad po potrebi prisutan je najviše u kulturi, dok je mobilni rad putem IKT-a općenito prisutan ali ne i zakonski najbolje riješen. Prema procjenama socijalnih partnera, udio članova u njihovima vlastitim organizacijama koji rade u novim oblicima rada zanemariv je (manje od 5%).

U raspravi o razlozima zbog kojih radnici pristupaju novim oblicima rada istaknuta je potreba za autonomnim osmišljavanjem posla, samostalnosti i većim stupnjem fleksibilnosti. Međutim, predstavnici sindikati naglasili su da u većini slučajeva takav rad nije izbor radnika. Prema sindikatima radnici te poslove većinom rade zato što ih je poslodavac usmjerio da na taj način obavljaju posao, na što su predstavnici poslodavaca reagirali s negodovanjem. Za predstavnike sindikata, putem takvih radnih modela poslodavci rizik poslovanja prebacuju na radnike te se gubi klasična poveznica između poslodavaca i radnika, a sve to ide na štetu radnika. Poslodavci su nasuprot tome istaknuli da te nove oblike rada ne možemo izbjeći te da treba mijenjati mentalitet kako bi svaki pojedinac shvatio da je sam odgovoran za svoju zapošljivost.

Prema sindikatima, online platforme često služe kao instrument za prvo filtriranje kandidata za posao. Istaknuto je i da taj oblik rada ponekad može biti koristan, primjerice kod preseljenja u stranu zemlju radnika koji ne vlada jezikom. Sindikati međutim ne odobravaju činjenicu da platforme funkcioniraju po principu dražbe prema dolje. U takvoj situaciji posao dobiva onaj koji nudi najnižu cijenu čime se provodi dumping nad cijenom rada. Takva situacija ne ide nikome u prilog, jer dugoročno trpi kvaliteta. Kao što odvjjetnička ili liječnička komora imaju svoje tarife, smatraju sindikati, tako bi i u ovom području trebalo postaviti standarde.

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Uzimajući u obzir stalne promjene na tržištu rada, sudionici su zaključili da socijalni dijalog poslodavaca i radnika (sindikata) predstavlja najučinkovitije rješenje za zaštitu prava objiju strana, dok je uloga države osigurati zaštitu u područjima koja su izvan nadležnosti poslodavaca i sindikata kao što je socijalna sigurnost. Prema ocjeni socijalnih partnera osnovna je trenutačna potreba postavljanje minimalnih standarda uvjeta rada vezano uz nove oblike rada kao što su minimalna plaća, minimalni dnevni odmor i beneficije.

Sudionici su istaknuli da velika većina novih oblika rada ima globalan karakter. U tom smislu naglašena je važnost međunarodnog umrežavanja i globalnog socijalnog dijaloga. Kao pozitivan primjer sudionici su naveli da međunarodni transportni radnici preko svoje međunarodne federacije već zaključuju kolektivne ugovore na svjetskoj razini. U konačnici zaključeno je da postoji vidljiva potreba za proširivanjem pojma radnika kako bi obuhvatio i te nove oblike rada u digitalnoj ekonomiji koje naš Zakon o radu još uvijek ne prepoznaje.

Zakonski okvir su socijalni partneri ocijenili kao neadekvatan za regulaciju i kontrolu novih oblika rada od strane inspekcije rada. Problem su za sindikate čak i oni oblici nestandardnog rada koje Zakon o radu

prepoznaje. Ti su oblici prema sindikalistima tako loše regulirani i za radnike nepovoljni, da ih usmjeravaju prema novim oblicima rada u digitalnoj ekonomiji. Socijalni partneri su zaključili da je nužno razvijati bipartitni socijalni dijalog vezano uz ovu temu jer mnogo toga država ne može sama uređivati. Takav dijalog trebao bi se fokusirati na utvrđivanje standarda zanimanja, ali i na predviđanja budućih kretanja te u skladu s time i na potrebne edukacije.

### Okvir 13. Industrijski odnosi u Hrvatskoj

Industrijske odnose u Hrvatskoj na svim razinama obilježavaju fragmentacija sindikalne scene i jedinstvo poslodavaca. U 2015. godini bilo je registrirano više od 600 sindikata, od kojih je njih oko 150 bilo učlanjeno u četiri reprezentativne sindikalne središnjice (Bagić, 2015). U 2013. godini, kada je provedeno zadnje prebrojavanje, četiri reprezentativne sindikalne središnjice imale su ukupno 365.412 individualnih članova (Šeperić, 2016). Što se poslodavaca tiče, Hrvatska udruga poslodavaca (HUP) obuhvaća oko 5000 poduzeća koja zapošljavaju više od 50% radnika u privatnom sektoru odnosno gotovo 400.000 radnika. Stoga je HUP na nacionalnoj razini jedini relevantan socijalni partner na strani poslodavaca. Međutim, unutarnja struktura HUP-a ne poklapa se uvijek sa strukturom sindikalnih organizacija što slabi socijalni dijalog na granskoj razini (Butković et al., 2018). Procjenjuje se da je opća sindikalna gustoća u Hrvatskoj oko 26%, s trendom opadanja (Šeperić, 2017). Krajem 2014. godine kolektivni ugovori uređivali su prava oko 53% radnika u usporedbi s oko 61% njih 2009. (Bagić, 2016). Većinu kolektivnih ugovora predstavljaju ugovori na razini poduzeća. Ipak, većina radnika nije pokrivena takvim ugovorima, već onim granskim od kojih su neki odlukom ministra rada prošireni na čitav sektor (Samardžija et al., 2017). Gospodarsko-socijalno vijeće (GSV) predstavlja najviši oblik tripartitnog socijalnog dijaloga u zemlji. To je savjetodavno tijelo koje čine predstavnici vlade, reprezentativne udruge poslodavaca više razine te sindikalnih središnjica koje ispunjavaju uvjete reprezentativnosti (Butković et al., 2018). Slabljenje socijalnog dijaloga kao instrumenta pri donošenju odluka može se promatrati kao posljedica gospodarske krize, kada je Vlada učestalo posezala za unilateralnim odlukama (Samardžija et al., 2017).

Izvori: Bagić, 2015; Šeperić, 2016; Šeperić, 2017; Butković et al., 2018; Samardžija et al., 2017.

#### 4.4. Fokus grupa s nezavisnim profesionalcima

Sudionici fokus grupe složili su se da je za poslodavca najvažnije dobiti kvalitetno obavljen posao i što manji trošak rada. Uz to, važna je pouzdanost što znači da se poslodavac može osloniti na to da će posao biti kvalitetno i stručno obavljen. Isto tako, rečeno je da je za poslodavca vrlo važna točnost odnosno poštivanje postavljenih rokova. Istaknuta je i važnost samoorganizacije, koja je preduvjet za optimalno funkcioniranje u turbulentnom poslovnom okruženju nezavisnih profesionalaca.

Razmatrajući dilemu što je za poslodavca važnije kada traži novog radnika, radno iskustvo ili potencijali, sudionici fokus grupe istaknuli su da to ovisi o vrsti posla. Ipak, kroz dublju raspravu prevladalo je mišljenje da brojnim poslodavcima u potrazi za jeftinom radnom snagom iskustvo nije najvažnije, jer iskusni radnici obično znače i veći trošak. Kao poseban problem sudionici su istaknuli da poslodavci u javnom sektoru u Hrvatskoj često ne razlikuju između iskustva i radnog staža. Međutim, iz perspektive nezavisnih profesionalaca ta razlika postoji i veoma je naglašena, jer oni često imaju puno iskustva ali istovremeno malo radnog staža. Neki od sudionika naglasili su da dio odgovornosti za to što poslodavci nedovoljno vrednuju iskustvo leži i na samim nezavisnim profesionalcima. Jedan od ustaljenih obrazaca rada nezavisnih profesionalaca jest da kroz iskustvo rada na jednom projektu dolaze do drugog. Stoga je veoma važno da od samog početka ne pristaju raditi za poslodavce koji nude loše uvjete jer im u konačnici to može zakomplicirati put prema boljim uvjetima rada.

Sudionici fokus grupe zaključili su da su pri odabiru posla radnicima najvažnija primanja, nakon čega slijede sigurnost i radna okolina te naposljetku mogućnost napredovanja. Pritom su naveli kako ti prioriteti znatno ovise o dobi i da je kod mlađih osoba vjerojatnije da će želja za napredovanjem biti izraženija. Primanja i sigurnost sudionici su smatrali osobito važnim prioritetima u privatnom sektoru jer je on u odnosu na javni sektor dinamičniji, ali i za radnike nesigurniji.

U sklopu fokus grupe predstavnici nezavisnih profesionalaca podijeljeni su u dvije grupe te su iz vlastite perspektive prema redoslijedu važnosti poredali različite koristi koje zaposlenici mogu ostvarivati na radnome mjestu. Rezultati su pokazali da se fleksibilno radno vrijeme te zdravstveno osiguranje pojavljuju kao prva tri prioriteta u objema skupinama. Jedino su se bonovi za topli obrok pojavili kao korist koja je pozicionira na dnu ljestvice važnosti u objema grupama, dok je percipirana važnost ostalih koristi varirala (rad od kuće, subvencionirano obrazovanje, profesionalno usavršavanje, božićnica i regres, besplatni prijevoz, besplatni

smještaj). Osim zadanih koristi sudionici su spontano naveli i neke druge: mogućnost službenih putovanja (zbog promjene okoline), trening za razvoj timova (u svrhu povezivanja s ostalim zaposlenicima), plaćena oprema za rad, mogućnost korištenja službenog automobila, dječji vrtići na radnome mjestu te mogućnost dovođenja kućnog ljubimca na posao.

Prema sudionicima fokus grupe u budućnosti će poznavanje tehnologije, naročito digitalnih komunikacijskih alata, postajati sve važnije za normalno funkcioniranje na većini poslova. U tom smislu istaknuto je da komunikacija putem e-maila već pomalo pripada zastarjeloj tehnologiji, osobito kada je riječ o dinamičnim projektima kao što su primjerice projekti u nakladništvu. Kao jedan takav dobar instrument istaknuta je platforma Slack koja olakšava zajednički rad na nekom projektu tako što unificira različite vrste komunikacija na razini projektnih timova. Kao važni izdvojeni su i drugi komunikacijski alati kao što su WhatsApp, razni Google alati itd.

U raspravi o utjecaju tehnologije na rad jedan od zaključaka bio je i da će se sve više cijeliti vještine koje se tehnologijom ne mogu oponašati. Kao primjer naveden je Googleov prevoditelj koji može biti od koristi za preliminarni prijevod, ali ne može zamijeniti kvalitetnog prevoditelja. Više sudionika reklo je da je kreativnost osobina koju umjetna inteligencija teško može kompenzirati, pa bi je stoga trebalo što više poticati na razini obrazovnog sustava i šire. Sudionici fokus grupe zaključili su da razvoj tehnologije stalno proizvodi nova zanimanja kao što su primjerice influenceri. Riječ je o osobama koje za promoviranje određenih proizvoda ili vještina imaju velik broj „lajkova“ na društvenim mrežama. Tvrtke sve više koriste influencerere kako bi plasirale svoje proizvode i usmjerile potrošačke navike u svoju korist. Influenceri preporučuju neki proizvod i zato dobivaju naknadu. Još jedno takvo zanimanje je čistač društvenih mreža. Tu se radi o privatnim osobama koje u ime neke tvrtke kao što je npr. Facebook čiste društvene mreže od neprimjerenih i uznemiravajućih sadržaja. Istaknuti su i dizajneri računalnih igrica i sličnih digitalnih sadržaja koji se sve više traže na tržištu rada.

Sudionici fokus grupe izjavili su da rade na građanske ugovore, imaju svoj obrt, vlasnici su vlastitih tvrtki ili pak imaju slobodno zanimanje. Uz to, neki od sudionika imaju status slobodnog umjetnika, što olakšava njihov socijalni položaj nezavisnih profesionalaca (okvir 14). S obzirom na nove oblike rada prema kategorizaciji Eurofounda iz 2015. godine većina sudionika imala je iskustva portfeljnog rada, a neki su radili i putem online platformi. Jedna sudionica izjavila je da ima iskustva i sa suradničkim zapošljavanjem.

Vezano uz online platforme kao što je Upwork sudionici su kao jedan od problema istaknuli cijenu rada jer je tržište globalno i zarade koje se mogu postići na taj način obično nisu velike. Toptal platforma je u tom smislu istaknuta kao bolja od većine drugih jer je kod nje jako izražena njihova posrednička uloga između poslodavaca i radnika. Toptal osobito vodi računa o životopisima te provodi i intervjuje kako bi putem selekcije za svoje klijente izabrali radnike koji nisu samo cijenom povoljni, već mogu jamčiti određenu kvalitetu. Više sudionika izjavilo je da su dobili puno poslova putem društvenih mreža kao što su Facebook i LinkedIn. Te društvene mreže za mnoge su se pokazale mnogo boljim instrumentom za dobivanje projekata nego li njihove vlastite web stranice.

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Rasprostranjenost novih oblika rada u vlastitom području djelovanja većina sudionika fokus grupe procijenila je relativno velikom s tendencijom rasta u budućnosti. Pritom je istaknuto da je taj trend izraženiji u nekim djelatnostima kao što je novinarstvo, koje je naročito u tiskanim medijima pretrpjelo velik pad te posljedično poslodavci kroz nove oblike rada nastoje pronaći nove mogućnosti za financijsku konsolidaciju. Ipak, zaključeno je da će u određenom trenutku rad putem novih oblika rada dosegnuti svoj maksimum jer postoje zanimanja koja se mogu raditi samo na klasičan način. Kao osnovni razlog okretanja poslodavaca novim oblicima rada sudionici su istaknuli rezanje troškova, od troškova opreme i osiguravanja radnog prostora, do troškova doprinosa za zaposlenika. Zaključeno je da su novi oblici rada poslodavcima vrlo privlačni jer im omogućuju dio troška rada prebaciti na radnike.

Usljedila je debata o razlozima zbog kojih su sudionici odabrali raditi kao nezavisni profesionalci. Kao jedan od važnijih razloga više njih istaknulo je slobodu izbora projekata na kojima će raditi te potrebu za većom fleksibilnošću u pogledu organizacije radnog vremena što donosi veće mogućnosti usklađivanja poslovnog i privatnog života. Nadalje, istaknuta je sloboda odabira lokacije rada. Sudionici koji rade od kuće naveli su da tako štede vrijeme za dolazak i odlazak na posao te da im to u principu omogućava bolju produktivnost. Ipak, bilo je i onih koji se nisu složili. Za njih vlastiti dom nije lokacija na kojoj su bili previše produktivni jer im je bilo previše teško jasno odijeliti poslovne i privatne obaveze te su se osjećali previše izolirano. Zbog toga su odlučili zajedno s drugim nezavisnim profesionalcima unajmiti poslovni prostor i sada puno bolje funkcioniraju.

#### Okvir 14. Nezavisni profesionalci u EU-u i Hrvatskoj

Prema definiciji Europskoga foruma nezavisnih profesionalaca (EFIP), nezavisnim profesionalcima mogu se smatrati samozaposleni radnici koji su pokrenuli vlastiti posao bez drugih zaposlenika. Oni putem digitalnih platformi ili izravno pružaju tehničke, umjetničke i komercijalne usluge koje su tvrtke i organizacije izdvojile. Za razliku od samozaposlenih osoba, nezavisni profesionalci nemaju nužno stalan prihod ili licenciju za prakticiranje određene profesije. U Europi je danas 11 milijuna nezavisnih profesionalaca, a u SAD-u 53 milijuna (35% radne snage). Tim brojkama treba dodati još 20-30% zaposlenih koji usluge nezavisnih profesionalaca pružaju uz svoj redoviti posao. Prema istraživanju EFIP-a iz 2018. godine nezavisni profesionalci u Europi najčešće su radili u području marketinga i komunikacija (30,9%), IKT-ja (26,5%) te umjetnosti, zabave i rekreacije (18%). Za najveću skupinu nezavisnih profesionalaca (njih 37,8%) prosječno trajanje projektnog angažmana bilo je tri mjeseca. Starijih od 35 godina bilo je 57,1% nezavisnih profesionalaca, a 53,5% bilo ih je s magisterijem ili doktoratom. Čak 76,6% anketiranih izjavilo je da su odabrali raditi kao nezavisni profesionalci, dok ih je 50,7% imalo više od četiri godine iskustva takvoga rada. Posao nezavisni profesionalci pronalaze putem profesionalnih preporuka (57,9%), online platformi (42,7%) te društvenih mreža (28,4%). Brojni nezavisni profesionalci u Hrvatskoj okupljeni su u Hrvatskom društvu nezavisnih profesionalaca (HDNP), neprofitnoj udruzi nastaloj s ciljem kreiranja, održavanja i promicanja zdravog profesionalnog okruženja za sve nezavisne profesionalce koji posluju u Hrvatskoj. Prema preliminarnim rezultatima EFIP-ova istraživanja za Hrvatsku najčešće se za slobodan status u Hrvatskoj odlučuju u umjetničkim zanimanjima (31%), IKT sektoru (21%) te u marketingu i komunikacijama (18%). Istraživanje je pokazalo da se 68% anketiranih u Hrvatskoj odlučilo samostalno raditi svojim izborom, dok ih je 32% izjavilo da su na to bili primorani iz nužde. Osobito žene počinju samostalno raditi iz nužde, dok muškarci u većoj mjeri kažu da se radi o izboru. U odnosu na ostatak Europe, hrvatski samostalni profesionalci, pokazalo je istraživanje, teže dolaze do posla, kraće rade na projektima te ih u većoj mjeri muči naplata.

Izvor: EFIP&MALT, 2018; Vlahović Žuvela, 2018.

Sudionici fokus grupe ustvrdili su da hrvatsko zakonodavstvo ne prati nove oblike rada i zapošljavanja. Stoga se osjećaju nezaštićenima i zaklinalima za svoja prava. U zakonima nije jasno definirano što je nezavisni profesionalac te odatle potječu brojni problemi s realizacijom materijalnih i drugih prava. Pri tome, osobe koje imaju samostalnu djelatnost u pravilu bolje realiziraju svoja prava, a najveći problem imaju oni koji rade putem ugovora o djelu i autorskih ugovora. Radnici koji rade putem građanskih ugovora uplaćuju doprinose za zdravstveno osiguranje, a za to ne dobivaju ništa više od osnovnog zdravstvenog osiguranja na što imaju pravo i oni koji ne rade. Kad se razbole više od 42 dana poslodavci im ne plaćaju bolovanje, a bez obzira na uplaćene mirovinske doprinose teško ostvaruju prava iz mirovinskog osiguranja.

Postojeće zakonodavstvo, prema sudionicima fokus grupe, puno bolje štiti poslodavce nego njih. Postoji više pravnih mogućnosti kako nezavisni profesionalci mogu raditi. Poslodavci često diktiraju taj pravni oblik, dok s druge strane radnici često nemaju mogućnost izbora. Zakonodavstvo je općenito neprilagođeno novom vremenu jer postoje brojni primjeri apsurdnih odredbi, primjerice ona o potrebi držanja skladišta prilikom prodaje bez obzira na to što proizvod koji se nudi može biti digitalan.

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Sindikata nezavisnih profesionalaca u Hrvatskoj ne postoji. Međutim, sudionici su istaknuli da Hrvatsko društvo nezavisnih profesionalaca nastoji podići svijest o potrebi bolje regulacije ovog područja i bolje pravne zaštite nezavisnih profesionalaca. Problem je međutim u tome što su kapaciteti HDNP-a ograničeni jer Društvo djeluje na volonterskoj osnovi. Prva spontana reakcija na spominjanje sindikata kod nekolicine sudionika bila je negativna te usmjerena na trenutačno medijski izložene sindikalne organizacije i njihovu percipiranu „politiziranost”. Istovremeno, samu ideju osnutka sindikata nezavisnih profesionalaca prihvaća većina sudionika ako bi takav sindikat uspješno obavljao svoju osnovnu svrhu, zaštitu prava takvih radnika. Zaključeno je da su za uspješan rad sindikata nezavisnih profesionalaca od presudne važnosti moderne tehnologije jer je takve radnike drugačije teško okupiti.

**Okvir 15. Slobodni umjetnici u Hrvatskoj**

Zakon o pravima samostalnih umjetnika i poticanju kulturnog i umjetničkog stvaralaštva uređuje prava samostalnih umjetnika, osnivanje i djelovanje umjetničkih organizacija te mjere za poticanje kulturnog i umjetničkog stvaralaštva. Zakon propisuje da su samostalni umjetnici osobe koje nemaju radni odnos, a kojima je umjetničko stvaralaštvo i djelovanje jedino i glavno zanimanje. Svi umjetnici koji žele dobiti status slobodnog umjetnika za likovno i multimedijalno stvaralaštvo moraju zadovoljiti propisane kriterije. Samostalni umjetnici svoj status reguliraju u krovnoj udruzi, Hrvatskoj zajednici samostalnih umjetnika (HZSU). Članstvom u HZSU-u oni stječu pravo na uplatu doprinosa za mirovinsko i zdravstveno osiguranje iz sredstava državnog proračuna. Zahtjev za priznavanje tog prava podnosi se putem HZSU-a, a o njemu odlučuje povjerenstvo u kojem sjede jedan član HZSU-a, predstavnik Ministarstva kulture i tri predstavnika umjetničkih strukovnih udruga. U sklopu paketa poreznih zakona donesenih početkom 2017. izbrisana je razlika između onih kojima su honorari dopuna primarnom izvoru zarade i onih kojima je to jedini prihod. Zbog toga su brojni umjetnici koji se uzdržavaju putem honorara zatražili ostavku ministrice kulture. Tom prigodom ministrica je najavila izmjene Zakona o pravima samostalnih umjetnika koje će na kvalitetniji način urediti porezni tretman pojedinih kategorija umjetnika.

Izvor: Kuliš et al., 2017; Markovičić, 2017.

## 5. ZAKLJUČCI I PREPORUKE

### 5.1. Zaključci

U nastavku se daju zaključci projekta „Prilagodba industrijskih odnosa novim oblicima rada“ provedenog u Hrvatskoj (veljača 2018. – srpanj 2019.) koji se temelje na desk analizi i empirijskim istraživanjima (anketa, intervjui i fokus grupe) provedenim u skladu sa zajedničkom metodologijom primijenjenom u pet novih država članica EU-a i jednoj državi kandidatkinji. Rezultati istraživanja predstavljaju analitičku osnovu koja može pridonijeti konstruktivnom suočavanju s rizicima digitalizacije koja

unosí velíke promjene u razvoj društva u cjelini, a osobito se ogleđa na tržištu rada.

Iz perspektive tržišta rada glavna dilema vezano uz učinke digitalizacije odnosi se na pitanje je li veći pozitivni efekt u smislu stvaranja novih poslova, ili negativni učinak na gubitak postojećih poslova. Odgovor na to pitanje još uvijek nije jednostavno dati, osobito s obzirom na to da digitalizacija dinamizira tržište rada koje je sada izloženo puno bržim i teže predvidivim promjenama. Neupitno je međutim da digitalizacija uzrokuje dodatnu polarizaciju na tržištu rada time što velikom brzinom ukida poslove srednje razine primanja, a istodobno potiče rast broja poslova u kategorijama više i niže razine primanja. Stoga je od velike važnosti temeljito reformirati obrazovne sustave kako bi mogli valjano odgovoriti na potrebe novih uvjeta na tržištu rada gdje postoji znatna potražnja za stručnjacima s kvalifikacijama iz STEM područja.

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Stupanj digitalizacije država članica EU-a mjeri se Indeksom digitalne ekonomije i društva (DESI) koji svake godine objavljuje Europska komisija. Na godišnjoj razini DESI indeks prati indikatore s pet područja: povezivost, ljudski kapital, upotreba internetskih usluga, integracija digitalne tehnologije i digitalne javne usluge. Hrvatska prema DESI indeksu 2018. koji rangira države prema pokazateljima za 2017. zaostaje za većinom država članica te je pozicionirana na 22. mjesto među EU 28. Nalazi se u skupini manje uspješnih zemalja EU-a, a to su Rumunjska, Grčka, Bugarska, Italija, Poljska, Mađarska, Cipar i Slovačka. U metodologiju izračunavanja DESI indeksa u 2018. unesene su manje izmjene, pa pozicioniranje država nije potpuno usporedivo s prethodnim godinama. Međutim, retroaktivni izračun za prethodnu godinu pokazuje da bi Hrvatska bila na 23. mjestu uz primjenu istog načina izračuna kao prije te je općenito gledajući ostvarila stanovit napredak.

Svaki od pokazatelja koje obuhvaća DESI indeks relevantan je za tržište rada. Međutim, iz perspektive tržišta rada koje dobro funkcionira ljudski kapital može se izdvojiti kao pokazatelj od posebne važnosti s obzirom na rastuću važnost obrazovanja za profesionalni uspjeh pojedinca. Hrvatska je prema tom pokazatelju u sklopu DESI indeksa 2018. na 18. mjestu unutar EU-a (u 2017. bila je na 19. mjestu). Ostvarila je napredak u odnosu na prethodnu godinu u potpokazateljima kao što su broj stručnjaka za IKT te broj osoba s diplomom u STEM području. Ipak, među glavnim preporukama Europske komisije Hrvatskoj iz 2018. godine ponovno se naglašava nužnost napretka u obrazovanju odraslih kao i ubrzanje reforme obrazovnog sustava u cjelini.

Digitalizacija potiče ili predstavlja preduvjet za razvoj brojnih nestandar-

dnih oblika rada koje povezuje potreba za većim stupnjem fleksibilnosti kako u pogledu mjesta obavljanja posla tako i u pogledu vremena predviđenog za rad. Analizirajući tržišta rada država članica EU-a Eurofound je 2015. izradio kategorizaciju novih oblika rada potaknutih digitalizacijom koja prepoznaje devet različitih tipova takvog rada. Oni obuhvaćaju nove modele zapošljavanja ili pak nove načine obavljanja posla u eri industrijske revolucije 4.0. Pokazuje se kako diljem EU-a postoji velika potreba za primjerenijom zakonskom regulacijom tih novih oblika rada koji radnicima obično ne osiguravaju dostatan stupanj socijalne zaštite, te uz to u velikom broju slučajeva nisu odgovarajuće fiskalno regulirani. Spomenuti se oblici rada analiziraju u ovom istraživanju, a oni obuhvaćaju dijeljenje zaposlenika, dijeljenje posla, privremeno upravljanje, povremeni rad, mobilni rad putem IKT-a, rad na temelju vaučera, portfeljni rad, rad putem online platformi te suradničko zapošljavanje.

Rad putem online platformi jedan je od najrasprostranjenijih oblika rada u svijetu izravno vezanih uz fenomen digitalizacije. Online platforme povezuju radnike i poslodavce na globalnoj razini čime poslovi postaju široko dostupni, ali na taj se način i smanjuje cijena rada. Istraživanje koje je 2016. provela Fondacija za europske progresivne studije pokazuje da je oko 11% stanovnika odabranih starih država članica radilo putem online platformi, no da je samo za njih oko 2% takav rad predstavljao glavni oblik zarade. Za sindikate rad putem online platformi, kao i svi drugi novi oblici rada potaknuti digitalizacijom, predstavlja velik izazov jer takvi radnici u pravilu nemaju stalnog poslodavca pa i ne mogu biti sindikalno organizirani u klasičnom smislu. Osim toga, takvim poslovima radnici često ostvaruju tek dodatnu zaradu što također otežava mogućnosti sindikalnog organiziranja.

U Hrvatskoj se, kao i u drugim državama članicama EU-a, digitalizacija smatra jednim od važnijih uzročnika rasta nestandardnih radnih ugovora, a oni obuhvaćaju sve ugovore koji nisu na neodređeno vrijeme i u punom radnom vremenu. Ti nestandardni ugovori u Hrvatskoj u većini slučajeva pružaju pravnu osnovu temeljem koje se mogu koristiti novi oblici rada koje je 2015. identificirao Eurofound. Od svih oblika nestandardnog rada koji su u Hrvatskoj regulirani Zakonom o radu najrasprostranjeniji je rad na određeno vrijeme kao dominantan oblik novog zapošljavanja posljednjih desetak godina. Na razini općeg gospodarstva bilježi se stalni rast rada na određeno vrijeme s tim da je on prema podacima za 2017. zastupljeniji u privatnom sektoru (svaki peti ugovor) nego u javnom (svaki deseti ugovor). Rad u nepunom radnom vremenu u Hrvatskoj je prisutan znatno manje iako i on bilježi trend rasta. U 2016. godini na taj način je radilo 5% zaposlenika u privatnom sektoru te 4% u javnom.

Sukladno Zakonu o radu agencijski rad u Hrvatskoj može se obavljati temeljem ugovora na određeno i neodređeno vrijeme. Međutim, u praksi se svi takvi ugovori sklapaju na određeno vrijeme. U 2016. godini agencijski radnici činili su 1,2% radno aktivnog stanovništva. Institut stalnog sezonskog radnika također predstavlja oblik nestandardnog rada koji je u Hrvatskoj reguliran putem Zakona o radu. Sklapanje te vrste ugovora na određeno vrijeme obvezuje poslodavca da zaposleniku ponudi nov ugovor o radu za sljedeću sezonu. U razdoblju kada ne radi, stalni sezonac od države prima određenu naknadu. Ipak, broj stalnih sezonskih ugovora u odnosu na standardne ugovore na određeno vrijeme vrlo je malen – u 2017. bilo ih je samo 2831.

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U Hrvatskoj najrasprostranjeniji način rada izvan radnog odnosa predstavlja rad putem građanskih ugovora u koje se ubrajaju ugovori o djelu, autorski ugovori i studentski ugovori. Rad temeljem tih ugovora nije reguliran Zakonom o radu već putem drugih pravnih osnova. Rad putem nekog od građanskih ugovora u većini slučajeva koristi se kao ugovorna osnova za provedbu povremenog rada, rada putem online platformi i privremenog upravljanja koje je Eurofound 2015. prepoznao u sklopu svoje kategorizacije. Ugovorom o djelu izvođač se obvezuje obaviti određeni posao u zamjenu za naknadu koju se naručitelj obvezuje isplatiti. Opseg poslova koji se mogu obavljati putem autorskih ugovora puno je uži u odnosu na rad temeljem ugovora o djelu jer se takvi ugovori koriste za rad definiran kao autorsko djelo. Rad putem studentskih ugovora rezerviran je za redovite studente od kojih se u većini slučajeva očekuje da obavljaju poslove za koje se inače zapošljavaju radnici temeljem Zakona o radu. Anketa poslodavaca Hrvatskoga zavoda za zapošljavanje pokazala je da su u 2016. godine 11,9% ugovora hrvatskih poslodavaca činili građanski ugovori. Od toga su 3,7% bili ugovori o djelu, 3,1% autorski ugovori te 5,1% studentski ugovori.

U rad izvan radnog odnosa ubraja se i samozaposlenost, koja se u Hrvatskoj može obavljati temeljem registracije obrta ili paušalnog obrta, kao i temeljem osnivanja trgovačkog društva. U samozaposlene se ubrajaju i djelatnosti slobodnih zanimanja kao što su novinar, umjetnik ili sportaš. Sukladno podacima Eurostata u Hrvatskoj su 2017. godine samozaposleni činili 10,4% radno aktivnog stanovništva, a u sklopu tog postotka samozaposlenih bez drugih zaposlenika ili portfeljnih radnika bilo je 5,6%. Od izbijanja svjetske financijske krize 2009. godine broj samozaposlenih u Hrvatskoj kontinuirano se smanjuje što se može objasniti činjenicom da su u uvjetima krize samozaposleni postali jedna od najranjivijih skupina na tržištu rada. Nakon ulaska u EU i liberalizacije kretanja radnika Hrvatsku je zahvatio val odljeva radne snage uslijed otvaranja tržišta

zapadnoeuropskih zemalja, što se negativno odrazilo na rast broja samozaposlenih.

Godine 2012. Zakon o poticanju zapošljavanja uveo je mogućnost rada za vrijednosne kupone u poljoprivredi, što omogućuje dnevni rad u tom sektoru. Takav rad, koji je u sklopu Eurofoundove podjele prepoznat kao zasebna kategorija, u Hrvatskoj je ograničen na 90 dana godišnje i nije dopušten maloljetnicima, roditeljima koji koriste porodiljini dopust, osobama u radnom odnosu kao i samozaposlenima. Prema podacima Hrvatskoga zavoda za mirovinsko osiguranje, u rad na temelju vaučera 2017. godine bilo je uključeno 2269 osoba.

Empirijski dio ovog istraživanja (anketa) dodatno ocrtava stanje sadašnje zaposlenosti ispitanika te prezentira iskustava i stavove zaposlenih osoba vezano uz nove oblike rada i digitalnu ekonomiju. Pokazuje se kako je velika većina ispitanika obuhvaćenih istraživanjem (blizu 90%) zaposlena kod poslodavca i da je samozaposlenih znatno manje. Gotovo 3/4 onih koji rade kod poslodavca imaju ugovor na neodređeno vrijeme, a samo petina zaposlena je na ugovor na određeno vrijeme. Blizu 2/3 ispitanika zaposlene su u privatnom sektoru, a samo trećina u javnom sektoru. Nadalje, puno radno vrijeme prevladava u ugovorima o radu, a udio onih koji rade u nepunom radnom vremenu znatno je manji.

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Među samozaposlenima obuhvaćenim anketom dvije trećine sami rade u vlastitoj tvrtki ili obrtu ili su direktori vlastitih tvrtki ili obrta koji zapošljavaju i druge djelatnike. Razlozi samozapošljavanja su različiti, a najčešće su to nezavisnost i sloboda, nepostojanje drugih mogućnosti za rad, izazov za kreativnost, uspjeh i vlastitu satisfakciju, a u pojedinim slučajevima i mogućnost veće zarade i boljeg usklađivanja poslovnog i obiteljskog života. Kao najčešći problem samozaposlenosti navodi se porezno opterećenje. Treba napomenuti i to da je većina samozaposlenih prije pokretanja vlastita posla radila kod poslodavca.

Većina ispitanika koristi obvezno zdravstveno osiguranje temeljem rada (85%) i redoviti plaćeni godišnji odmor (gotovo 80%), a samo četvrtina besplatnu ili subvencioniranu hranu te nešto manje njih plaćenu skrb za djecu. Samozaposleni ispitanici rjeđe koriste socijalne benefite u odnosu na zaposlene kroz druge oblike rada. Samo četvrtina ispitanika učlanjena je u sindikate u svojem području rada. Znatno veći udio ispitanika nije učlanjen u sindikate jer oni ne postoje na njihovu području rada, zato jer osobno za to nisu zainteresirani, te zbog slabe usluge za cijenu.

Karakteristično je da ispitanici imaju pozitivne stavove o novim oblicima rada. Polovina ispitanika navodi kako su barem jednom bili zaposleni u nekom od novih oblika rada. Najčešće spominju privremeni rad, a slije-

de ga mobilni rad putem IKT-ja i dijeljenje posla. Ispitanici se u načelu slažu da bi novi oblici rada mogli riješiti neke ključne izazove na tržištu rada, prvenstveno vezano uz preveliko oporezivanje, birokratiziranost i niske plaće. Dvije trećine ispitanika navode kako bi bili spremni tražiti posao u nekom od novih oblika rada, a kao najčešću motivaciju navode popravljavanje svojih prihoda, profesionalnu motivaciju i potrebu za stjecanjem radnog iskustva.

Gotovo svi ispitanici slažu se da u ključne vještine potrebne za pronalazak dobrog posla ulaze prije svega komunikacijske vještine, a slijede ih strani jezici i IKT vještine. Preko polovine ispitanika smatra kako se sadašnjim vještinama i iskustvom mogu nositi sa svojim poslovnim zadacima te ih oko 64% smatra kako bi im te iste vještine i iskustvo uvelike pomogli u traženju novog posla.

Iako značajno veći dio ispitanika smatra kako ima zadovoljavajuću razinu vještina i iskustva, brojni su oni koji bi svejedno pristali raditi i uz lošije uvjete nego što su im ugovorom propisani. Naime, u svrhu pronalaska posla polovina ispitanika bila bi spremna pristati i na manju financijsku naknadu nego je ugovorom propisano, a nešto više od trećine ispitanika pristalo bi raditi i bez ugovora.

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U intervjuima sa stručnjacima za tržište rada i digitalizaciju naglašena je činjenica da u Hrvatskoj postoje pravna ograničenja u korištenju građanskih ugovora ili usluga samozaposlenih. Iako mogu biti jeftiniji za poslodavca, takvi oblici rada ne mogu se primjenjivati ako tvrtka na temelju opisa svoje djelatnosti ima obavezu za taj posao zaposliti radnika temeljem ugovora o radu. Kao problem istaknute su velike razlike u visinama osnovica i zadanim stopama doprinosa po kojima se uplaćuju doprinosi za različite vrste nestandardnog rada, što tvrtkama komplicira izračun fiskalnih učinaka. Kritike su upućene i politici poreznih olakšica na isplate do 3800 kn koja poslodavce stimulira da isplaćuju minimalne plaće, kao i prema visini poreza na dobit koji iznosi 20% što smanjuje globalnu konkurentnost hrvatskih tvrtki.

Intervjui s poslodavcima u IKT sektoru pokazali su da poslodavci u tom sektoru, koji je predvodnik u digitalizaciji, najviše zapošljavanju na standardne ugovore na neodređeno vrijeme jer je to najbolju garanciju za zadržavanje stručnih zaposlenika. Ipak, rad u sklopu različitih projekata iziskuje zapošljavanje i na nestandardne ugovore što u Hrvatskoj nije najbolje riješeno. U tom smislu ocjenjuje se da dodatni razvoj radnog i drugog srodnog zakonodavstva predstavlja nužnost kako Hrvatska ne bi zaostajala za drugim državama. Pojedine odredbe ZOR-a, primjerice onu o dodatnom ugovoru o radu, trebalo bi liberalizirati s obzirom na to

da ne odgovara realitetu dinamičnog rada unutar IKT sektora. Isto tako, istaknuto je da bi beneficije koje donosi radni odnos u obliku materijalnih i socijalnih prava trebalo na usporediv način razvijati i u sklopu rada izvan radnog odnosa.

Na fokus grupi s predstavnicima socijalnih partnera sudionici su zaključili da su novi oblici rada potaknuti digitalizacijom radnicima privlačni zbog potrebe za većim stupnjem samostalnosti i fleksibilnosti. Dok su poslodavci općenito vrlo pozitivno ocijenili nove oblike rada, sukladno kategorizaciji Eurofounda, sindikati su pokazali puno veću suzdržanost naglašavajući da takav rad često ne predstavlja slobodan izbor radnika već da je izbor iz nužde. Socijalni partneri su se složili da postoji potreba za proširivanjem pojma radnika kako bi obuhvatio i nove oblike rada u digitalnoj ekonomiji, a postojeći zakonski okvir ocijenjen je kao neadekvatan za njihovu regulaciju i kontrolu. Iskazana je i potreba za razvijanjem bipartitnog socijalnog dijaloga o digitalizaciji i tržištu rada. Takav bi dijalog primarno bio usmjeren na utvrđivanje standarda zanimanja, ali i na predviđanja budućih kretanja na tržištu rada kao i na s tim povezane edukacije.

Na fokus grupi s nezavisnim profesionalcima kao ključan problem klasičnih online platformi istaknuta je njihova prevelika fokusiranost na nisku cijenu rada. Međutim, sudionici su naglasili da nisu sve platforme iste te da ima i takvih koje ozbiljno shvaćaju svoju posredničku ulogu. One ne gledaju samo cijenu rada već i stručnost čime se u konačnici postiže bolja kvaliteta. Većina sudionika obrazložila je odluku da rade kao nezavisni profesionalci potrebom za većom fleksibilnošću u organizaciji radnog vremena te potrebom za većom slobodom u izboru projekata na kojima će raditi. Ipak, većina sudionika zaključila je da su novi oblici rada na kojima primarno rade nezavisni profesionalci poslodavcima vrlo privlačni jer im omogućuju da dio troška rada prebace na radnike. Vezano uz hrvatsko zakonodavstvo istaknuto je da ono ne prati nove oblike rada i zapošljavanja zbog čega se nezavisni profesionalci općenito osjećaju nezaštićenima. Zakonodavstvo ne definira jasno što je to nezavisni profesionalac iz čega proizlaze brojni problemi u realizaciji njihovih materijalnih i drugih prava.

## 5.2. Preporuke

- Pod utjecajem digitalizacije radnici se sve više dijele na one koji su dobro zaštićeni standardnim radnim odnosom i one koji ulaze u kategoriju nestandardnih radnika. Zato bi radi stvaranja pravednijeg tržišta rada vlada i socijalni partneri trebali raditi na proširenju klasičnog pojma radnika u zakonodavstvu i kolektivnim ugovorima. To podrazumijeva izgradnju usporedivih sustava socijalne sigurnosti i za nezavisne profesionalce koji nisu obuhvaćeni radnim zakonodavstvom.
- Vlada bi trebala surađivati s tehnološkim i sa socijalnim partnerima kako bi podržala razvoj profesionalno usmjerenog digitalnog obrazovanja i osposobljavanje te informiranje o karijerama na sveučilištima. Također bi trebala potaknuti škole i sveučilišta da osiguraju učinkovite i dostupne tečajeve za uvođenje u digitalne vještine, posebno za osobe koje ne raspolažu tim vještinama. Digitalne vještine trebale bi, uz matematiku i strane jezike, u prvom redu engleski, biti jedna od ključnih komponenti, u svim programima obrazovanja i osposobljavanja.
- Socijalni bi partneri u svim sektorima trebali posebnu pažnju posvetiti izgradnji modela radnih odnosa koji omogućuju fleksibilnost vezano uz izbor radnog vremena i mjesta rada. Ti napori ne bi smjeli biti usmjereni samo na nove oblike rada u digitalnoj ekonomiji, već na rad i zapošljavanje u cjelini.
- Novi oblici rada nisu potpuno definirani Zakonom o radu i drugim srodnim zakonodavstvom. Stoga je potrebno zakonski regulirati one oblike rada koji još nisu regulirani a njihove definicije u našem zakonodavstvu uskladiti s definicijama Eurofounda.
- Bilo bi uputno olakšati praktičnu primjenu novih oblika rada u proceduralnom smislu. Provedba nekih od tih oblika kao što su primjerice dijeljenje zaposlenika ili mobilni rad putem IKT-ja povezana je s brojnim administrativnim pretkoracima što ih čini neatraktivnim za hrvatske poslodavce. Međutim, pri tome je potrebno voditi računa i o ukupnim učincima na tržište rada kako novi oblici rada ne bi prerasli u nelojalnu konkurenciju tradicionalnim oblicima rada i zapošljavanja.

- O mogućnostima uvođenja rada putem vaučera i u druge sektore (izvan poljoprivrede) vlada bi trebala otvoriti raspravu sa socijalnim partnerima. Trebalo bi također otvoriti raspravu o regulaciji povremenih i privremenih poslova kako bi se rasteretio studentski rad i smanjio udio sive ekonomije.
- Vlada bi u suradnji sa socijalnim partnerima trebala ujednačiti razlike u visinama osnovica i zadanim stopama doprinosa za različite tipove nestandardnog rada. To bi tvrtkama i radnicima znatno olakšalo izračunavanje fiskalnih učinka prilikom sklapanja takvih poslova.
- Kako bi hrvatske IKT tvrtke bile konkurentnije, vlada bi u suradnji sa socijalnim partnerima trebala razmotriti mogućnosti uvođenja i nekih novih fiskalnih praksi kao što je dijeljenje dobiti između tvrtke i zaposlenika. Cilj uvođenja takvih inovativnih modela bio bi zadržavanje najboljih stručnjaka s ovog područja koje bilježi dinamičan razvoj u Hrvatskoj.
- U sklopu reforme obrazovanja trebalo bi povećati upisne kvote visokoškolskih programa u STEM području te smanjiti kvote programa koji rezultiraju sufcitarnim zanimanjima. Potrebno je ustrajati u reformi strukovnog obrazovanja koja donosi povećanje udjela praktične nastave i znatno aktivniju ulogu poslodavaca. Vlada također uz pomoć socijalnih partnera treba osigurati uvjete za veće sudjelovanje odraslih u obrazovanju i osposobljavanju te za lakše priznavanje ishoda obrazovanja postignutih neformalnim učenjem. Posebnu pažnju treba posvetiti daljnjoj izgradnji vještina potrebnih za zapošljavanje i rad na novim poslovima, a to su prvenstveno komunikacijske i IKT vještine.
- Motiviranost građana za uključivanje u nove oblike rada je prema provedenim empirijskim istraživanjima prilično visoka, ali je znanje o tim novim kategorijama zasigurno nedovoljno. Radi podizanja razine razumijevanja novih oblika rada i njihove zakonske regulative bilo bi korisno organizirati različite tipove edukacija za građane i dionike pojedinih segmenata spomenutih tipova rada.
- Sindikati bi trebali osmisliti djelotvorne strategije za privlačenje nestandardnih radnika u svoje članstvo. Poticajne mjere mogu se kretati od smanjenog iznosa članarina za nestandardne rad-

nike, preko preuzimanja koordinatorske uloge u sklopu posebno ciljanih kampanja, sve do lobiranja za zakonske promjene kojima bi se povećala materijalna i druga prava nestandardnih radnika.

- Sindikati i poslodavci trebali bi intenzivnije raditi na razvoju i unapređivanju bipartitnog socijalnog dijaloga o različitim aspektima vezanim uz utjecaj digitalizacije na rad i zaposlenost u pojedinim sektorima. Taj dijalog trebao bi biti usmjeren na anticipiranje promjena, edukaciju i prekvalifikaciju radnika kao i na razvoj posebnih zaštitnih mehanizama (npr. kvota u kolektivnim ugovorima) za nestandardne radnike u digitalnoj ekonomiji.

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# ANEKSI

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## Aneks 1.

### Tablice zaposlenosti prema radnom odnosu i radnom vremenu u odabranim sektorima u RH

Tablica 1. Trgovina na veliko i na malo; popravak motornih vozila i motocikala

Kategorija	Državno vlasništvo			Privatno vlasništvo		
	2015.	2016.	2017.	2015.	2016.	2017.
<b>Ukupan broj zaposlenih</b>	2,752	2,424	2,339	140,398	154,391	151,738
<b>Oblik radnog odnosa</b>						
Broj ugovora na neodređeno vrijeme	2,095	1,767	1,715	114,117	123,266	119,907
Udio ugovora na neodređeno vrijeme	76.12%	72.90%	73.32%	81.28%	79.84%	79.02%
Broj ugovora na određeno vrijeme	573	605	576	25,987	30,761	31,689
Udio ugovora na određeno vrijeme	20.82%	24.96%	24.62%	18.51%	19.92%	20.88%
<b>Ugovoreno radno vrijeme</b>						
Puno	2,722	2,372		135,364	147,900	
Nepuno	27	19		4,850	6,203	

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Izvor: Državni zavod za statistiku RH (kompilacija autora).

Tablica 2. Djelatnosti pružanja smještaja te pripreme i usluživanja hrane

Kategorija	Državno vlasništvo			Privatno vlasništvo		
	2015.	2016.	2017.	2015.	2016.	2017.
<b>Ukupan broj zaposlenih</b>	2,594	4,338	4,979	27,591	37,075	37,403
<b>Oblik radnog odnosa</b>						
Broj ugovora na neodređeno vrijeme	2,331	3,630	4,336	19,144	23,868	23,626
Udio ugovora na neodređeno vrijeme	89.86%	83.68%	87.08%	69.38%	64.38%	63.16%
Broj ugovora na određeno vrijeme	255	695	639	8,411	13,135	13,756
Udio ugovora na određeno vrijeme	9.83%	16.02%	12.83%	30.48%	35.43%	36.77%
<b>Ugovoreno radno vrijeme</b>						
Puno	2,572	4,300		26,391	34,909	
Nepuno	22	37		1,163	2,144	

Izvor: Državni zavod za statistiku RH (kompilacija autora).

Tablica 3. Informacije i komunikacije

Kategorija	Državno vlasništvo			Privatno vlasništvo		
	2015.	2016.	2017.	2015.	2016.	2017.
<b>Ukupan broj zaposlenih</b>	4,406	4,296	4,152	22,751	25,806	24,916
<b>Oblik radnog odnosa</b>						
Broj ugovora na neodređeno vrijeme	4,299	4,186	4,015	20,273	23,003	22,222
Udio ugovora na neodređeno vrijeme	97.57%	97.44%	96.70%	89.11%	89.14%	89.19%
Broj ugovora na određeno vrijeme	98	103	134	2,380	2,678	2,635
Udio ugovora na određeno vrijeme	2.22%	2.86%	3.23%	10.46%	10.38%	10.57%
<b>Ugovoreno radno vrijeme</b>						
Puno	4,387	4,281		22,344	25,283	
Nepuno	15	12		370	508	

Izvor: Državni zavod za statistiku RH (kompilacija autora).

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Tablica 4. Djelatnosti zdravstvene zaštite i socijalne skrbi

Kategorija	Državno vlasništvo			Privatno vlasništvo		
	2015.	2016.	2017.	2015.	2016.	2017.
<b>Ukupan broj zaposlenih</b>	74,063	75,537	76,135	8,508	10,934	10,362
<b>Oblik radnog odnosa</b>						
Broj ugovora na neodređeno vrijeme	68,227	69,469	69,272	6,934	8,363	8,121
Udio ugovora na neodređeno vrijeme	92.12%	91.97%	90.98%	81.50%	76.49%	78.37%
Broj ugovora na određeno vrijeme	5,567	5,921	6,679	1,510	2,506	2,214
Udio ugovora na određeno vrijeme	7.52%	7.84%	8.77%	17.75%	22.92%	21.36%
<b>Ugovoreno radno vrijeme</b>						
Puno	72,573	73,727		7,761	9,662	
Nepuno	1,434	1,597		734	1,236	

Izvor: Državni zavod za statistiku RH (kompilacija autora).

Tablica 5. Umjetnost, zabava i rekreacija

Kategorija	Državno vlasništvo			Privatno vlasništvo		
	2015.	2016.	2017.	2015.	2016.	2017.
<b>Ukupan broj zaposlenih</b>	11,594	12,008	11,138	5,892	6,826	6,826
<b>Oblik radnog odnosa</b>						
Broj ugovora na neodređeno vrijeme	10,190	10,458	9,785	4,344	4,717	4,648
Udio ugovora na neodređeno vrijeme	87.89%	87.09%	87.85%	73.73%	69.10%	68.09%
Broj ugovora na određeno vrijeme	1,332	1,492	1,321	1,546	2,079	2,175
Udio ugovora na određeno vrijeme	11.49%	12.42%	11.86%	26.24%	30.46%	31.86%
<b>Ugovoreno radno vrijeme</b>						
Puno	11,446	11,721		5,592	6,494	
Nepuno	134	160		297	319	

## Aneks 2.

### Upitnik za intervjuje s predstavnicima IKT tvrtki u Hrvatskoj

1. Osnovne informacije o tvrtki (broj zaposlenih, struktura, kratka povijest)
2. Novi nestandardni oblici zapošljavanja u vašoj tvrtki
  - 2.1. *Kakva je rasprostranjenost novih oblika rada i zapošljavanja u području vašeg rada? Postotak od ukupnog broja zaposlenih, ako je to moguće?*
  - 2.2. *Koje nove oblike rada i zapošljavanja koristite u tvrtki?*
  - 2.3. *Koji su razlozi korištenja novih oblika rada i zapošljavanja (ekonomski, prednosti za zaposlenike...)?*
  - 2.4. *Koje su glavne kompetencije takvih radnika?*
  - 2.5. *Koje su prednosti i mane novih oblika rada i zapošljavanja za poslodavca?*
  - 2.6. *Koje su prednosti i mane novih oblika rada i zapošljavanja za zaposlenike?*
  - 2.7. *Ako zaposlenici rade izvan ureda [rad na daljinu], kako im pratite radno vrijeme?*
  - 2.8. *Biste li novim radnicima ponudili neke od novih oblika zapošljavanja?*
  - 2.9. *Kakva je vaša vizija za budućnost? Hoćete li u budućnosti više ili manje koristiti nove oblike rada i zapošljavanja? Koji su razlozi za to?*
3. Hrvatsko zakonodavstvo
  - 3.1. *Molim Vas komentirajte fiskalni okvir vezano uz nove oblike rada i zapošljavanja?*
  - 3.2. *Je li po Vašem mišljenju hrvatsko zakonodavstvo dovoljno prepoznaje nove oblike rada i zapošljavanja? Biste li preferirali razrađeniji zakon?*
  - 3.3. *Kakve ugovore za radnike koristite (bez obzira da li su u skladu sa Zakonom o radu ili nekim drugim zakonima)? Komentirajte stanje u području sive ekonomije.*

### Aneks 3.

## Upitnik za intervju s hrvatskim stručnjacima za tržište rada i digitalizaciju

1. Proces digitalizacije u RH
  - 1.1. Opišite nam u najvažnijim crtama aktivnosti vaše institucije u području digitalizacije (zakonodavstvo, strategije, projekti) ?
2. Novi nestandardni oblici rada i zapošljavanja u Hrvatskoj
  - 2.1. *Kakva je rasprostranjenost novih oblika rada i zapošljavanja u RH? Postotak od ukupnog broja zaposlenih i radno aktivnih, ako je to moguće?*
  - 2.2. *U kojim se sektorima novi oblici rada i zapošljavanja najviše koriste?*
  - 2.3. *Koji su razlozi korištenja novih oblika rada i zapošljavanja (ekonomski, prednosti za zaposlenike...)?*
  - 2.4. *Koje su glavne kompetencije takvih radnika?*
  - 2.5. *Koje su prednosti i mane novih oblika rada i zapošljavanja za poslodavca?*
  - 2.6. *Koje su prednosti i mane novih oblika rada i zapošljavanja za zaposlenike?*
  - 2.7. *Ako zaposlenici rade izvan mjesta rada [rad na daljinu], kako im se prati radno vrijeme?*
  - 2.8. *Kakva je vaša vizija za budućnost? Hoćete li u budućnosti više ili manje koristiti nove oblike rada i zapošljavanja? Koji su razlozi za to?*
3. Hrvatsko zakonodavstvo
  - 3.1. *Molim Vas komentirajte fiskalni okvir vezano uz nove oblike rada i zapošljavanja?*
  - 3.2. *Je li po Vašem mišljenju hrvatsko zakonodavstvo dovoljno prepoznaje nove oblike rada i zapošljavanja? Biste li preferirali razrađeniji zakon?*
  - 3.3. *Kakve ugovore za radnike koristite (bez obzira na to jesu li su u skladu sa Zakonom o radu ili nekim drugim zakonima)? Komentirajte stanje u području sive ekonomije.*

## Aneks 4. Bilješke o autorima

**Hrvoje Butković** radi kao viši znanstveni suradnik u Odjelu za europske integracije Instituta za razvoj i međunarodne odnose (IRMO) u Zagrebu. Doktorsku disertaciju obranio je 2010. godine na Fakultetu političkih znanosti Sveučilišta u Zagrebu. Njegov istraživački interes usmjeren je prema industrijskim odnosima u Hrvatskoj i Europi, socijalnoj dimenziji Europske unije, europeizaciji hrvatske politike i razvoju demokracije na nadnacionalnoj razini EU-a. Od 2012. sudjelovao je u provedbi više međunarodnih znanstvenih projekata iz područja industrijskih odnosa koji su analizirali utjecaj ekonomske krize na socijalne partnere u Hrvatskoj i drugim novim članicama EU-a. Ovaj angažman rezultirao je objavljivanjem tri znanstvene knjige koje je u ko-autorstvu objavio u nakladništvu IRMO-a. Izlagao je na više desetaka međunarodnih znanstvenih skupova, objavljivao radove, sudjelovao u radu doktorskih škola i seminara, sudjelovao u organizaciji brojnih okruglih stolova i konferencija, te surađivao sa medijima.

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**Višnja Samardžija** zaslužna je znanstvenica Instituta za razvoj i međunarodne odnose (IRMO) iz Zagreba gdje je do 2017. obnašala dužnost Predstojnice Odjela za europske integracije. Doktorirala je 1993. na Ekonomskom fakultetu Sveučilišta u Zagrebu. Od 2000. do 2004. bila je pomoćnica ministra u Ministarstvu europskih integracija Republike Hrvatske. Koordinirala je ili vodila tim IRMO-a u mnogim domaćim i međunarodnim projektima, financiranim većinom sredstvima Europske komisije. Prof. Samardžija predaje na europskim doktorskim studijima na Fakultetu političkih znanosti Sveučilišta u Zagrebu i na Sveučilištu u Osijeku. Objavila je brojne znanstvene i stručne članke u Hrvatskoj i inozemstvu te svojim izlaganjima sudjelovala na mnogim međunarodnim konferencijama. Bila je članica upravnog vijeća Transeuropskog udruženja za studij politika – TEPSA u Bruxellesu u tri mandata (2010. – 2016). Područja njezina interesa uključuju institucionalne i ekonomske aspekte proširenja EU-a, javne politike EU-a, industrijske odnose, Strategiju Europa 2020 i položaj Hrvatske kao nove članice EU-a.



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THE DIGITAL TRANSFORMATION  
OF THE LABOUR MARKET  
IN CROATIA

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## LIST OF ABBREVIATIONS

CBS	Croatian Bureau of Statistics
CCE	Croatian Chamber of Economy
CEA	Croatian Employer's Association
CEDEFOP (fr.)	European Centre for the Development of Vocational Training
CES	Croatian Employment Service
CPII	Croatian Pension Insurance Institute
DESI	Digital Economy and Society Index
EESC	European Economic and Social Committee
EFIP	European Forum of Independent Professionals
ESC	Economic and Social Council
GDPR	General Data Protection Regulation
GDP	Gross Domestic Product
HDNP (hr.)	Croatian Independent Professionals Association
HZSU (hr.)	Croatian Freelance Artists' Association
ICT	Information and Communication Technology
ICQS	Interviewers Control Quality System
IURHEE	Independent Union of Research and Higher Education Employees
LL	Labour Law
LLD	Labour Law Department, Faculty of Law, University of Zagreb
MLPS	Ministry of Labour and the Pension System
NEET	Not in employment, education or training (concerns the youth)
NGO	Nongovernmental organisations
OECD	Organisation for Economic Cooperation and Development
Office dds	Central Office for the Development of the Digital Society
SSC	Shared Service Centre
STEM	Science, technology, engineering and mathematics
VAT	Value Added Tax



# INTRODUCTION

## Research context

This bilingual study is the result of research activities conducted within the project entitled Adaptation of industrial relations towards new forms of work (February 2018 – July 2019) financed with the support of the European Commission under reference number VS/2018/0039. The project analysed the magnitude and potential growth of the new forms of work and digital economy in five new EU member states (Bulgaria, Czech Republic, Croatia, Poland and Romania) and the one EU candidate (Macedonia). The main objective of this project was to improve the knowledge on the impact of the new forms of work and digitalisation of economy in new EU member/candidate states on industrial relations in order to contribute to improvement of the existing institutional and regulatory systems. The intention was to create an analytical basis for constructive confrontation with the visible risks of digitalisation such as: jobless growth, destruction of the medium-skilled jobs, weakening of industrial relations etc.

Project's specific objectives were: I) mapping the magnitude of the emerging new forms of work and employment, including digital economy, in order to raise the awareness of social partners about present and future challenges; II) improving the expertise of social partners in addressing workers' needs and demands in the new forms of employment; III) exchanging information and best practices between project partners and experts from old EU member states which are more experienced in digital economy; IV) raising the awareness of workers about possibilities provided by digital economy as well as about their rights.

The study in Croatia sought to document the presence and the magnitude of the new forms of work driven by digitalisation. The starting premise for the realisation of this objective was the classification of the new forms of work published by Eurofound in 2015. According to Eurofound, digitalisation has caused a rapid development of the following forms of work: I) employee sharing, II) job sharing, III) interim management, IV) casual work, V) ICT-based mobile work, VI) voucher-based work, VII) portfolio work, VIII) crowd employment, IX) collaborative employment. Development possibilities of these new forms of work are analysed in the following chapters. Their use soared rapidly in the past 20 years which coincides to a large extent with the advanced process of industrial revolution 4.0.

The book consists of four main chapters. Chapter one deals with the challenges of digitalisation for the labour market at the global, European and

national level. It analyses the impacts of globalisation on companies and workers, changes in employment structure, changes caused by automation and the position of trade unions in newly-created circumstances. Furthermore, this chapter also analyses the strategic framework for the implementation of digitalisation at the EU level and thus related trends. Croatia's position as compared to other EU member states is also assessed according to the Digital Economy and Society Index (DESI) as well as the specific transformational impact of digitalisation on the Croatian labour market. Chapter two provides the economic overview as well as overview of legal regulations and statistical indicators concerning the non-standard work which is closely related to digitalisation process in Croatia. This chapter examines non-standard employment regulated by the Labour Act but also the non-standard work outside of employment relationship.

Chapter three contains findings of the empirical research on the new forms of work in Croatia. It presents the main results of the questions based survey as well as selected diagrams and tables related to most relevant thematic questions. Chapter four deals with the interpretation of focus groups and interviews. The parts of the chapter which analyse interviews are particularly focused on regulatory and fiscal aspects of the new forms of work as well as on the practical aspects of work and employment in the ICT sector in Croatia. The analysis of focus groups primarily concerns the conditions of work in digital economy, challenges for industrial relations and priorities for workers and employers in the newly-created circumstances on the labour market. The final chapter contains conclusions from all previous chapters as well as recommendations for social partners and policy makers in Croatia. Throughout the whole study there are individual segments (boxes) which in more detail analyse certain relevant issues and examples from the practice.

This book was the basis for the implementation of several other project activities in Croatia. Following the conclusions from the study, the members of the project team prepared a practical guide for workers in digital economy which analyses their rights, possibilities as well as necessary skills. Furthermore, the members of the project team organised a webinar with the relevant representatives of the academic community, social partners, policy creators in Croatia and a labour market expert from Germany. The webinar presented the most important conclusions from the study for Croatia but also practices related to the employment of non-standard workers in Germany. Furthermore, the study was basis for a specifically tailored training for the representatives of the social partners. It focused on the perspectives of further development of the new forms of work and employment in Croatia as well as on the activities to be implemented with the aim of a better harmonisation between

demand and supply on the labour market. At the end of the project cycle the results from this publication were presented at a press conference in Zagreb and at the final international conference in Bucharest.

## Methodological approach

Research for this study was conducted in several phases by combining qualitative and quantitative methods. In the first phase a desk research was conducted, i.e. collection of relevant data from the scientific and expert literature, laws and strategic documents. Furthermore, the members of the project team participated in several round tables and similar public events in Croatia which analysed digitalisation and its impact on society and labour market. Those events served as an opportunity to promote the project and establish contacts with numerous relevant experts. Additional activity within the first phase of project implementation was the collection of statistical data from the Croatian Bureau of Statistics and similar institutions on the spread of the new forms of work driven by digitalisation. This activity was conducted in line with the Act on the Right of Access to Information.

The second phase concerned the field research which consisted of the three components: implementation of survey based on the standardized questionnaire, implementation of the two focus groups as well as the interviews. The main goal of the survey was to analyse the presence and growth potential of the new forms of work and digital economy in Croatia. Experiences and the attitudes of the employees' (including the self-employed) with the new forms of employment and digital economy were examined both quantitatively and qualitatively. The research included following aspects: forms of contractual relations and the position of respondents in their present and former jobs; work experience; type of company in which the respondents work; attitude, experience and expectations from the new forms of work; advantages and problems related to self-employment; attitudes towards legislation, joining trade unions and the evaluation of new employment possibilities. The questionnaire was drawn up according to the common methodological template developed by the project coordinator and included 40 predominantly closed questions with minor exceptions.

The research was conducted in October 2018 on the sample of N=500 respondents from the Republic of Croatia. A representative sample of employed persons (including self-employed) was used according to gender, five age categories (18-24, 25-34, 35-44, 45-54, 55-64), five categories of town size and six regions in Croatia according to 2011 census. The respondents were randomly selected among households and household members. Henda Ltd. agency, i.e. its competent associates, conducted the research by

using the computer assisted telephone interview (CATI) method. The quality of the interviewers' work was verified by the interviewers control quality system (ICQS), a system that checks 25 percent of every interviewer's work.

During October 2018, two focus groups were also conducted in Zagreb by the Henda Ltd.; the first one with the representatives of the social partners (six participants) and the second one with the representatives of freelancers (eight participants). The focus groups were conducted on the basis of the methodological model which included the discussion on several thematic groups: employee profiling; new forms of work and employment; work via online platforms; motivation related to job selection; retention of workers; legislation; role of the social partners. The focus group with social partners gathered three participants from the representative employers' association as well as three participants from the representative trade union confederations. The second focus group gathered freelancers who receive income on the basis of the civil contracts, who are trade owners or pursue a self-employed activity. The participants in the second focus group were active in different sectors of the Croatian economy: culture and arts; marketing and communications; ICT sector; translation services. After the focus group with the freelancers a short video was made which featured professional testimonies of the four focus group participants. The video was released on the YouTube channel.

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Within the project members of the research team implemented in Zagreb 15 interviews during September and October 2018. The interviews examined the attitudes of employers in the ICT sector as well as experts for digitalization and the labour market. They primarily focused on employment policies and limitations of Croatian labour legislation. For each of these groups of respondents a structured questionnaire was developed, each containing 12 open-ended question. In the questionnaire for the experts the questions were structured in three thematic groups: digitalisation process in Croatia; new forms of work and employment in Croatia; Croatian legislation. The questionnaire for employers was structured similarly with the following thematic groups: basic information on their company; new forms of work and employment in their company; Croatian legislation. Some of the leading experts and policy creators in the area of labour law and digitalisation as well as representatives of the leading ICT companies in Croatia were interviewed. Each interview lasted about 45 minutes.

The aim of the survey, the interviews and the focus groups was to complement data and knowledge gathered during desk research. The last third phase of this research consisted of the analysis of all collected data in order to make a study by using both quantitative and qualitative research methods.

# 1. CHALLENGES OF DIGITALISATION

## 1.1. Labour market changes at the global level caused by digitalisation

Global economy transforms rapidly into a digital one which grows seven times faster than the traditional economy. In the modern world, digitalisation affects not only the development of the ICT sector but also of the society as a whole. It causes numerous positive and negative changes on the labour market.

Digitalisation reduces company transaction costs, increases trade and facilitates the harmonisation between supply and demand. Furthermore, it changes companies from the inside by influencing organisational structures and managerial strategies, as well as from the outside in their relations with customers, partners and competitors (EESC, 2017). Technological changes enable larger flexibility, labour becomes much less limited in terms of time, space, function and organisation. At the same time, digitalisation establishes new models of supervising work processes and results (Pupillo et al., 2018). Due to digitalisation, companies can now focus on their core activity while outsourcing ancillary services to external service providers (Todoli-Signes, 2015). Technological progress results in possibilities for better company efficiency in terms of prices and time limits, both in production and services. According to some estimates, digital transformation enables the increase of productivity between 20 and 30 percent while in the service sector operating costs can be reduced by up to 60 percent (EESC, 2017, 28).

Many studies point out the indirect creation of jobs due to digitalisation. According to one such study, each new internet-related job supports the creation of about 1.54 additional jobs somewhere else in the economy (Du Rauseas, 2011). It is also estimated that each new job created in technologically highly developed industry such as robotics could create five new jobs across the economy (Moretti, 2010). However, it is not completely clear today whether all those newly-created jobs outnumber the jobs lost due to digitalisation. The share of employment at risk due to digitalisation depends on the degree of automation of each country and increases if the degree is lower. At the level of OECD countries, the share of employment at risk due to digitalisation is relatively high and is estimated at 57 percent (EESC, 2017, 12).

The problem is not just the loss of traditional employment, but the fact that losses due to digitalisation are unevenly distributed and foster inequalities in society. During the last economic and financial crisis in the USA, 7.5 mil-

lion jobs were lost in industries with middle-income jobs. However, when the recovery started only a small number of those lost jobs were recreated in the category of the above-mentioned middle-income jobs. Namely, almost 70% of new jobs were created in the category of lower-income jobs whereas 30% were created in the category of higher-income jobs (Noam, 2018). It is thereby pointed out that the situation in the Euro zone was even worse. Such polarisation of labour market results from the fact the middle-income jobs, which are predominantly administrative, are much easier to automatize and relocate than lower-income jobs (*ibid.*). Polarisation of the labour market between higher-income and lower-income jobs negatively impacts workers' mobility. Whereas the transition from middle-income to higher-income jobs used to be common, today the transition from the category of lower-income to higher-income is much more difficult. If workers performing lower-income jobs want to get higher-income jobs, they need to invest in their education which is not as easy in the times of increasingly more expensive education (Pupillo et al., 2018).

However, even if digitalisation destroys more jobs than it creates, in developed countries this should not lead to structural unemployment in the long-run, since in Europe and Northern America the population is growing much less rapidly than it used to be in the past. Furthermore, new technologies increase productivity, which generally leads to lower prices, higher income and more demand thus stimulating the creation of new jobs (EESC, 2017).

Automation makes work a less important production factor. This stimulates the manufacturers which in the past decades have been offshoring their factories to developing countries to reshore them again to developed countries of Europe and Northern America. This process has already begun and apart from automation, it is also influenced by the increase of labour cost in the developing countries, desire to have better product quality as well as the need to shorten the distance from the main markets in order to facilitate communication with the customers and shorten the delivery times (Eurofound, 2018). Due to digitalisation and automation the number of workers in production facilities reshored to developed countries is certainly significantly lower and includes predominantly highly-educated workers (EESC, 2017). Hereby is important to point out that digitalisation and automation of industry in general reduce the number of jobs involved directly in manufacturing but increase the number of jobs in the processes before and after manufacturing, notably in design, research and development, marketing, sales, remote maintenance and technical support (Eurofound, 2018, 18).

**Box 1. Reshoring of manufacturing to Europe**

One example for the return of production facilities to Europe is the Adidas “speed factory” in Ansbach, Germany. Production at Ansbach relies on technology of additive manufacturing and advanced industrial robotics which enables the annual production of hundreds of thousands of pairs of running shoes with a staff of only 160. However, the reduction of labour costs was not the only reason for reshoring the production to Germany. The production in Ansbach eliminated the costs of extended supply chains. Production also takes place closer to designers and marketers, as well as the customers, facilitating shorter design–production cycles and a more rapid response to new consumer trends, including that for tailored design. Another example is Mango, the Spanish clothing manufacturer, which has also reshored its factories from Asia to Italy, Spain and Turkey. Regardless of the fact that when reshoring production facilities the number of jobs gets significantly reduced, the indirect impact on employment is not insignificant because opening of such a facility creates jobs across other industries and services.

Source: Eurofound, 2018.

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Information and communication technologies (ICT) become an increasingly important component of the modern economies and their use represented the main and the most important engine behind the economic growth in the past 50 years. In parallel with this radical transformation in business and production processes, there were also radical transformations in market needs for the skilled workers. However, educational institutions have not adequately followed these needs and even today there is the lack of sufficient focus on the STEM area which is crucial for the development of skills in demand on the modern labour market (Clarke, 2018). When thinking about the reform of educational systems, the issue which immediately arises is the insufficient number of teachers and professors of the STEM area. However, this problem is not necessarily so significant if we take into consideration the possibilities provided by the modern technology in terms of virtual teaching (ibid.). However, it is quite certain that the educational system will need to adapt to the fact that a greater share of professional knowledge will be acquired outside of the formal educational channels (Eurofound, 2018).

Digitalisation is closely related to the phenomenon of working via the online platforms. Those platforms match workers and employers on

the global level thus making those jobs widely accessible and, considering the size of the labour pool, lowering the price of labour. Online platforms are a technological evolution which keeps up with the increasing share of freelancers among labour active population. Furthermore, they enable the fragmentation of labour tasks which can now be allocated to a large number of individuals who frequently do not even communicate between each other (Broughton et al., 2016). Basically, there are two categories of those workers. The first group offers intellectual services and their work is not limited by their place of residence. The second group offers physical labour services and they are limited by the place where they live. There is also a difference in terms of whether platform work is the main or only additional source of income for such workers. Research conducted in 2016 by the Foundation for European Progressive Studies (FEPS) in five old EU member states (UK, Germany, Austria, Sweden and the Netherlands) showed that 11% of the population in those countries worked via online platforms. However, for even 45% of the respondents this form of work provided for less than 10% of the total income. For only 2.4% of the respondents the work via online platforms represented the main source of income (FEPS, 2016).

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Earnings from platform work are often not declared or regulated in terms of taxation. On the one hand, the platform workers have limited incentive to declare such income because by doing so they in general do not benefit from social security. Moreover, a large percentage is not even aware that all income needs to be declared. On the other hand, the platform is not required to report the earnings of the workers. They might even be inclined not to report their workers' earnings to avoid being considered employers (EESC, 2017). This problem was recently exemplified in the UK where the labour employment tribunal ruled that Uber's drivers should be treated as employees and not as self-employed workers and that the Uber platform should pay them a minimum wage (ibid.). Working conditions for platform workers are an especially sensitive issue. The first and basic problem are the social rights which these workers in general do not exercise which makes them an especially vulnerable group on the labour market. Furthermore, such work arrangements may include the workers' obligation to always be available, which may increase the risk of stress. And finally, flexible working time has its benefits but also shortcomings because it frequently blurs the boundaries between working and non-working life, which is an additional burden for workers (Broughton et al., 2016).

Platform workers represent a special challenge for the trade unions because they do not have a permanent employer so they cannot be organised as traditional trade union members. Therefore, at the national level trade unions are calling for regulation of platform work within labour legislation so that those workers could have a special legal and social status, similarly to, for example, agency workers. In order to approach platform workers, numerous European trade unions made organisational changes to enable their recruitment and offer them special benefits if they join (Todoli-Signes, 2015).

However, apart from joining trade unions, which is very dependent on the situation on the ground, platform workers also have some other alternative models of organisation at their disposal. They can organise via online forums, which is very common. Platform workers frequently communicate via online forums to discern between equitable and exploitative requesters in order to maximize earnings and share their experiences. Another possibility are worker centres. These centres have emerged as a new type of institution advocating for worker rights, mainly in the United States. Operating independently and often within a limited geographical scope, they provide social services and labour resources to their members. Yet another possibility is organising via worker cooperatives. A worker cooperative is a type of cooperative where workers constitute the majority of membership and are both owners and participate in the operation of the enterprise. Their main mission is to create and maintain sustainable jobs (Johnston; Land-Kazlauskas, 2018).

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Trade union concerns in terms of digitalisation are related to several basic issues. First of all, trade unions are worried that new technologies might destroy their members' existing jobs, primarily in traditional industries dominated by the blue-collar workers. Secondly, new technologies promote employment in the ICT sector and other technologically highly developed areas of the private sector where trade unions are weak because their membership is scarce. Thirdly, trade unions are worried about the capacities of the digital technologies in terms of surveillance. They see here a potential risk of violating the established work standards and workers' privacy (Eurofound, 2018). There is no doubt that digitalisation will increasingly lead to changes in the organisation of work. Thus, one of the most important aims of the social dialogue will be the anticipation and management of such changes (ibid.).

### **Box 2. Robotization in telecommunications**

In 2018, A1 Hrvatska Telecommunication Company installed 40 robots which now perform more than 200.000 tasks a month which were previously performed by employees. Ivan Bartulović, in charge of human resources and corporate communications in the A1 Company, pointed out that robots did not reduce the need for employees, but quite the opposite. Robotization and digitalisation enabled the company to automatize a part of the processes and to free employees from repetitive tasks so that they could focus on creative ones where they can professionally develop. Moreover, robots do not work alone, they are operated by a person whose job did not exist before and who cooperates with specialists from every department what results in the optimisation of robots' work. Regardless of the robotization, the number of employees in the A1 continuously grows and has increased in the last few years to 1800. The amount of investment in company's robotization has not been mentioned.

Source: Poslovni dnevnik, 2018.

## **1.2. General characteristics of digitalisation in the European Union**

The EU ICT sector has been growing rapidly and it is estimated that by 2020, member states will lack more than 700.000 highly-educated experts such as ICT engineers or data scientists. European companies are therefore in a race against time because in order to survive on the market they need to conduct digital transformation before their European and global competitors (European Commission, 2016). Unfortunately, the majority of the EU enterprises do not fully use the potential benefits of digital innovation. In 2015, only 1.7% of the EU enterprises made a full use of advanced digital technologies such as big data, cloud computing and mobile solutions, while 41% did not use them at all (European Commission, 2015).

The development of digital infrastructure is a key precondition for a deeper integration of digital technologies in business and public services of the EU member states. Digital infrastructure refers to the development of virtual networks which will transform the existing network infrastructures into a fully-fledged collaborative data infrastructure. Such an infrastructure requires supercomputing capabilities, high data storage

capacity, high-speed connectivity and cutting-edge software-based services for science, industry and the public sector (EESC, 2018).

Given the broad impact of digitalisation on society, the European Union has set as its goal the creation of a sustainable digital single market with the purpose of full utilisation of the benefits of the digital age. Since 2000 digitalisation has been integrated at the heart of all EU's policies through strategies, reports and tailored funds. But the journey to the digital single market has taken longer than expected and is still not finished due to fragmentation in national politics, differing legal frameworks and the diverse interests of member states (Mondekar, 2017). In 2010, the European Union adopted the Digital Agenda for Europe as part of the ten-year Europe 2020 strategy and as one of seven key initiatives the aim of which is to enable the economy and the EU citizens to maximise the benefits of using digital technologies. The Agenda includes 101 measures grouped in seven priorities on the EU level. The progress in realising the above measures differed significantly among member states. Having in mind the challenges of digitalisation for the internal market, in 2015 the EU adopted a new strategic document – Digital Single Market Strategy for Europe (European Commission, 2015).

The Strategy consists of three pillars and 12 key priorities which are the basis for establishing a functional single market for digital goods and services (see Box 3). The aim of the Strategy is to provide new growth possibilities for companies by breaking down barriers to cross-border online activities, which are for example differences in regulating copyrights or different VAT-related practices. The Strategy is also about establishing an appropriate e-commerce framework and preventing unfair discrimination against consumers and businesses. The Strategy is one of EU's ten political priorities in the period up to 2020 (European Commission, 2015).

### Box 3. Structure of the Digital Single Market Strategy for Europe

- I. Better access for consumers and businesses to online goods and services across Europe: rapid removal of key discriminatory differences in online business to facilitate e-commerce and cross-border digital commerce
  - adopting rules to facilitate cross-border e-commerce
  - more effective and affordable parcel delivery
  - preventing unjustified geo-blocking
  - establishing a modern European copyright framework
  - reducing VAT-related burden
- II. Creating supportive conditions for the development of digital networks and innovative services: creation of high-speed, secure and trustworthy infrastructure for the delivery of digital content and establishing regulatory conditions for innovation, investment and fair competition
  - restructuring telecommunication rules
  - revisiting the regulative framework for the audio-visual media
  - analysing the role of online platforms
  - reinforcing trust and security in digital services and in handling personal data
- III. Maximising the growth potential of digital economy: support to the development of cloud computing, big data analysis, digital skills and better e-governance services
  - proposing a European free flow of data initiative
  - defining priorities in the area of standards and interoperability
  - an inclusive e-society

Source: European Commission, 2015.

In May 2017, the Commission published the mid-term review on the implementation of the Digital Single Market Strategy. The document states that the Commission has, in line with the plan, drawn up 35 legislative proposals and policy initiatives and that in the forthcoming period the focus will be directed towards political agreement with the European Parliament and the Council on these proposals. In this document, the Commission has identified three main areas which require further EU attention: development of the European data economy until its full potential, protection of property by tackling cybersecurity challenges and promoting online platforms as responsible actors of a fair internet ecosystem. A special emphasis was placed on the importance of the Strategy for the digitalisation of industry since the focus in the member states has so far predominantly been directed towards the digitalisation of public administration (European Commission, 2017). In line with the Digital Single Market Strategy, in April 2016 the European Parliament adopted the General Data Protection Regulation (GDPR) which entered into force in May 2018. The GDPR replaced the previous regulation with the aim of harmonising laws on data protection in all member states, better data protection and reshaping the approach of organisations to this issue (European Parliament and Council, 2016).

Measuring digitalisation level in the EU has from its beginnings been directed towards internet access but it was later on supplemented by other indicators measuring the use of internet, development of new digital services and digitalisation of industry within the so-called Digital Economy and Society Index (DESI) published by the European Commission. The DESI sums up relevant indicators which monitor the level of digitalisation in the EU member states with the aim to promote progress of their digital competitiveness. The following five indicators are monitored annually: connectivity, human capital, use of internet services, integration of digital technology and digital public services.<sup>1</sup>

According to the results of DESI 2018 (which ranks countries according to the indicators for 2017), the best ranked according to the overall performance were Denmark, Sweden, Finland and the Netherlands, whereas the UK was the best ranked country among the EU's large countries. Germany and France were at the level of the EU average, while Poland and Italy were large countries that lag behind. Similar ranking can be seen in the categories of connectivity, human capital, use of internet services and digital public services. In the category of integration of digital tech-

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1 See: <https://ec.europa.eu/digital-single-market/en/desi>

nology, the highest ranked countries were Denmark, Finland, Ireland and Sweden. Among large countries in this category, the highest ranked is Germany whereas all other large countries are under the EU average (European Commission, 2018d).

The key findings of DESI 2018 show that 13% of the EU population still does not use the internet, regardless of the continuous decrease of this percentage. Broadband internet access is provided for 80% of households which is a four-percent increase as compared to 2016. In 2017, 65% of internet users participated in social networks, 61% used online banking, 21% used websites or apps to arrange accommodation services whereas about 10% used them to arrange transport services. As many as 58% of EU citizens used online public services. The research shows that in 2017 only a fifth of companies in the EU are highly digitalised but the situation across countries is varied: while 40% of companies in Denmark and the Netherlands are highly digitalised, in Bulgaria and Romania there are less than 10% of such companies (ibid.).

### 1.3. New forms of work in the EU's digital economy

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Eurofound – European Foundation for the Improvement of Living and Working Conditions published in 2015 a study on the new forms of work in the context of the constantly increasing digital economy. This study has identified nine new forms of work and employment which occurred in Europe after the year 2000. Those new forms of work and employment can generally be classified into two groups: I) new models of the employment relationship between employer and employee, or client and worker, II) new work patterns, i.e. new ways in which work is conducted. They can be additionally differentiated by whether they relate to workers or to the self-employed, while certain forms might apply to both groups of workers and the overlaps are also possible. The study concludes that in all these new forms of work and employment flexibility represents the key feature which has emerged due to increased demand from both employers and workers for flexible work. It is furthermore concluded that due to economically challenging times, the new forms of work and employment are not necessarily workers' and employers' free choice but frequently emerge out of necessity. A systematic overview of the forms of work which are in main focus of this research is given below:

- Employee sharing – an individual worker is jointly hired by a group of employers to meet the HR needs of various companies, resulting in permanent full-time employment for the worker;

- Job sharing – an employer hires two or more workers to jointly perform a specific job, combining two or more part-time jobs into a full-time position;
- Interim management – highly skilled experts are hired temporarily for a specific project or to solve a specific problem, thereby integrating external management capacities in the work organisation;
- Casual work – an employer is not obliged to provide work regularly to the employee, but has the flexibility of calling them in on demand;
- ICT-based mobile work – employers enable workers to do their job from any place at any time, supported by modern technologies;
- Voucher-based work – an employer pays for services with a voucher purchased from an authorised organisation that covers both pay and social security contributions for the hired workers;
- Portfolio work – several employers hire a self-employed individual for doing small-scale jobs for each of them;
- Crowd employment – within this model an employer or a client usually splits up large tasks among workers via a “virtual cloud”;
- Collaborative employment – freelancers, the self-employed or micro companies cooperate in some way to overcome limitations of their size and professional isolation.

The Eurofound study also indicated that across Europe these new forms of work and employment have not been per se in much focus of the policy discussions. Instead, the debate revolved around making the labour market more flexible and inclusive, legalising informal employment practices, ensuring sound social protection conditions and avoiding crowding out of standard employment by the new forms of employment. It also underlines that such debates have normally been conducted by the social partners. The employers mostly defended the flexibility and cost reductions which these new forms allow, while the trade unions expressed concern about social protection, employment rights etc. Governments across Europe appeared to engage only occasionally in this kind of policy discussions.

## 1.4. Importance of digitalisation for the labour market in Croatia

Digitalisation determines to a great extent the trends on the labour market in Croatia and changes working conditions by providing new opportunities as well as the risks. The ICT sector in Croatia is a fast-growing sector which significantly influences the digitalisation of the entire economy (see Box 4). Assuming that the reforms are implemented successfully, digitalisation could in the future have a more significant impact on the strategic approach to the development of the Croatian economy, legislation, new forms of employment, education and training as well as development of human potential as a whole.

### **Box 4. ICT sector in Croatia**

According to the analysis conducted in 2015 by Bisnode consulting company, the ICT sector in Croatia employs almost 32 thousand people and generates income of HRK 31 billion. The consolidated export of this sector exceeds HRK 5 billion and increases at the rate of 12% which is significantly higher than the growth of export within other economic sectors. Computer programming as an ICT subsector is one of the key industrial sectors and according to its results it is at the top of Croatian economy, alongside pharmaceutical and metal industry. In 2015, export accounted for as much as 31% of this subsector's income. According to the analysis, it is to be expected that the employment in the ICT sector in Croatia will reach 50,000 by 2023, of which the largest part in the development of software and ICT services. However, the continuance of the successful growth of this sector requires further reforms, one of the crucial being the reform of the educational system, in order to provide a sufficient number of educated workers which are in strong demand.

Source: Poslovni dnevnik, 2016, based on Bisnode.

According to the above-mentioned Digital Economy and Society Index for 2018 (DESI 2018), which ranks countries according to the indicators for 2017, Croatia still lags behind the majority of EU member states and is ranked 22<sup>nd</sup> out of 28 EU member states. It is in the group of less successful EU countries such as Romania, Greece, Bulgaria, Italy, Poland, Hungary, Cyprus and Slovakia. It should be mentioned here that the methodology of calculating DESI 2018 underwent certain modifications so the rank-

ing of the EU member states is not completely comparable to previous years. However, the retroactive calculation for the previous year shows that Croatia was ranked 23<sup>rd</sup> and that overall it made certain progress.

**Table 1. Position of Croatia according to DESI index compared to a cluster of countries in which it is placed and the EU 28 average (2018. and 2017.)**

DESI overall rank	Croatia		Cluster	EU
	rank	score	score	score
DESI 2018.	22	46.7	43.5	54.0
DESI 2017.	23	43.2	40.4	50.8

Source: European Commission, 2018d.

The use of internet by the Croatian citizens exceeds the EU average and companies integrate digital technology in their business operations. The greatest challenge in terms of digitalisation for Croatia is strengthening connectivity, in which category Croatia was still ranked 27<sup>th</sup> even though there were certain improvements. The availability of broadband coverage in rural areas and fast broadband coverage are very limited and the prices of the fixed broadband access are still among the highest ones in Europe. In terms of e-government, Croatia is progressing slowly and remains at rank 25. The number of e-government users is above the EU average but there has been no progress with the delivery of those services. Croatia continues to make good results in terms of open data and e-health services.

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In the category of development of human capital for digital society, Croatia made good progress in comparison to the previous year by increasing the number of ICT specialists from 2.7% to 3.3% (and is now closer to the EU 28 average of 3.7%) and by increasing the share of graduates in the STEM area (17.1 citizens in 1000 in the age group 20-29), which is however still under the EU 28 average (19.1).

**Table 2. Human Capital – position of Croatia according to DESI index compared to a cluster of countries in which it is placed and the EU 28 average**

Human Capital	Croatia		Cluster	EU
	rank	score	score	score
DESI 2018.	18.	49,8	42,2	56,5
DESI 2017.	19.	45,9	40,6	54,6

Source: European Commission, 2018d.

**Table 3. Overview of Croatia’s progress according to categories of Human Capital**

Categories	Croatia				EU
	DESI 2018.		DESI 2017.		DESI 2018.
	value	rank	value	rank	value
Internet Users % individuals	NA 2017.		71% 2016.	22.	81% 2017.
At Least Basic Digital Skills % individuals	NA 2017.		55% 2016.	13.	57% 2017.
ICT Specialists % individuals	3,3% 2016. ↑	17.	2,7% 2015.	18.	3,7% 2016.
STEM Graduates Per 1000 individuals (aged 20-29)	17,1 2016. ↑	16.	15,7 2014.	20.	19,1 2015.

Source: European Commission, 2018d.

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The category in which Croatia scores best and well above the EU average is the use of different internet services. The progress in terms of the integration of digital technology is slow and Croatia fell back from rank 17 in 2017 to rank 21 in 2018. However, Croatian enterprises are above average users of the possibilities offered by the online commerce so with 17.1% of SMEs selling online Croatia is very close to the EU average of 17.2%. In terms of e-government, Croatia is progressing slowly but remains at rank 25, well under the EU average. (European Commission, 2018, DESI 2018 Country Report Croatia).

Having in mind the impact of digitalisation on the labour market, it is very important to make progress in strengthening citizens’ digital skills because they are of key importance for the inclusion into labour market. DESI 2018 shows that in 2017 Croatia was at the tail of the list of EU member states according to digital literacy of the overall labour force. While in EU 28 only 10% of the labour force (including employed and unemployed) have no digital skills whatsoever, this share is almost double in Croatia. Moreover, a significant share of EU labour force has at least basic digital knowledge (about 65% on average) but in Croatia only a half of the labour force has at least basic digital knowledge so Croatia ranks 24<sup>th</sup> in this category.

Digitalisation impact on Croatian labour market is one chapter in the analysis conducted in November 2018 by McKinsey & Company and published under the title *Croatia – Emerging Digital Challenger, Digitalisation as the new growth engine for Croatia*. The following text provides brief interpretation of findings relevant for the impact of digitalisation on Croatian labour market.

The study estimates that digital economy could be the new growth driver in Croatia and contribute up to 8.3 EUR billion in GDP by 2025 (which means approximately additional 2 000 EUR GDP per capita). It concludes that digital economy is still not enough exploited by Croatia. Most of the Croatian sectors (including public administration) are digitally less advanced, some of them<sup>2</sup> are digital followers, while only the ICT sector could be considered to be a digital leader in the country. Although the automation implies that some jobs will become obsolete, it also creates new jobs with higher productivity, so automation could help sectors with the highest job vacancy rates by lowering the demand for workers. Also, the study indicates that the automation is expected to make a substantial shift in required skills. There is a need for it, as Croatian labour force in advanced and basic digital skills is lagging behind the digital frontrunners in Europe<sup>3</sup>. In comparison with the Central and Eastern European countries (CEE) the position of Croatia in digital skills is equal or slightly better, particularly when analysing younger labour force. It is interesting to mention that ICT graduates represent higher share of the student population in Croatia than in the digital frontrunners and in CEE countries. However, labour cost in ICT industry is lower in Croatia in comparison to digital frontrunners, as well as in some other CEE countries.

Finally, the study underlines that improvements in education system is needed together with creating ICT infrastructure, developing digital skills and fostering entrepreneurial environment to further support digital growth. Some of these areas correlate with the key weaknesses which are underlined in the DESI index for Croatia. Based on such analyses, the study draws recommendations for public and private sector to increase digitalisation in Croatia. From the labour market point of view, the most relevant suggestions are those which relate to investment in human capital and support of new technology adaptation. Among others, recommended investment in human capital means developing reskilling strategy for digitalisation, improving youth education and actively counteracting brain drain. Preparing a talent strategy for digitalisation is also suggested. The key issue related to support technology adaptation would be to speed up the development of online public services, to promote digital transformation, as well as to develop favourable regulation for enabling e-commerce. Above all, stimulating a pro-digital organizational culture is necessary (McKinsey & Company, 2018).

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2 The following sectors could be considered to be the digital followers in Croatia: trade, finance and insurance, professional, scientific and technical services.

3 The countries considered to be Digital Frontrunners in the McKinsey's study are: Belgium, Denmark, Estonia, Finland, Netherlands, Ireland, Norway, Luxembourg and Sweden.

The position of the Croatian companies in the context of ICT development was also analysed in the study entitled Digital Index of Croatian economy conducted by A.T. Kearney company in 2016 in cooperation with the Croatian Employers' Association. The research included more than 200 different Croatian companies. The main aim of the research was to establish how Croatian companies deal with digitalisation and how it impacts their business activities. The A.T. Kearney's study showed that the impact of digitalisation on the Croatian business sector will be substantial. The study estimates that by 2020 more than 50% of income will be generated through digital channels or driven by the digital products, services and business. It is interesting to note that about 70% of executives participating in this research said that the full digital impact will unfold in the next five years (A.T. Kearney and Croatian Employers' Association, 2016; Samardžija et al, 2017).

#### **Box 5. Shared Service Centre**

One of the largest digitalisation projects in the Croatian public administration is the setting up of the Shared Service Centre conducted jointly by the APIS IT company, the Ministry of Public Administration and the Central Office for the Development of the Digital Society. The value of the project is HRK 305 million, of which 85% is funded by the EU. The setting up of the Shared Service Centre will integrate in one place, the so-called cloud, different public administration systems which means that citizens will exercise their rights without submitting necessary documents because civil servants will be able to download them themselves. Single ministries will no longer have their databases on their server. Instead, everything will be located in APIS, meaning that all databases will be connected. The Shared Service Centre will also enable the introduction of horizontal services leading thus to the standardisation of business processes which are shared by all public sector bodies now supported by the various ICT solutions. This project will ensure transparency, faster issuance of documents and resolution of problems, and it will provide significant savings for the state budget.

Source: Croatian Ministry of Public Administration, 2018.

## 2. SOCIO-ECONOMIC TRENDS AND LEGISLATIVE FRAMEWORK FOR THE NONSTANDARD WORK IN CROATIA

### 2.1. Main economic indicators

The labour market in Croatia was strongly influenced by the economic crisis which began in 2008 and the negative trends lasted longer than in other EU member states. Croatia joined the EU at an unfavourable moment in terms of economy and started off as an economically weaker EU member state as compared to others, which needed to be counterbalanced by more efficient and faster implementation of reforms. However, that did not occur because reforms happened at a slower pace than in other EU member states.

Between 2008 and 2014 the decrease in real GDP exceeded 12% (European Commission, 2016). In 2015, after six years of prolonged recession, the Croatian economy entered a period of slow but rather steady recovery with a modest GDP growth of 2.4%. Despite positive trends in 2016 (3.5%), the 2.8% GDP growth in 2018 is lower than in all other new member states but is still above the EU 28 average which, according to certain estimates, is 2.1% in 2018. According to the European Commission the economic growth will continue at the similar level (2.6%) by 2020 (European Commission, 2018c). Household consumption in Croatia continues to be one of the main drivers of growth due to wage growth, growth of tourism which creates employment opportunities and investment which, however, is recovering at a slower pace than anticipated (European Commission, 2016b). According to the GDP per capita in purchasing power standard (PPS), Croatia is ranked low as compared to EU 28. In 2017, Croatian GDP per capita accounted for 62% of the EU 28 average. According to this indicator, Croatia is among the lowest ranked new member states because only Bulgaria (49%) lags behind it, while countries of south-eastern Europe are positioned even lower than Croatia.

After joining the EU, Croatia exited the excessive deficit procedure rather quickly but has in the last few years been in the group of EU countries which are in the enhanced surveillance procedure due to excessive macroeconomic imbalances. Budget deficit, which at the time of EU accession was well above the 3% GDP limit, has been reduced due to the successful implementation of fiscal consolidation measures and it is maintained at acceptable levels (in 2018 it was -0.5% of the GDP). On the other hand, the level and dynamic of increase of the general govern-

ment debt after the EU accession has represented a significant problem for the Croatian economy. The public debt has gradually been stabilised and is on a declining path but is still well above the reference value of 60% (according to the autumn forecast of the European Commission, in 2018 it was 73.5% of the GDP) and further decrease is expected in the following period (Table 4).

Social recovery in Croatia is slow but there are certain improvements on the labour market. However, having in mind the fact that after the recession Croatia started off from a weaker position than other new member states and that reforms related to the labour market are slow, Croatia is still at the bottom of the EU list according to employment and unemployment indicators.

The unemployment rate in Croatia has been gradually decreasing since the EU accession (in 2014 it was 17.2%) and amounts to 9.1% in 2018. This is above the EU 28 average (6.9%) but, according to the Commission's forecasts by 2020, the unemployment in Croatia should be reduced to 6.6% approaching thus the EU average. It should be mentioned here that the reduction of the unemployment rate was not just the result of the increase of employment and population's activity but is also partly prompted by migration outflows and population ageing. In terms of the share of the young people who are not in education, employment or training (NEET population aged 20-34), which in 2017 amounted to 21.4%, Croatia is also at the bottom of the EU list and is followed only by Greece (Eurostat).

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The employment rate in Croatia has been increasing slowly but constantly since the EU accession and has increased from 59.2% in 2014 to 63.6% in 2017 (European Commission, 2016b). However, despite a moderate increase the growth rate in 2017 was still among the lowest in Europe and Croatia is followed only by Greece and Italy on the list. It should be pointed out that according to the set employment target within the Europe 2020 strategy, Croatia proved to be less ambitious than numerous other member states which have set the same target as the EU (75% employment rate by 2020). For the age group 20-64, Croatia targeted the employment rate of only 65.2% by 2020, which has in fact already been achieved (European Commission, 2018a).

Table 4. Economic indicators for Croatia and the EU 28

Indicators	CROATIA								EU 28			
	2009-13	2014	2015	2016	2017	2018 (p)	2019 (p)	2020 (p)	2017	2018 (p)	2019 (p)	2020 (p)
Real GDP growth rate (% change to previous year) <sup>1</sup>	-2.4	-0.1	2.4	3.5	2.9	2.8	2.8	2.6	2.4%	2.1%	1.9%	1.8%
Total population (% change to previous year) <sup>1</sup>	-0.3	-0.4	-0.9	-0.7	-0.7	-0.6	-0.5	-0.5	0.2	0.3	0.2	0.2
Total investments (% change to previous year) <sup>1</sup>	-7.1	-2.8	3.8	6.5	3.8	4.1	5.4	5.8	3.1	3.2	2.9	2.8
Budget balance – general government deficit <sup>1</sup>		-3.4	-2.3	-0.7	0.7	-0.5	-0.7	-1.1	-1.0	-0.9	-1.0	-1.1
General government debt as % of GDP <sup>1</sup>	63.8	84.0	83.7	80.2	77.5	73.5	70.1	68.2	83.2	81.4	79.5	77.6
Employment rate of total population (yearly % of change) <sup>1</sup>	-2.9	2.7	1.2	0.3	2.2	2.3	2.0	1.3	1.6	1.2	0.8	0.7
Employment rate (as % of active population) <sup>3</sup>	64.2	59.2	60.6	61.4	63.6	/	/	/	72.2			
Unemployment rate (as % of active population) <sup>1</sup>	13.6	17.2	16.1	13.4	11.1	9.1	7.6	6.6	7.6	6.9	6.6	6.3

Youth unemployment (% of youth 15-24 years) <sup>1</sup>	37.3	45.5	42.4	31.3	27.4	/	/	/	16.8	/	/	/
NEET rate (% of youth not in employment, education or training, 20-34 years) <sup>4</sup>	22.4	25.1	23.7	22.5	21.4	/	/	/	17.2	/	/	/
Labour productivity (% real GDP per person, change to previous year) <sup>3</sup>	0.5	-2.7	1.1	3.2	0.7	0.5	0.8	1.2	0.8	0.9	1.1	1.1
Unit labour costs (% change to previous year) <sup>3</sup>	0.4	-2.6	-0.8	-1.8	-1.8	1.5	0.9	0.2	1.2	2.0	1.5	1.8

Note: Not available (/); prognosis (p)

Sources:

1. European Commission. 2018c. European Economic Forecast Autumn 2018. Statistical Annex. European Economy.
2. Eurostat. Unemployment Statistics. Statistics Explained. <https://ec.europa.eu/eurostat/statistics-explained/pdfscache/1163.pdf>
3. Eurostat. Employment and activity by sex and age.
4. Eurostat. Young people neither in employment nor in education and training by sex, age and educational attainment level (NEET rates).

It seems that discouragement, skills gaps, care responsibility as well as multiple pathways to early exits from the labour market represent important barriers to greater employment. A positive trend can be seen in the fact that since 2017 the number of new fixed-term contracts has decreased and the number of new open-ended contracts increased (European Commission, 2018a, 34-37). Furthermore, wages started growing again moderately in 2017 after a longer period of wage stagnation.

The European Commission finds the social dialogue in Croatia underdeveloped despite the fact that formally Croatia has an established social dialogue structure in the form of a national economic and social council. Social partners are invited to provide opinions and contributions before the adoption of the national reform programmes and other relevant legislative initiatives. However, the interaction between the authorities and the stakeholders is over all limited and trade union fragmentation is an important factor limiting and inhibiting a more active inclusion in the social dialogue (European Commission, 2018a, 37).

On the basis of the above-mentioned indicators and within the European Semester, the European Commission regularly provides recommendations for Croatia which are however not implemented efficiently. In recent years, Commission's recommendations related to labour market were directed towards discouraging early retirement, improving adult education, in particular for older workers, the low-skilled and the long-term unemployed as well as accelerating the reform of the educational system as a whole with the emphasis on promoting the relevance of the young as well as adults for the labour market (European Commission, 2018a, 59-60; European Commission, 2018a). For the majority of the above mentioned recommendations, the Commission assesses that there is limited progress and that, having in mind their relevance for the improvement of the labour market, more effort should be invested in their implementation.

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## 2.2. Non-standard employment based on the Labour Act

Within this report, the non-standard work is defined as any form of work not performed under an open-ended employment contract and on a full-time basis. The most widely used form of non-standard employment in Croatia is fixed-term employment. Even though the Labour Act defines fixed-term employment as an exception (Article 12), in the last ten years the fixed-term employment has become the predominant form of new employment in Croatia (Butković et al., 2018). Considering company size, the following rule applies: the smaller the company, the higher the likelihood of using fixed-term employment. At the beginning of their career, young workers are most frequently employed under such contracts (Matković, 2013). As a general rule, the cumulative duration of all successive fixed-term employment contracts may not exceed three consecutive years, unless where it is necessary for the purpose of replacing a temporarily absent worker or where it is on objective grounds allowed

by law or a collective agreement. The last amendments to the Labour Act from 2014 stipulated that the above three-year limitation is not applied to the first such contract which may last even longer than three years. This novelty has been introduced to enable the employers to employ a worker under a fixed-term contract for completing a specific project or task with a predetermined duration.

The Croatian legislation clearly distinguishes between part-time and short-time work. While short-time work represents a specific instrument for the protection of workers, part-time work is exclusively the consequence of objective conditions on the labour market (Zuber, 2006). Pursuant to the Labour Act (Article 62), part-time work is defined as any work in the duration shorter than forty hours a week. The Act furthermore stipulates that apart from pay and contributions, all other substantial rights of workers performing part-time work must be regulated in proportion to their working time. However, such a precise provision was added to the Act only in 2014 which is why before 2014 part-time work was often too expensive for employers (Butković et al., 2018).

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In order to provide as complete picture as possible of the non-standard work and employment in Croatia in addition to statistical indicators for the whole economy, where possible, this analysis included also data for five selected sectors. Those are: i) wholesale and retail trade, ii) accommodation and food service activities, iii) information and communication, iv) human health and social work activities and v) arts, entertainment and recreation. Within this selection of activities, accommodation and food service activities, the activity of arts, entertainment and recreation and the activity of information and communication were selected as sectors in which new forms of work and employment caused by digitalisation are strongly represented. On the other hand, wholesale and retail trade has been selected as a classical activity predominantly in private ownership, whereas human health and social work activities has been selected as a typical representative of a sector predominantly in state ownership.

The data obtained from the Croatian Bureau of Statistics show that fixed-time work is significantly more represented in the private sector than in the public sector while in both sectors there is an increase of such work (see Table 5 and Figure 1). In 2017, 10.02% of workers in the public sector and 22.57% of workers in the private sector had fixed-term jobs. Hence, 89.23% of workers in the public sector and 77.25% of workers in the private sector had open-ended employment contracts. When analysing the period of the last three years, the similar relation between fixed-term and open-ended employment was also recorded in five se-

lected economic activities for which statistical data were collected. It should be pointed out here that within the accommodation and food service activity as well as within arts, entertainment and recreation activity, the share of fixed-term contracts in privately owned companies is even larger. In 2017, it amounted to 36.77% in the former sector and to 31.86% in the latter (see Annex 1).

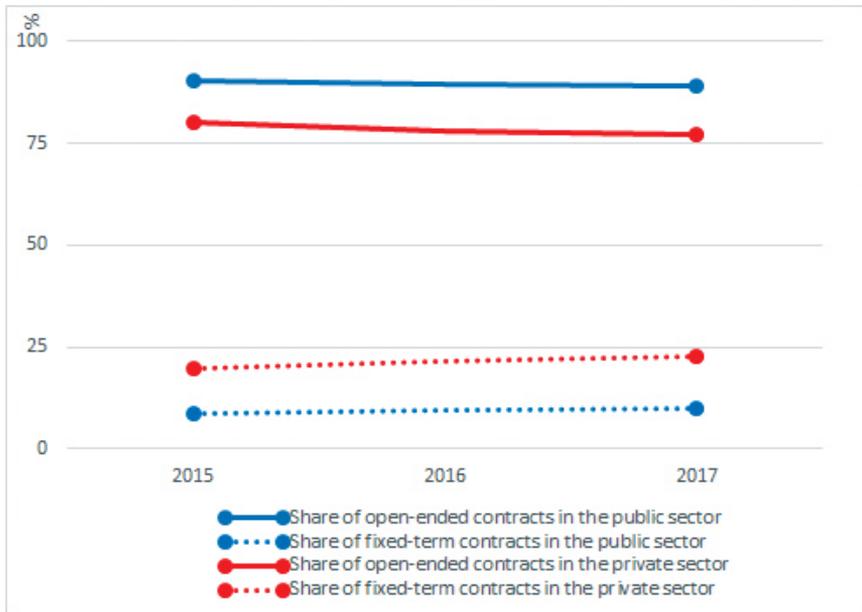
The data from the Croatian Bureau of Statistics also show that in 2016 about 95% of workers in the public sector and 96% of workers in the private sector worked full-time, whereas about 5% of workers in the public and 4% of workers in the private sector worked part-time. Data collected at the level of different economic sectors show similar trends in terms of working time (see Annex 1).

Table 5. Employment according to type of working relationship and contractual working hours

Category	Public sector			Private sector		
	2015	2016	2017	2015	2016	2017
<b>Total number of employed people</b>	400,913	405,842	391,670	571,765	640,319	630,193
<b>Type of working relationship</b>						
No. of open-ended contracts	362,017	363,576	349,493	456,982	500,464	486,848
Share of open-ended contracts	90.29%	89.58%	89.23%	79.92%	78.16%	77.25%
No. fixed-term contracts	34,640	38,845	39,234	113,000	137,556	142,252
Share of fixed-term contracts	8.64%	9.57%	10.02%	19.76%	21.48%	22.57%
<b>Contractual working hours</b>						
Full-time	380,638	384,245		553,890	616,385	
Part-time	19,212	20,806		17,065	23,026	

Source: Croatian Bureau of Statistics (compiled by authors).

Figure 1. Share of open-ended and fixed-term contracts in the private and public sector in Croatia



Source: Croatian Bureau of Statistics (information on demand).

The Labour Act defines a temporary employment agency as an employer who, based on worker assignment contracts, assigns workers to another employer to work there temporarily (Articles 44 to 52). Pursuant to the Labour Act, the agency may conclude a temporary assignment contract of fixed or open-ended duration with the worker. In the period when the assigned workers with an employment contract of open-ended duration are not assigned to the user undertaking, they are entitled to the remuneration amounting to the average remuneration they received over the preceding three months. However, in the practice, these contracts used by temporary employment agencies in Croatia are concluded for a fixed duration. Since employers do not treat the agency work in their business records as employment, such work is desirable when the aim is not to show increase of employment (Butković et al., 2018). According to Eurostat data, assigned workers comprised 1.2% of the working population in Croatia in 2016.

**Box 6. Pension reform**

A multi-pillar pension system was set up in Croatia in 1998. The first and the second pillars were established as obligatory (the second pillar is obligatory for workers up to 40 years of age), whereas the third pillar was established as voluntary. However, due to demographic trends and the ageing of population, in 2018 Croatia had an unfavourable 1:1.16 ratio of retired persons to persons paying contributions (CPII, 2018). The average length of employment is only 30 years. Furthermore, less than half the insured in the system are old-age pension beneficiaries (44%) and the rest are beneficiaries of family pension (19%), early old-age pension (17%), disability pension (11%), old-age pension transformed from disability pension (7%) and old-age pension for long-time insured (2%), which are not completely covered by contributions. Ultimately, Croatia has a very low relative pension which in 2018 amounted to only 42% of the average wage (ibid.). With the aim of maintaining the financial system, the Croatian Government launched a comprehensive pension reform in 2018. In accordance with this programme, starting from 1 January 2019 six acts will be amended to keep the pension system financially sustainable and to correct the inequalities which currently exist between different generations of retired persons. Among others, the pension reform introduces a change according to which those born after 1 January 1966 (who on 1 January 2033 will have full 67 year of age) will retire to an old-age pension at the age of 67. Additionally, one of the aims of this pension reform is prolongation of working life so the conditions for early old-age retirement will become stricter (MLPS, 2018). Trade unions strongly opposed the proposed reform and demand restoration of the age limit for the full old-age retirement to 65 years of age as well as reduction of penalties for early retirement (IURHEE, 2018).

Sources: CPII, 2018; MLPS, 2018; IURHEE, 2018.

Seasonal work was introduced into the Labour Act in 2001. Pursuant to the Act, a fixed-term employment contract for permanent seasonal jobs obliges the employers to pay contributions for each permanent seasonal worker through the entire year (Article 16). Furthermore, such contract obliges the employer to offer the worker entry into a new employment contract for the following season. If the worker unjustifiably declines the

employment contract, the employer is entitled to claim a refund of contributions paid for the worker. When not working, a permanent seasonal worker receives a certain benefit from the state. Seasonal workers are mostly represented in tourism due to the seasonal nature of this activity. According to the Croatian Employment Service (CES), there were 2.831 permanent seasonal workers in Croatia in 2017 (CES, 2017a).

### **Box 7. National development strategy**

The national development strategy is hierarchically the highest strategic planning document in Croatia the aim of which is to draft and implement development policies. The national development strategy contains a long-term vision of Croatia's development and investment priorities in a ten-year period. The drafting of the national development strategy for the period up to 2030 is coordinated by the Ministry of Regional Development and EU Funds. At the moment all sectors are involved in drafting the strategy. The period stipulated for drafting the strategy and the proposal for its adoption is by the end of 2019. The national development strategy will be the umbrella strategy for all strategies and each sector will subsequently draft their own strategies which will usually be adopted for the period ranging between two and five years and occasionally updated. The Central Office for the Development of Digital Society is in charge of drafting a part of the national development strategy under the working title Digital Croatia which will deal with the development of digital society. It will consist of three pillars: the first pillar for economy, the second pillar for public administration and the third pillar for inclusion and digital skills. The Central Office for the Development of Digital Society will be in charge of the third pillar. The strategy entitled Digital Croatia will probably be a ten-year strategy which will further stipulate tasks for achieving aims at the national level until 2030.

Source: Interview, Central Office for the Development of Digital Society, 2018.

## **2.3. Work outside of employment relationship**

In Croatia there are three types of non-standard contracts (the so-called civil contracts): contract for services, author's contract and the student contract. These alternative work forms are not regulated by the Labour Act but by other legal acts such as the Civil Obligations Act (contract for

services), Copyright and Related Rights Act (author's contract) and the Act on the Student Work (student contract). These contracts can be used as legal basis for some new forms of work and employment identified by the Eurofound.

Under a contract for services, the contractor undertakes to carry out certain work in exchange for a price that the ordering party undertakes to pay. The contractor is not obligated to perform the work personally but can employ a third party to perform the work (Gotovac, 2011). The scope of work which can be performed under an author's contract is much more limited as compared to the contract for services. Author's contracts are used for work defined as copyright work specified as an original intellectual creation in the literary, scientific and artistic domain, having an individual character, irrespective of the manner and form of its expression. Work under a contract for services used to be subject to the obligation of paying certain contributions to the state which was not the case with work under the author's contracts. However, since January 2017 the obligation to pay these contributions has been expanded to work under author's contracts as well.

Work under student contracts is intended for regular students employed via special legal entities, the so-called student employment services. The nature of such work is closer to standard employment than to other forms of work outside of employment relationship. Student work, unlike the other mentioned forms civil contracts, is not as heavily focused on work results. Here much more importance is placed on the work process. The mandatory contributions for pension and health insurance for the work based on student contract are paid in a reduced amount (Mrnjavac, 2015).

Student work does not entitle one to the rights from the pension insurance. On the other hand, work under a contract for services and author's contract could be the basis for such rights, provided that all contributions are paid. However, considering the lower basis for calculating the contributions and frequently short and interrupted periods of activity, pensions acquired under such contracts are usually lower than average pensions in Croatia (Grgurev and Vukorepa, 2018). All workers earning predominantly on the basis of contracts for services or author's contracts can be registered as self-employed. However, in practice only a smaller number of workers opt for this step because in this case they must pay pension and other contributions even in the periods without business activity. Furthermore, work outside of employment relationship represents the cheapest form of legal work in Croatia. Hence, such workers can provide their services at a lower price than regularly employed or self-employed workers (interview with LLD, 2018).

According to the Employers' Survey conducted by the Croatian Employment Service (CES) in 2014, 12.7% of contracts concluded by Croatian employers were contracts for work outside of employment relationship, of which 4.0% were contracts for services, 3.6% author's contracts and 5.1% student contracts. In 2016, the situation was similar with 11.9% of contracts for work outside of employment relationship, of which 3.7% were contracts for services, 3.1% author's contracts and 5.1% student contracts (Table 6). In both time periods such contracts were more represented in the public than in the private sector (CES, 2015; CES, 2017b). In terms of selected sectors, in 2016 civil contracts were predominantly used in the activity of information and communication and in the activity of arts, entertainment and recreation (Table 7).

Table 6. Share of civil contracts in Croatia

Type of contract	Year	
	2014	2016
Contract for services	4.0%	3.7%
Author's contract	3.6%	3.1%
Student work	5.1%	5.1%
Total civil contracts	12.7%	11.9%

Source: CES, 2015; CES, 2017b.

Table 7. Share of civil contracts in selected sectors of Croatian economy in 2016.

Sectors	Type of contract		
	Contract for services	Author's contract	Student work
Wholesale and retail trade	2.8%	0.4%	7.2%
Accommodation and food service activities	4.7%	5.9%	15.7%
Information and communication	3.8%	51.1%	12.4%
Human health and social work activities	4.5%	1.8%	1.2%
Arts, entertainment and recreation	10.4%	26.1%	21.1%

Source: CES, 2017b.

However, the main problem of the Employers' Survey is the fact that it does not differentiate between work based on the Labour Act which in general is a long-term work and the work outside of employment relationship which is frequently short-term. Furthermore, within the group of non-standard contracts, this survey does not differentiate between

workers with permanent employment using these contracts to provide additional income and persons who work only under such contracts realising their social and pension rights on that basis. The number of persons working only under contracts for services and author's contracts is certainly lower than according to presented indicators.

Self-employment is not regulated by the Labour Act but by tax regulations. In those regulations, the self-employed are defined as persons running a business and employing one or more employees and as the self-employed not employing other employees. Furthermore, this term also includes the members of production cooperatives and unpaid workers, i.e. family members who are not paid but who participate in company's profits (Kulušić, 2009). Self-employed persons in Croatia can choose between two forms of registering their business. One form is to register as a craftsman pursuant to the Crafts Act and the other is to establish a company pursuant to the Companies Act (Krmelić, 2014). The self-employed activity can also include independent professions such as journalists, artists, athletes, etc., and the natural persons performing these activities are registered in the registry of income tax payers.

In certain professions on Croatian labour market, such as journalism, the phenomenon could be observed of a declining number of workers on employment contracts and increasing number of self-employed. This trend is linked to the cost of labour which is lower in the case of self-employment (interview with Infobip, 2018). However, despite this trend, the number of the self-employed in the post-crisis period in Croatia continuously declined. The number of the self-employed decreased from about 289.000 in 2009 to about 168.000 in 2017. This is due to fact that during the crisis, the self-employed became one of the most vulnerable groups on the Croatian labour market. It is a group which has proven to be much more sensitive to crisis than workers in the public sector or even workers in large private companies (Samardžija et al., 2017). Later, when recovery began as a consequence of joining the EU (2013) the country was hit by a wave of labour force emigration due to opening of the Western European labour market, thus preventing the natural increase of self-employment. This trend is equally perceivable in the area of general self-employment as in the area of self-employed without employees, i.e. portfolio workers.

In 2017 in Croatia there were 1 603.000 employed according to Eurostat. In the same year there were 167.600 self-employed which is about 10.4% of the employed, whereas there were 90.900 or about 5.6% of portfolio workers (see Table 8). In terms of selected activities, the number of portfolio workers decreased in the last five years in wholesale and retail

trade, accommodation and food service activities and in the activity of arts, entertainment and recreation. In the activity of information and communication, as well as within the human health and social work activity, the number of portfolio workers stagnated (Table 8).

Table 8. Self-employed and portfolio workers (self-employed without other employees) in Croatia – expressed in thousands

Category	2013	2014	2015	2016	2017
<b>Total number of self-employed</b>	229.5	207.0	201.6	184.6	167.6
<b>Total number of portfolio workers</b>	163.9	126.1	120.9	104.3	90.9
<b>Number of portfolio workers in selected sectors</b>					
Wholesale and retail trade	12.4	11.0	9.7	7.8	6.8
Accommodation and food service activities	5.6	1.9	2.0	1.4	1.7
Information and communication	2.6	2.2	2.2	1.3	2.2
Human health and social work activities	1.7	2.0	1.2	2.1	2.4
Arts, entertainment and recreation	4.6	1.6	1.4	-	-

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Source: Eurostat

In 2012, the Employment Promotion Act (Articles 9 to 13) introduced the possibility of voucher-based work in agriculture which enables daily work in that sector. Such work is limited to 90 days within a calendar year and is prohibited to minors and parents on parental leave. Furthermore, voucher-based work in agriculture is prohibited to persons in an employment relationship as well as to self-employed. By buying a voucher, employers prepay contributions for their workers on a daily basis (Grgurev and Vukorepa, 2018). According to data requested from the Croatian Pension Insurance Institute, in 2015 there were 4.075 workers in the voucher-based work, in 2016 there were 3.195 and in 2017 there were 2.269 such workers.

The Employment Promotion Act (Articles 6 to 87) from 2012 expanded the initial scope of persons who can participate in the measure of occupational training without commencing employment, which entered into force for the first time in 2010 with the Labour Act. Pursuant to the Employment Promotion Act the state covers pay (since 2015 approximately at the level of the minimum wage), as well as contributions instead of employers who provide occupational training for young persons with a university degree for 12 months. The training can also be applied to young persons with a vocational secondary school degree who

are trained in the period of 24 months. The Labour Act and collective agreements apply to participants of this measure apart from the provisions related to material rights (Butković, 2018). According to the data of the Croatian Employment Service, this measure covered 10.736 young persons in 2017 which makes it one of the most popular active labour market policy measures in Croatia (Croatian Employment Service, 2017a).

Box. 8: The challenges in front of vocational education

In order to improve comparatively bad results with employment of persons who completed the vocational training in September 2016. Croatia adopted the Program for development of the system of vocational education and training for the period between 2016 and 2020. The intention of this program is to direct changes in the system of vocational education and training. In November 2016 the Ministry of science and education also adopted the action plan for implementation of this program. The programme set up comprehensive reform of VET curricula. It focused on strengthening all kinds of work - based learning models (alternance schemes, apprenticeships, and on-the-job training periods in companies). It promoted stakeholder participation, especially greater involvement of employers in work - based learning and in the planning and designing of VET programmes. Incentives are given to providers of practical training places and to companies who offer capacity building to their mentors. The action plan detailed the measures, expected results, indicators, deadlines, and financial resources for the duration of the programme.

CEDEFOP, 2018.

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## 2.4. New forms of work in the digital economy and Croatian legal framework

Related to the new forms of work identified by the Eurofound in 2015, it should be underlined that in some EU member states (such as the UK, Italy or Hungary) certain new forms of work and employment are regulated by new legislation and are well established. However, this is not the case in other member states. In Croatia these new forms of employment are not regulated as such by the Labour Act but are implemented in practice on the basis of the already existing legal provisions

and regulations. In their recently published paper, Ivana Grgurev and Ivana Vukorepa gave a systematic table showing how and on what legal basis each of these nine new forms of work and employment can be implemented in Croatia (see Table 6). It can be expected in the future that also in Croatia at least some of these new forms will be regulated by the Labour Act and other legislation.

Table 9. Legal base for work within new forms of work and employment in Croatia

<b>New forms of work according to categorization of Eurofound from 2015</b>	<b>Legal base for such work in Croatia</b>
Voucher-based work	Allowed only in agriculture Arts. 9-13 of Employment Promotion Act (max. 90 days/calendar year).
Casual work <ul style="list-style-type: none"> <li>• intermittent work</li> <li>• on-call work (zero-hour contract)</li> </ul>	Not regulated by LA. Possible via contract for service (Obligations Act).
Employee sharing <ul style="list-style-type: none"> <li>• ad hoc employee sharing (labour pooling)</li> <li>• strategic employee sharing</li> </ul>	Not regulated. Possible only via temporary assignment agreements (LA) to another associated company. Art. 10/3 LA (max. 6 months within Croatia) Art. 18/4 LA (max. 2 years if posted abroad).
Job sharing	Possible only through provisions on part-time work.
Interim management	Not regulated by LA. Currently only possible via a (1) fixed-term employment contract or (2) contract for service/work of a self-employed person or strategic management company owner (Obligations Act).
ICT-based mobile work	Not regulated by LA. Currently possible only by obeying LA provisions on alternative workplace employment contracts.
Crowd employment	Not regulated by the LA. Work can be performed via (1) employment contract (LA), (2) self-employment or (3) contract for service (Obligations Act)—most likely in practice.
Portfolio work	Not regulated by LA, falls under Obligations Act (contract for service).
Collaborative employment (umbrella organisations, cooperatives, etc.)	As a new modality for self-employed and start-up firms not regulated by LA but falls under the Obligations Act (e.g., contracting parties are agreeing on terms of sharing workspace and other supportive tasks).

Source: According to Grgurev and Vukorepa, 2018.

**Box 9. Tax reform**

A comprehensive tax reform is one of the key measures of the Croatian Government's Programme for 2016-2020. It includes all aspects of the tax system with the emphasis on simplification, spreading the tax base and providing tax relief for citizens and companies. The reform covers profit tax, income tax, contributions, value-added tax, real estate transfer tax and property tax (GRC, 2016). Changes in the tax system initiated in 2017 caused the reduction of tax burden in the amount of HRK 3.6 billion and the changes to be implemented at the beginning of 2019 will result in further reduction of tax burden for HRK 2.7 billion (according to Minister Marić, Net.hr, 2018). Measures foreseen in 2019 include the reduction of the value-added tax for certain products, cancellation of work injury contribution of 0.5% and employment contribution of 1.7%. At the same time, health insurance contribution will increase from 15% to 16.5%. Regarding the income tax, the increase of the band for the application of the lowest rate of 24% is announced (ibid.). The employers believe that the tax reform is a step in the right direction. However, they advocate further reduction of tax rates. On the other hand, trade unions call for a tax reform which would take more account of the social dimension and equality and oppose further changes to labour legislation (Samardžija et al., 2017). A set of measures within tax reform package foreseen for 2019 will have negative impacts on the state tax income but could have positive effects on the economic growth (Poslovni dnevnik, 2018).

Sources: Net.hr, 2018; Poslovni dnevnik, 2018; Samardžija et al., 2017; GRC, 2016.

### 3. RESULTS OF EMPIRICAL RESEARCH ON THE NEW FORMS OF WORK IN CROATIA

#### 3.1. Forms of employment – standard and non-standard work

More than 86% of all respondents (N=500) are employed by an employer, 12% are self-employed whereas somewhat less than 2% do not fit in either of these two categories. Slightly above one third of the self-employed respondents work as sole employees in their companies or crafts (36% of N=66), while 29% are directors of their own companies or

crafts which employ other workers. Another fourth of the self-employed respondents (25%) are employed as sub-contractors, workers on the civil contracts, agency workers or business partners, and the remaining 10% provided no answer.<sup>4</sup> The share of the self-employed is similar to one provided by the Labour Force Survey Results for 2017 which noted 11% of the self-employed (CBS, 2019).

The majority of respondents employed by an employer (N=434) have an open-ended contract (71%) and one fifth have a fixed-term contract (21%). This is very similar to the Labour Force Survey Results for 2017 which recorded 68% of workers with open-ended contracts and 21% with fixed-term contracts (CBS, 2019). Other types of contracts (e.g. contract for services or author's contract, internship, temporary employment agency contract) are rarely represented. Among the employees working for an employer, 3% have no contract. Furthermore, in the case of fixed-term contracts (N=104), their duration is predominantly up to one year.<sup>5</sup> From a perspective of the level of education, in the group of respondents with high school degrees, 74% have open-ended contracts, while only 19% have fixed-term contracts. In the group of respondents with university degrees 68% have open-ended contracts, while 22% work on the fixed-term contracts. This indicates greater representation of nonstandard work among university graduates.

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The majority of all respondents (59%) work in the private sector and a third (33%) in the public sector. Joint private-public organisations or companies, the non-profit sector or NGOs are mentioned in 6% of answers, whereas about 2% of respondents gave no answer or their answer was not applicable to their status. Furthermore, the majority of respondents are employed by the employers having more than 250 employees (31%), somewhat less (22%) work for the employers employing 50-249 employees, 37% work among 2-49 other employees, 6% work alone whereas 4% gave no answer.

The most frequently mentioned economic sectors in which the respondents work are: wholesale and retail trade (12%) and education (10%). Other service activities accounted for 18% and all other sectors account-

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4 Question 2. As far as your main occupation in the last 12 months is concerned, would you say you are an employee or a self-employed? Question 2a. Are you paid a salary by an employer? Question 5. Please select a category or categories which apply to your main paid job!

5 Question 3. What kind of employment contract do you have in your main job? Question 4. What is the exact duration of the contract in number of years and months?

ed for up to 6% or significantly less (ranking from more represented to less represented sectors: construction; human health and social work activities; manufacturing; scientific and technical activities; accommodation and food service activities; administrative and support service activities; transportation and storage; ICT sector; agriculture, forestry and fishing; energy supply; public administration and defence; etc.).<sup>6</sup>

The largest number of respondents (47%, N=500) has a relatively short professional experience (up to 5 years) in the present company or organisation. Somewhat less than a third (30%) have been working in the present company or organisation for one to five years while 17% have had the new job for less than a year. On the other hand, about 16% of the respondents answered that they were working in the present company or organisation for more than 20 years.

The majority of the respondents (58%) work on average 40 hours a week, whereas somewhat more than a fifth (21%) work between 41 and 60 hours a week. The number of respondents working fewer hours is lower (10% work up to 20 hours and only 5% work between 21 and 39 hours). On average, the employed respondents work 39 hours a week whereas self-employed respondents work 45 hours a week.<sup>7</sup>

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Full-time work prevails in employment contracts while the share of those working part-time is lower. The research shows that the largest number of respondents (80%) had so far between one and five full-time jobs, and almost 10% have had about a dozen such jobs. On the other hand, 6% of the respondents have never had a full-time job. Between one and five part-time jobs were held by 21% of respondents. Only 3% answered that they had five or more part-time jobs. As many as 48% of respondents never had a part-time job, but that percentage is probably higher because 25% replied to question about part-time jobs with not applicable.<sup>8</sup>

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6 Question 6. What kind of company are you working in? Question 8. How many employees in total work in your company or organisation? Question 7. Which economic sector do you work in?

7 Question 9. How many years have you been in your company or organization? Question 11. How many hours do you usually work per week in your main paid job?

8 Question 10. How many jobs have you had so far?

### 3.2. Specific employment characteristics – working time, job location, positive and negative aspects of a working place

On the average, 71% of the respondents in the survey never work at night, 38% never work during weekends and 51% never work more than 10 hours a day. If they do work at night, this occurs at most 1-5 times a month (13%) or 6-10 times a month (9%). A quarter of the respondents claim that they work each weekend in a month and the same percentage of respondents claim they work overtime between one and five times a month. It was shown generally that the self-employed respondents work during weekends and overtime more frequently than the employed respondents. Furthermore, the comparison of representative age groups samples shows that respondents older than 25 more frequently work more than 10 hours a day compared to younger respondents.<sup>9</sup>

A significantly largest share of all respondents (72%) work every day at their company's premises, while 14% of the respondents never work at their own premises. Other locations offered in the survey were not mentioned as frequently by the respondents. As many as 60% of the respondents never work at client's premises, 61% never work at their own home and 76% never work in a public space. In terms of age, the respondents over 25 years of age state more frequently than younger respondents that they work every day at the employer's premises. In case of the self-employed respondents, they work from home or in public spaces more frequently and less frequently at their client's premises as compared to employees working for an employer.<sup>10</sup>

A half of the respondents claim they experience work-related stress on a daily basis. About 46% of the respondents believe they could easily find a similarly paid job if they were to lose their current job. The share of those who believe that they are adequately paid for their job (40%) and those who believe otherwise (41%) is almost equal. However, the majority of respondents feel that their workplace requirements do not have a negative impact on their personal life (53%) and do not think that they could lose their job in the next six months (66%).<sup>11</sup>

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9 Question 23. Normally, how many times a month do you work at night, during weekends or more than 10 hours a day?

10 Question 22. How often have you worked in each location during the last 12 months in your main paid job?

11 Question 7. To what extent do you agree or disagree with the following statements about your job (exposure to stress in the workplace, possibility of finding a new job, adequacy of pay as compared to workplace requirements, effect of workplace requirements on private life, job safety)?

The majority of the respondents (72%) do not have other paid jobs apart from their main job. Only 4% of the respondents regularly perform additional paid jobs and 18% perform them occasionally. Majority of those who regularly perform additional paid jobs (N=19) work so 10-15 hours a week (42%). Somewhat less than a third (30%) work so only 1-9 hours a week and 28% work so 16 hours a week or more.<sup>12</sup>

It seems that respondents are not entirely sure which are the main limitations to implementation of their desired activity. About 41% of the respondents (employed and self-employed alike) believe that the currently valid Labour Act largely restricts them in implementation of their desired activity. There is an equal share of those disagreeing with this claim. A somewhat lower share of the respondents (37%) find fiscal legislation too restrictive. It should be pointed out that as many as 18% of the respondents could not evaluate the effects of the Labour Act and of fiscal legislation on their activity.<sup>13</sup>

### 3.3. Social and other benefits and workplace limitations

In general, the number of social benefits (six proposed categories) the respondents have at their disposal at workplace exceeds the number of unavailable benefits (four categories). Significantly largest percentage of respondents (85%) have obligatory medical insurance based on work, 79% enjoy regular paid vacation, 71% paid sick leave, 65% use transport subsidies. About a half of respondents (50%) have the possibility to use work related training at the employer's expense, while 48% have the possibility to obtain loans. On the other hand, only 25% of the respondents receive free or subsidised meals, 20% have paid child care and 41% paid medical treatments or additional medical insurance. The benefits of paid annual vacation, paid sick leave and subsidised transport are more frequently enjoyed by the employed than by the self-employed respondents.<sup>14</sup>

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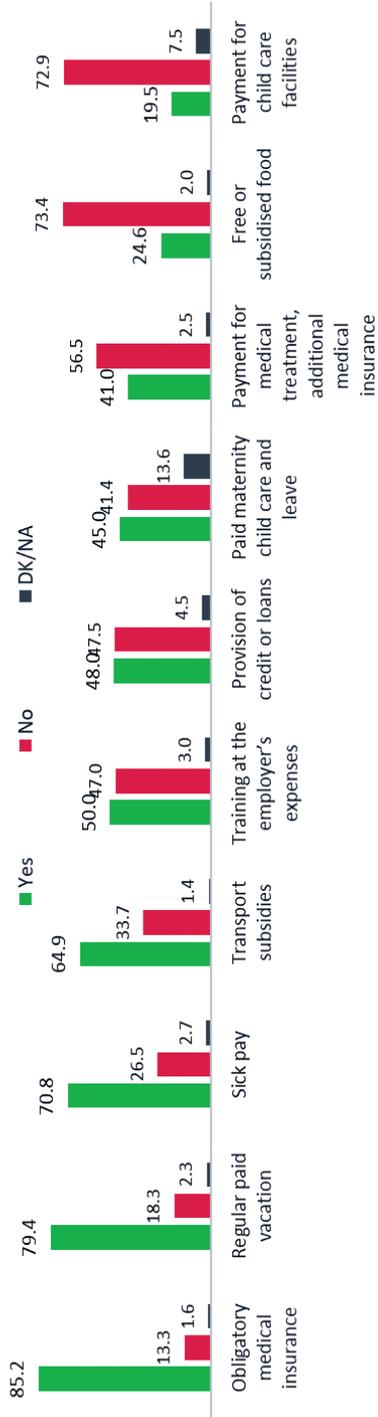
12 Question 20. Besides your main paid job, do you have any other paid job(s)? Question 21. How many hours a week on average do you work in job(s) other than your main paid job?

13 Question 33. Do you consider the actual labour law is restrictive for your desired activity/form of work? Question 34. Do you consider the actual fiscal law is restrictive for your desired activity/form of work?

14 Question 29. What are the social benefits that you benefit from?

Figure 2. Use of social benefits

Base: All respondents (N=500)



Source: Hendl research for IRMO, 2018.

In terms of a possibility to use the ICT technology at the workplace, 87% of the respondents have access to Internet, 71% use a personal computer, 62% use smartphone apps, 60% use a laptop and only 34% a tablet.<sup>15</sup>

Three quarters of all respondents in this survey (75%) are not trade union members, while percentage of non-members is highest among the age group of persons up to 34. Those who are not trade union members state different reasons for not joining one. About 29% of them claim there are no trade unions in their area of activity whereas 26% of them are not interested in becoming a trade union member. Low value for cost ratio is the reason mentioned by 15% of respondents, 10% of the respondents stated they have no time for trade unions whereas 7% feel insufficiently informed.<sup>16</sup>

### 3.4. Attitudes and experiences related to self-employment

The reasons for becoming self-employed (N=58) are different. For one third of the respondents those are independence and freedom, for 28% flexible working hours (mostly pointed out by the youngest age group), whereas for 23% of respondents there were no other alternatives for work. One fifth of the respondents opted for self-employment because for them it represents a challenge which enables creativity, success and satisfaction. Only 19% of the respondents believe that self-employment offers higher, or even unlimited income, while 17% of respondents chose such form of employment due to less stress and the possibility of working from home (16%). The number of respondents who opted for self-employment due to the following reasons is somewhat lower: possibility to balance professional and family life (15%); taking-over of family business (15%); possibility for control, taking responsibility and making decisions (9%); nature of work which requires self-employment (6%). Lower taxes as the reason are mentioned by the lowest number of respondents (only 3%).

The greatest problems related to self-employment are: tax burden (45%), uncertainty (34%), stress (20%) and too much responsibility (19%). The following reasons were mentioned less frequently (10-15%): difficulties with obtaining financing from the banks, duties related to running a business, long hours, no time off, lack of benefits such as Christmas or vacation bonus, interference with family life and low income. Less than

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15 Question 32. Do you use the following for work, either provided by your employer or your own (Internet access, PC, smartphone apps, laptop, tablet)?

16 Question 30. Are you a member of any professional or trade unions? Question 31. What is the main reason that you do not belong to such an association?

10% of respondents stated that working alone in isolation and income fluctuations represent the greatest problems when working as self-employed. It should be pointed out that the number of respondents which stated that the current fiscal laws restrict their activity is larger in case of self-employment than in case of other forms of employment.

Before they became self-employed, most respondents (61%) worked for an employer, 22% were previously also self-employed, 10% were looking for a job and 3% were in school or college.<sup>17</sup>

**Table 10. Characteristics of self-employment**

Base: Self-employed respondents (N=58)

<b>Reasons for self-employment</b>	<b>%</b>
Independence, freedom, own boss	34.1
Flexible hours	27.8
No other alternatives for work	23.3
Challenge, creativity, success, satisfaction	19.8
More money, unlimited income	19.1
Less stress	17.1
Work from home	16.2
Balance of work and family life	15.3
Joined or took over family business	15.1
Control, responsibility, decision making	8.9
Had to be self-employed (nature of a job)	6.4
Lower taxes, deductions	3.4
DK/NA	3.4
<b>Problems of self-employment</b>	<b>%</b>
Tax burden	44.9
Uncertainty, insecurity, risk, lack of stability	34.4
Stress	20.3
Too much responsibility	19.1
Difficulties with obtaining financing, with banks	14.1
Tasks related to running a business	13.1

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17 Question 16. What are the main reasons you became self-employed instead of working for an employer? Question 17. What do you dislike about being self-employed? Question 18. What was your main activity during the 12-month period before the start of your business?

Long hours, no time off	12.7
Lack of benefits	11.9
Interference in family life	10.9
Low income	10.0
Working alone, isolation	9.7
Fluctuations of income, cash flow problems	8.4
Other	4.0
DK/NA	8.7
<b>Work before self-employment</b>	<b>%</b>
Working for an employer	60.8
Self-employed	22.3
Looking for a job	10.5
Going to school or university	3.2
DK/NA	3.2

Source: Hendal research for IRMO, 2018.

### 3.5. Experience and attitudes related to new forms of work

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A half of the respondents stated that they worked in at least one new form of work (N=500).<sup>18</sup> It is interesting that new forms of work are not unknown to respondents and only a small number of respondents (between 2 and 3%) have never heard of the new forms of work mentioned in the survey.

The largest number of respondents participated in casual work, i.e. on call work (25%), 18% of the respondents participated in the ICT-based mobile work, 16% in job sharing and 11% at least once worked in crowd employment. Less than 10% of respondents participated in some other new forms of work. The following are other new forms of work ranked from the most frequently to least frequently mentioned in the survey: collaborative employment (10%), interim management (10%), employee sharing (9%), portfolio work (8%) and voucher-based work (5%).

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18 Question 12. Have you ever worked in any of the new forms of work?

Younger respondents (especially those between 25 and 34 years of age) participated most frequently in the new forms of work. Young people up to 24 years of age account for the majority (even three quarters) of the total number of casual workers. Furthermore, young respondents (18-34 years of age) more frequently than older respondents stated that they were involved at least once in the work based on online platforms, vouchers, ICT based work, in casual work and job sharing. It is interesting that the largest number of persons involved in ICT-based mobile work are members of the younger age group (up to 34 years of age) and the oldest age group (65+). Having in mind the educational structure of respondents which participate in the new forms of work it should be stressed that the share of workers with elementary education was very small. On the other hand, the share of high school graduates and university graduates was the same in the area of casual work or job sharing. In case of the ICT based mobile work respondents with the university degree prevailed.

Figure 3. Occurrence of new forms of work

Base: All respondents (N=500)



Source: Hendaal research for IRMO, 2018.

Regarding crowd employment, 38% of the respondents know that such platforms exist but have never visited them. The number of those who regularly or occasionally use platform services is very small (14%), as well as the number of those who have visited a platform and paid for the services offered there (6% of the respondents). About 12% of the respondents have visited platforms but have never used them. On the other hand, one quarter of the respondents (25%) stated they had never heard about such platforms.<sup>19</sup>

On average, respondents agree that the new forms of work represent a solution to majority of existing problems on the labour market. Even 70% of the respondents or more believe that the new forms of work could solve problems of too high taxes, excessive bureaucracy and low wages. An exception are low employment and labour market rigidity. For both of these categories only about 48% of respondents believe that new forms of work represent a good answer, while many are neutral. New forms of work cannot solve the problem of too strong trade unions; only 14% of the respondents believe that. The respondents who at least once worked in one of the new forms are generally more prone to believe that such work represents the answer to problems of bureaucracy, low employment and emigration.<sup>20</sup>

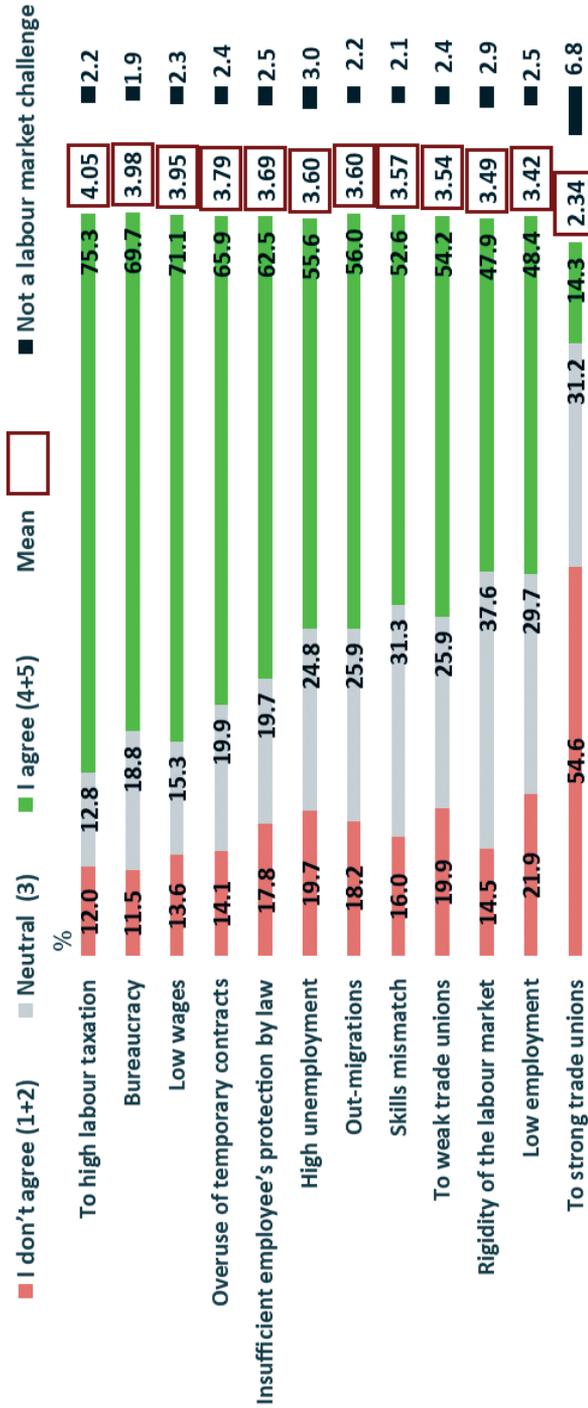
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19 Question 28. Which of the following matches your experience regarding an online platform that matches employers and workers or the consumers of goods and services with the suppliers?

20 Question 13. Are new forms of employment (each of them) an answer to key labour market challenges?

Figure 4. New forms of work as an answer to key labour market challenges

Base: All respondents (N=500)



Source: Hendl research for IRMO, 2018.

In terms of reasons for choosing a new form of work, the respondents state their own preference leading to better income, professional motivation and the need to gain work experience. These three reasons have the average score of 4 (I agree) and these positions are held by between 71% and 61% of the respondents. The other reasons gained an average score (3), i.e. between 51% and 24%. These positions are related to a necessity of such work in order to improve income, impossibility of finding standard employment, own inclination towards such form of work and employment, perception of these new forms of work as a first step towards starting own business or simply this being the only possibility offered to the respondents. Younger respondents (18-34 years of age) would generally more frequently than older respondents choose to work in one of the new forms of work to gain experience and as a first step towards starting their own business.

About two thirds of the respondents (65%) stated they were willing to undertake a job in a new form of work.<sup>21</sup> It should be pointed out that respondents who have at least once worked in a new form of work would more frequently than others opt again for a new form of work because they would like to increase their income, they prefer to work in such a way, they would like to gain experience and create preconditions for starting their own business.<sup>22</sup>

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### 3.6. Challenges of searching for the new employment

If they did not have a job, somewhat more than half of the respondents (52%) would accept a wage lower than the wage stated in the contract, whereas 37% of the respondents would work without a contract.<sup>23</sup>

Significantly highest share of the respondents (93%) believe that communication skills are very important when seeking employment. They are followed by the foreign language skills (86%) and IT skills (81%). About 70% of the respondents believe that general knowledge of the business world is important for finding a good job and 53% believe that accounting skills are important.<sup>24</sup>

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21 Question 14. Are you willing to undertake a job in any of the new forms of work referred to in Question 12?

22 Question 15. Why would you seek new type of job/employment in some of the new forms of work and employment?

23 Question 19. If you did not have a job and you were looking for one, to get it would you accept ...?

24 Question 26. What skills do you think you need to have to get a good job?

Figure 5. Potential reasons for working in a new form of work



Base: All respondents (N=500)

The majority of the respondents (59%) believe they possess sufficient skills to cope with challenging duties at work. Somewhat less than third of the respondents (30%) believe that their present skills correspond well with their duties while only 10% believe they need further training in order to cope well with their present duties.<sup>25</sup>

Most of the respondents (64%) believe that, when searching for a new job, their current work experience and skills would help them very much or substantially in acquiring it, and 20% believe that this would help them sufficiently. On the other hand, 15% of the respondents believe that their current experience and skills would help them very little in obtaining a new job.<sup>26</sup>

In continuation we present a table overview of the main characteristics of respondents.

**Table 11. Characteristics of respondents according to the region and size of the settlement**

Base: All employed respondents (N=500), sum of all categories 100%

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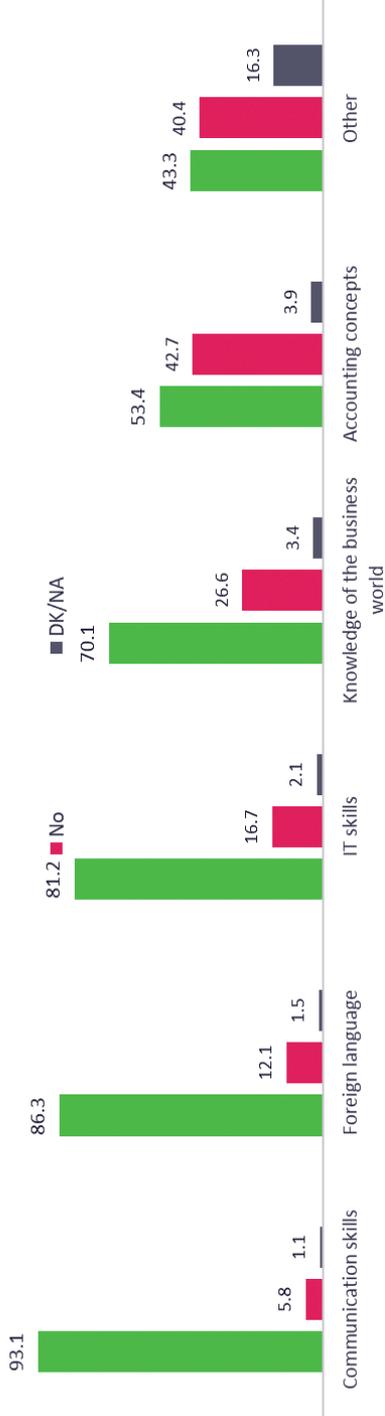
<b>Region</b>	<b>% of respondents</b>	<b>Size of the settlement</b>	<b>% of respondents</b>
Zagreb	29.4	Do 2.000	20.2
Sjeverna Hrvatska	16.0	2.001-10.000	23.6
Slavonija	15.4	10.001-100.000	24.6
Lika, Kordun, Banija	7.4	Više od 100.000	31.6
Istra, Hrvatsko Primorje, Gorski kotar	13.2		
Dalmacija	18.6		
Total	100	Total	100

Source: Hendaal survey for IRMO, October 2018.

25 Question 25. Which of the following statements would best describe your skills in your own work?

26 Question 24. If you are searching for a new job, to what extend do you think your current work experience and skills would help you in acquiring it?

Figure 6. Key skills for obtaining a job  
 Base: All respondents (N=500)



Source: Hendaal research for IRMO, 2018.

Table 12. Characteristics of respondents according to the age group, sex, level of education and the possibility to cover expenses in the household

Base: All employed respondents (N=500), sum of all categories 100%

Age group	% of respondents	Sex	% of respondents	Education level	% of respondents	Possibility to cover expenses in the household	% of respondents
15-24	7.0	Male	54.0	Early childhood education	0.3	Very easily	7.4
25-34	27.4	Female	46.0	Primary education	1.4	Easily	18.3
35-44	27.2			Lower secondary education	8.3	Fairly easily	20.6
45-54	25.8			Upper secondary education	41.8	With some difficulty	38.7
55-64	11.8			Post-secondary education	3.5	With difficulty	10.0
65+	0.8			Short-cycle tertiary education (PROFESSIONAL SCHOOL)	3.0	With great difficulty	4.0
				Bachelor or equivalent	12.1	DK/no opinion/NA	1.1
				Master or equivalent	28.4		
				Doctorate or equivalent	0.5		
				Don't know / NA	0.7		
Total	100	Total	100	Total	100	Total	100

Source: Henda survey for IRMO, October 2018.

## 4. ANALYSIS OF INTERVIEWS AND FOCUS GROUPS ABOUT THE EFFECTS OF DIGITALISATION ON THE LABOUR MARKET IN CROATIA

### 4.1. Interviews with experts for the labour market and digital economy

Regarding the Labour Act, it was pointed out that ICT was one of the most important reasons for the increasing use of non-standard forms of work. Thereby the problem is not just in high dismissal costs but also in court procedures which could follow and consequently result in reinstating workers (Interview, LLD, 2018). Furthermore, the pace of change in technology and market trends often place the employers (especially the beginners) in a position that they dare not use standard open-ended contracts but opt for fixed-term contracts instead (Interview, Impact Hub Zagreb, 2018).

The latest amendments to the Labour Act of 2014 attempted to improve its insufficient flexibility by introducing the possibility of concluding an additional employment contract with another employer for a maximum period of eight hours a week or up to 180 hours a year. Furthermore, the beneficiaries of old-age pension are enabled to work up to a half of the full-time without pension suspension. Finally, amendments from 2014 also introduced the possibility of daily work in agriculture (Interview, MLPS, 2018). However, some experts believe that all these changes did not go far enough because, for example, daily voucher-based work should be allowed in other sectors as well in order to increase flexibility and combat the grey economy (Interview, LLD, 2018).

Regarding work under non-standard contracts, it was pointed out that ICT enabled workers to provide services which are the most favourable on the market because such workers set operating conditions themselves (Interview, CCE, 2018). In the case of such work, there are no dismissal costs but also no other costs for the employer resulting from employment such as sick leave, annual leave, Christmas bonus, etc. However, there are limitations because according to the law a company cannot employ a worker under a contract for services or an author's contract if on the basis of its activity the company is obliged to employ a worker under an employment contract for the performance of that specific job (Interview, CES, 2018). All those persons working under a contract for services or an author's contract are registered by the Croatian Employment Service as employed which increases the official employment rate.

They were not employed but they worked and obtained income which is the fact considered by the Croatian Employment Service (Interview, CES, 2018).

The non-standard forms of work are often associated with state incentives in terms of lower social contributions for employers or lower taxes, all with the aim of reducing grey economy and similar problems. Therefore, the non-standard forms of work as well as self-employment in Croatia are formally covered by social insurance but with large differences in terms of the basis used for paying those contributions (Interview, MLP, 2018). It was pointed out in the interviews that it should be distinguished whether a form of work is even subject to the payment of contributions, which contributions must be paid and if they must be paid, which is the contribution rate and the basis for their payment. All this makes a difference and affects the cost of labour (Interview, LLD, 2018). According to certain experts and with the aim of developing new forms of work, models should be found which are simpler in terms of fiscal effects. It would therefore be beneficial to establish a single tax rate (Interview, CES, 2018). Everyone should pay taxes but the tax rate should be significantly lower than it is today, e.g. ten percent of the total amount (Interview, LLD, 2018).

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Furthermore, the respondents expressed their fear of the effects of the proposed increase of the basis for managerial wages. This happened for the first time several years ago when the managerial basis was increased from the regular minimum to the managerial minimum wage amounting to HRK 5080. There was very little resistance against this decision and now a further increase to HRK 8000 is proposed.<sup>27</sup> It was pointed out that such increase will represent a significant burden because probably a half of the present small companies and start-ups would not exist if such conditions were in force at the time of their foundation (Interview, Impact Hub Zagreb, 2018). The tax policy in Croatia does not favour non-standard work because there is a tax relief for payments up to HRK 3800. According to one respondent, this means that employers are encouraged to employ workers on minimum wages and pay the rest of their income in cash, instead of encouraging them to pay wages higher than the minimum wage (Interview, LLD, 2018).

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27 In July 2018, the minimum wage in Croatia amounted to HRK 3440 or EUR 466.

Box 10. Impact Hub Zagreb

Impact Hubs are places which promote and support entrepreneurship targeting relevant social and environmental challenges and which function due to digital economy. They gather a global community of entrepreneurs, activists, artists, professionals and individuals who want to work or who already work on ideas or ventures which create positive changes. To its members, individuals, companies and organisations Impact Hub Zagreb offers joint working spaces (plus wireless Internet access, free coffee/tee, interview rooms, meeting room, printing/copying), access to local and global community of agents of change and to high-quality programmes and services. Impact Hub Zagreb acts as an entrepreneurship support institution which means that it is officially on the list of institutions which support entrepreneurship through their activities attracting thus numerous freelancers, companies and trades. The organisation offers a number of the so-called incubator or mentor programmes depending on the interest and number of the certain type of users. It is financed partly from structural funds. A much larger share of income is derived from the rental of premises and the largest share from designing and creating new programmes for predominantly foreign clients.

Source: Interview, Impact Hub Zagreb, 2018.

Croatian educational system needs to be changed to better suit current labour market needs. In practice, there are good examples from private faculties and their links to the labour market but university courses are still too academic and scientific. However, in order to start this large organisational task, it is necessary to establish databases, records, classification of professions and skills as well as enrolment quotas to secondary schools and higher-education institutions (Interview, MLPS, 2018). It was pointed out in the interview that the national curriculum operated by the Ministry of Science and Education has been recently modified and that computer science has been experimentally introduced in the fifth and sixth grade. However, the successful implementation of this measure is faced with the problem of the lack of good teachers and the lack of competencies in teachers teaching other subjects, not just computer science. One of the challenges is certainly the implementation of computer science in non-technological subjects. Therefore, the problem is not whether there is computer science at schools but how the new methods of learning will be implemented (Interview, Office dds, 2018).

A large problem related to digitalisation and education is also the fact that the number of students graduating from STEM faculties does not correspond to the number of jobs created in that sector. In addition to what is offered at the state level, there are also two private faculties of electrical engineering, but all this results in the number of STEM graduates which is still very far from the present annual needs for workers in the ICT sector (Interview, MLPS, 2018). Another problem is how to employ ICT experts in public administration. ICT experts are needed in public administration but the sector is unable to offer wages that would be similar to what is standard in the private sector (Interview, Office dds, 2018). Also the method of becoming employed in public administration is very inflexible and therefore problematic. In order to employ someone, employment plan and different other approvals must exist which prevents quick responses concerning the need for ICT experts (Interview, Logička matrica, 2018).

## 4.2. Interviews with employers in the ICT sector

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The employers in the ICT sector predominantly use open-ended employment contracts. The reason for this is a large demand for experts and in order to keep them, employers offer best possible working conditions. Still, a large number of respondents confirmed that to a lesser extent (up to 10%) they use non-standard forms of work to employ experts. In this case, they predominantly hire external associates who are self-employed or provide services under author's contracts or contracts for services, which according to Eurofound's classification could be classified as portfolio work or interim management, depending on the nature of work (Interview, Perpetuum Mobile, Croz, Infobip, Nanobit, 2018). Such employment is mainly related to projects of limited duration and their implementation requires specific skills. Some of the respondents pointed out that they had offered permanent employment to many such experts without success because as freelancers these experts have more professional freedom and believe that they can earn more (Interview, Perpetuum Mobile, Nanobit, Bonobostudio, 2018).

Many companies also use student work, among others, as a method of becoming acquainted with potential new workers. It frequently occurs that students after graduation become permanently employed in the company they previously worked in under student contracts. However, it also frequently occurs that students after graduation try to start their own business at first and only after several years, faced with difficulties of running their own business, they start working for the renowned ICT companies. From employers' perspective such career path benefits no

one and it could probably be prevented in the mutual interest if a better professional orientation existed during education (Interview, Croz, 2018; Interview, Comping, 2018). Certain ICT companies offer scholarships to students which they repay by doing some practical work in the company, and that also represents the opportunity to get to know one another better. Other companies offer internships as a probationary period before concluding a standard employment contract (Interview, Comping, 2018; Interview, Nanobit, 2018).

In Croatia, ICT-based mobile work is regulated by the provisions of the Labour Act related to contracts of employment at alternative workplaces. However, several employers stated their dissatisfaction with the adopted legislation because they find it too complicated for frequent use. Appropriate implementation of the adopted provisions requires the conclusion of a contract of employment at alternative workplace with the worker, compliance with occupational health and safety regulations, establishment of different working time records, maintenance of equipment used by the worker, etc. (Interview, Nanobit, Croz, Infobip, 2018). On the other hand, several employers pointed out that their workers can work from home over shorter time periods because it is not the form that matters but rather for the work to be done (Interview, Logička matrica, Perpetuum Mobile, Gideon Brothers, Bonobostudio, Srce 2018).

Most employers do not use online platforms to find workers for some smaller jobs. However, such platforms are used in the case of very specific jobs for which there is no market in Croatia. For example, Nanobit company dealing with the development of online games regularly seeks narrative designers who create stories for their games via Upwork platform. In such cases they conclude author's contracts with foreign workers in order to comply with Croatian fiscal requirements (Interview, Nanobit, 2018). Nevertheless, more respondents pointed out that platform workers are often not recognised fiscally or statistically which causes unfair competition and underlines the necessity for adopting additional legal regulations (Interview, Bonobostudio, 2018; Interview, Comping, 2018).

Employee sharing is not regulated by the Labour Act even though the ICT sector, due to the lack of experts, is in great need for this form of employment (Interview, Nanobit, Perpetuum Mobile, Infobip, 2018). Some employers believe however that this would be difficult to implement in practice because of the GDPR provisions (Interview, Infobip, 2018). Voucher-based work in agriculture was praised as an innovative step forward but ICT was pointed out that voucher-based work should be made possible also in other sectors, especially the ICT, where flexibility is extremely important (Interview, Nanobit, 2018; Interview, Croz, 2018).

Insufficient flexibility of the Labour Act is an obstacle for more successful business operations of employers in the ICT sector. That is why they call for amendments to the Labour Act which would provide the same social, economic and fiscal treatment for all new forms of employment. Work under contracts for services and author's contracts is not cheap for employers, while for workers it does not provide comparable benefits, in terms of social and material rights entitlements, like employment relationship (Interview, Croz, Infobip, Nanobit, Gideon Brothers, 2018). Therefore, employers advocate liberalizing the possibility of working under an additional employment contract with another employer which is currently limited to eight hours a week (Interview, Nanobit, 2018). Employers point out that the ICT sector, more than many other sectors, finds itself in ruthless global competition. Therefore, lagging behind global trends when it comes to legislation makes them less competitive (Interview, Croz, Infobip, Nanobit, Gideon Brothers, 2018).

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The interviewed employers pointed out that the GDPR has made their business operations much more complicated because it is too strict, it requires certain additional steps and it is not in the interest of companies since those processes now take too much time (Interview, Infobip, 2018). Furthermore, the implementation of this regulation is expensive. After the entry of the regulation into force the whole industry of lawyers and other experts emerged who profit from its complicated implementation. All this is a burden especially for small companies which have relatively limited funds at their disposal and are now less able to conduct successful business operations (Interview, Impact Hub, 2018).

According to employers, more successful ICT business operations require a much better legal regulation of the issue of sharing profit with workers and assigning small shares or optional shares in the companies to workers. If this issue could be resolved beyond the classical model of co-owning the company this would, according to respondents, be very appealing and psychologically motivating for workers (Interview, Perpetuum Mobile, 2018; Interview, Croz, 2018). Furthermore, it was pointed out that in fiscal terms the profit tax which in Croatia amounts to 20% should be reduced because it makes Croatia uncompetitive as work destination for the foreign ICT experts (Interview, Perpetuum Mobile, 2018).

**Box 11. Rimac Automobili**

Rimac Automobili is a world-famous Croatian car manufacturer founded in 2009 with a vision to create the sports car of the 21<sup>st</sup> century with the help of digital technology. The company manufactures electric hypercars, drivetrain and battery systems. In the last five years, the company has increased its income from EUR 0.5 million to EUR 8 million. The number of workers has also increased from 16 to almost 400 workers coming from 26 countries of the world. Over the years, Rimac Automobili has become the producer of electric battery systems for some of the top global automakers such as Mercedes-AMG (SLS E-Cell), Koenigsegg (Regera), Aston Martin (Valkyrie) and VW Group (Cupra e-Racer). Recently Porsche bought a minority share in the company with the aim of cooperating on the development of future electric sports cars. The founder and the director of the company received the Ernst & Young Entrepreneur of the Year Award in 2017. In September 2018, Pininfarina company announced 80-million-euro cooperation with Rimac Automobili. Rimac will provide electric drivetrain, software, hardware and battery system for Pininfarina company and it will cooperate on the development of their first electric high-performance car, PFO. In December 2018 the European Investment Bank granted Rimac Automobili a 30-million-euro loan for research, development and expansion of their production facility. This was enabled through the Investment Plan for Europe.

Source: [www.rimac-automobili.com](http://www.rimac-automobili.com)

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It can be assumed that in the future the current labour market trends will continue in the ICT sector. The respondents believe that transition towards new forms of work and employment will continue because workers feel the great urge to create themselves their working hours and jobs. Furthermore, the pay is no longer the only factor that keeps people employed but there are also other benefits offered by the companies, such as further training or securing the child-care facilities (Interview, Infobip, Gideon Brothers, Nanobit, 2018.). Nanobit company pays a lot of attention to the pleasant work environment which is becoming an increasingly important factor when choosing a job. Workers in the Nanobit company have a one-hour break during which time they can relax while playing games such as table tennis or PlayStation. After the break they return to work refreshed (Interview, Nanobit, 2018).

Nowadays software products become smaller, faster to use, faster to change, they are more numerous and easier to make. Such development directions the labour force in the ICT sector towards working in smaller teams. The large companies employing several thousand workers will not disappear, but they will inevitably need to reorganise. Therefore, in the future emphasis will be on the flexible small teams which will be able to connect with teams from other companies while cooperating on specific projects. In this context, it was underlined that platforms connecting ICT companies on such basis already exist, in order to provide higher efficiency and quality. However, an important prerequisite for a free development in this direction would be the adequate legal and fiscal regulation, in order to avoid having such promising cooperation in the grey zone (Interview, Perpetuum Mobile, 2018).

#### **Box 12. Four-day work week**

In September 2018 a small Croatian consulting company, Logička matrica Ltd., decided as the first company in the country to engage in transition towards a four-day work week. Such arrangement is in line with the Labour Act which stipulates that full-time work is forty hours a week and the minimum daily rest between two work days must be twelve hours. Before introducing the new work organisation, the company consulted the legal department of the Croatian Employers' Association where it obtained support. Workers will work ten hours a day, four days a week, and they will be able to choose themselves which will be their day off. The transition to a four-day work week was mainly approved by the public but some trade unions believe that the workers will be constrained to work more and longer. Furthermore, the minister of labour said that this experiment must to be observed thoroughly and carefully. A four-day work week was already tested in New Zealand where it was confirmed by academic research that such organisation is beneficial for the business, results in achievement of better results and leads towards more employee satisfaction. Even 78 percent of workers said that now they can achieve a good balance between their professional and private life. Similar experiments with positive results were also conducted in Scandinavian countries. The company underlines that new forms of organising working hours are based on the new technologies which enable more efficient work process management, more efficient production and reduction of the time which is spent travelling to work. The transition to a four-day work week in Logička matrica Ltd. will be gradual. At first only one worker (in the alphabetical order) will work four days a week. If this proves to be a good solution, the whole work process will be organised in such manner.

Source: Bogdanić, 2018.

### 4.3. Focus group with the social partners

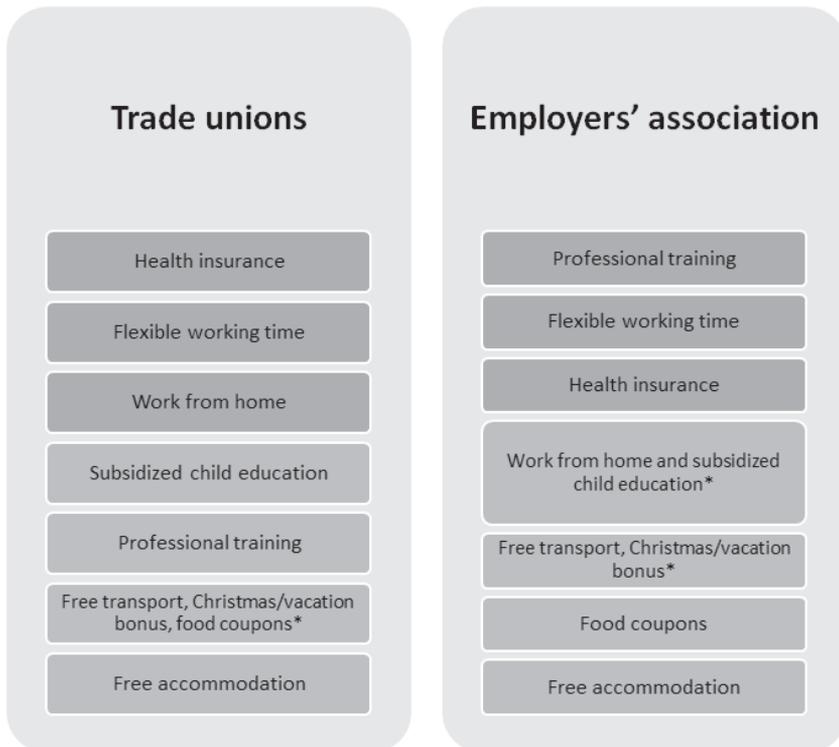
Related to discussion about the motivation for work, participants pointed out that for workers the fundamental and basic motive are the wages. However, there are also other motivations such as job security which is especially important in transitional societies. One of the further motivations for work and keeping a job is a stimulating work environment which includes good atmosphere, trust but also the adequate wages. Trade union representatives summed up the discussion by pointing out towards six dimensions of a good job: good wage, job security, adequate working time, possibility for further training, health protection, voice at the work place. Key elements of a fair attitude towards work for both social partners are responsibility, diligence, commitment and timeliness.

A discussion followed about what is more important for employers when seeking for the new workers: work experience or potential. Employers' representatives claimed that this depends on the needs of a specific job and that it is impossible to have one position which would be applicable to all situations. However, the trade unions did not accept this and concluded that Croatian employers predominantly value work experience over potential. They explained this by the fact that many workers have fixed-term employment contracts, hence employers do not intend to invest in development of their potentials. Both social partners believe that young people entering the world of work should cooperate with senior colleagues as much as possible in order to benefit from their experience, thereby directing and developing their own potential in the best possible way.

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Within the focus group, representatives of trade unions and employers ranked from their perspective the importance of different benefits that the workers are entitled to in a workplace. It turned out that flexible working time and health insurance are among top three priorities in both groups whereas there is a large division related to other benefits. There was a large difference of views related to professional training which the employers' group saw as the most important benefit for the workers, while the trade unions ranked it only on the fifth place on their list of priorities (see Figure 7). Trade union representatives pointed out that their list was result of their own private opinion and that according to trade union principles material rights such as free transport, Christmas and vacation bonus etc. should be better ranked. Social partners agreed in the discussion that when there is a problem related to any of the above-mentioned benefits, that benefit becomes the most important which is why everything needs to be taken into account.

Figure 7. Potential benefits which workers are entitled to at the workplace according to importance – positions of the trade unions and employers’



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\*Elements of equal importance

Social partners singled out the willingness to learn as the key factor in the digital economy. This was explained by the fact that digital economy is dynamic and that things change rapidly. The self-discipline and self-responsibility were also singled out as important factors, since there are no longer old hierarchical systems of worker supervision and workers are often in the position to obtain more through their own commitment.

Emigration of the labour force from Croatia, especially educated and digitally literate workers, represents a problem for the country. According to the opinion of the focus group participants, it effects slowing down of development processes and the sluggish pace in reaching the digital standards which exist in Western European countries. The most important negative aspect of the labour force emigration, according to participants, is the fact that this phenomenon predominantly involves the young who are the most inclined towards learning digital skills. How-

ever, it was pointed out that the problem of labour force emigration is somewhat alleviated by the fact that digitalisation demolishes the boundaries, whereby physical location of workers loses its importance in many situations.

It turned out that employers, same as the trade unions, have little direct experience with the new forms of work and employment in the digital economy classified by Eurofound in 2015. According to the participants' estimate, the Croatian market is familiar with interim management, via consulting companies in cases of financial restructuring. Furthermore, there is also portfolio work, frequently in the form of in-house education. Casual work is present mostly in culture, whereas ICT-based mobile work is generally present but is not adequately proscribed in legislation. According to social partners' estimate, the share of their members in the new forms of work is negligible (less than 5%).

Reasons why workers use new forms of work are the need for autonomous job design, independence and more flexibility. However, trade union representatives pointed out that in most cases such work is not the result of workers' free choice. According to trade unions, workers opt for such work because employers steer them in this direction, the statement that was received with disapproval from the employers. Trade unions believe that by using such work models, employers transfer business risk to workers. Furthermore, the classic relation between the employer and the worker is lost and this all happens to the detriment of workers. On the other hand, the employers point out that new forms of work cannot be avoided and that mentality needs to be changed so that each individual realises they are responsible for their own employability.

According to the trade unions, online platforms often serve as the first level of filtering candidates for a certain job. This work form can sometimes be useful, for example, when a worker relocates to another country and does not know the new language. However, trade unions do not approve the fact that online platforms function on the principle of race to the bottom. This benefits no one because long term it degrades the quality. According to trade unions, professions such as lawyers or doctors have their fees, and similar standards should be established also in this area.

Taking into account constant changes on the labour market, participants concluded that the social dialogue between employers and workers (trade unions) represents the most efficient solution for the protection of both parties' rights. The state on the other hand needs to provide protection in areas outside the competence of the employers and trade

unions such as social security. According to social partners, there is a necessity to establish minimum standards for working conditions related to new forms of work such as the minimum wage, minimum daily rest and benefits.

Participants pointed out that majority of the new forms of work has a global character. In this respect, the importance of international networking and global social dialogue was particularly underlined. As a positive example the participants mentioned that the international transport workers already conclude global collective agreements through their international federations. The participants finally pointed towards a need to expand the definition of a worker to include the new forms of work in digital economy which are not yet recognised by Croatian Labour Act.

Social partners evaluated the legal framework in which the labour inspectorate regulates and controls the new forms of work as inadequate. Even those forms of non-standard work recognised by the Labour Act are problematic for trade unions. Being so poorly regulated and unfavourable to workers they direct them towards new forms of work in digital economy. Social partners concluded that it is necessary to develop a bipartite social dialogue related to this topic because there are many issues that the state cannot regulate. Such dialogue should focus on establishing standards for professions but also on estimating future trends and related necessary education.

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### Box 13. Industrial relations in Croatia

Industrial relations on all levels in Croatia are characterised by the fragmentation of the trade union scene and unity of employers. In 2015 there were more than 600 registered trade unions, out of which 150 were affiliated to four representative trade union confederations (Bađić, 2015). In 2013, the year of the last counting, four representative trade union confederations had in total 365.412 individual members (Šeperić, 2016). In terms of employers, the Croatian Employers' Association affiliates about 5000 companies which employ more than 50% of workers in the private sector, i.e. almost 400.000 workers. The Croatian Employers' Association is therefore the only relevant social partner on the side of the employers at the national level. However, the structure of the Croatian Employers' Association does not always correspond to the structure of trade union organisations what weakens the social dialogue at the sectoral level (Butković et al., 2018). Trade union density in Croatia is estimated at about 26% and is declining

(Šeperić, 2017). At the end of 2014 collective agreements regulated the rights of about 53% of workers as compared to about 61% in 2009 (Bagić, 2016). The majority of those collective agreements are company-level agreements. However, the majority of workers are not covered by such agreements but by sectoral agreements some of which have been extended to the whole sector by the decision of the minister of labour (Samardžija et al., 2017). The Economic and Social Council is the highest form of tripartite social dialogue in Croatia. It is an advisory body consisting of the representatives of the government, representative higher-level employers' association and trade union confederations that meet the representation criteria (Butković et al., 2018). The weakening of the social dialogue as a decision-making instrument can be interpreted as the consequence of the economic crisis when the government frequently resorted to unilateral decisions (Samardžija et al., 2017).

Sources: Bagić, 2015; Šeperić, 2016; Šepreić, 2017; Butković et al., 2018; Samardžija et al., 2017.

#### 4.4. Focus group with the freelancers

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The participants in the focus group agreed that for employers it is most important to have the work well done and the cost of labour as low as possible. Reliability is also important, i.e. that employer can count that the work will be done professionally and well. Furthermore, employers find timeliness also to be very important, in the sense of respecting deadlines. The importance of self-organisation was also underlined since it represents a precondition for the optimal functioning in the turbulent business environment of the freelancers.

While discussing what is more important for an employer when seeking a new worker, experience or potential, the participants in the focus group agreed that it depends on the nature of work. Nevertheless, in the later discussion the opinion prevailed that often employers do not find experience as important, because experienced workers usually cost more. As a special problem, the participants pointed out that employers in the public sector in Croatia often make no distinction between the experience and the years of service. However, from the perspective of freelancers this differentiation exists and it is very important because they frequently have a lot of experience but at the same time very few years of service. Some of the participants pointed out that freelancers themselves are also responsible for insufficient valorisation of experience by

the employers. One of the established patterns of freelancers' work is that they obtain a job by working on some previous similar project. It is therefore very important for the freelancers not to accept working for employers who offer unfavourable conditions from the very beginning because this can ultimately make the path towards better working conditions much more complicated.

The participants in the focus group concluded that when seeking employment, workers find wages most important, followed by the job security, work environment and finally career progress. Thereby they stated that priorities depend on the age of worker and that in the case of younger workers' career progress would be among top priorities. Wages and job security are especially important for workers in the private sector because the private sector, unlike the public sector, is more dynamic and therefore less safe for workers.

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Within this focus group, representatives of freelancers were divided into two groups and needed to rank different benefits workers can obtain at their workplace from their own perspective. The results showed that flexible working time and health insurance are among top three priorities in both groups. The only benefit that was at the bottom of the list for both groups was food coupons whereas the importance of other benefits differed between two groups (work from home, subsidised education, professional training, Christmas/vacation bonus, free transport, free accommodation). Apart from the given benefits, the participants have spontaneously added some other benefits: business travels (as a possibility to change work environment), team building (to connect with other workers), paid work equipment, possibility to use business cars, child-care facilities at the workplace as well as possibility to bring pets to work.

According to the participants in this focus group, the knowledge of technology, especially digital communication tools, will become increasingly important for the normal performance at most jobs. It was pointed out in this respect that communication via e-mail is already outdated, especially in the case of dynamic projects such as for example projects in publishing. As one such good instrument, the Slack platform was pointed out which makes the joint work on a project much easier by unifying different types of communication at the level of project teams. Other communication tools, such as WhatsApp, different Google tools, etc. were also pointed out as important.

In the discussion on the impact of technology on work, one of the conclusions was that skills which technology cannot imitate will be more

valued. One example for that is Google translate which can be useful for preliminary translation but cannot replace a good translator. Several participants said that creativity is a skill artificial intelligence cannot compensate so it needs to be promoted as much as possible at the level of educational system and beyond. The participants concluded that the development of technology continuously produces new professions, such as for example influencers. Those are persons who promote certain products or skills and have a large number of “likes” on social networks. Companies increasingly use influencers to promote their products or direct consumer habits to their advantage. Influencers recommend a product and get paid for doing that. Another such profession is social network cleaner. Those are private persons who on behalf of companies, such as for example Facebook, clean social networks from inappropriate or disturbing content. The labour market demand for designers of computer games and similar digital content is also increasing.

The participants in the focus group stated that they work under civil contracts, own trade or company, while some had free professions. Furthermore, some of the participants enjoyed the status of freelance artist which makes their social position as freelancers easier (see Box 14). Considering the new forms of work classified by Eurofound in 2015, the largest number of workers had experience with portfolio work and some worked via online platforms. One participant said she had experience with collaborative employment.

Regarding online platforms such as Upwork, participants pointed out the cost of labour as one of the problems because the market is global and the earnings via platforms are usually not substantial. Toptal platform was singled out as better than most others in this respect because its intermediary role between employers and workers is very pronounced. Toptal takes particular account of the biographies and conducts interviews. This is done in order to select the best workers for the clients who besides a good price can also guarantee a certain quality. Several participants said that they got many jobs via social networks, e.g. Facebook or LinkedIn. In many cases those social networks proved to be a better instrument for obtaining projects than their own web sites.

The prevalence of the new forms of work in their own business activity was evaluated by many participants as relatively large with the increasing tendency in the future. It was thereby pointed out that this trend is more pronounced in certain professions such as for example journalism, which especially in the printed media sustained a large decrease in demand. Therefore, the employers are often constrained to find new possibilities for financial consolidation through new forms of work. It was

however ultimately concluded that at the certain point in time the new forms of work will achieve their maximum. They will stop increasing because there are professions which will always be implemented in a classical way. The main reason why employers are turning to the new forms of work is, according to participants, reduction of costs starting from equipment costs, workplace costs up to social contribution costs. It was concluded that the new forms of work are very attractive for employers because they enable the transfer of the part of these costs to workers.

The debate followed on the reasons why the participants chose to work as freelancers. One of the most important reasons several participants mentioned is the freedom to choose projects which to work on and flexibility in terms of organising their working time which gives them a better balance between professional and private life. Also mentioned was the free choice of workplace location. The participants working from home stated that they save the time for travelling to and from work what makes them more productive. However, some participants disagreed. For them, their home was a place where they were not very productive because they found it difficult to separate professional from private obligations and they felt too isolated. Therefore, they decided to rent an office together with other freelancers and now they function much better.

#### Box 14. Freelancers in the EU and in Croatia

According to the definition of the European Forum of Independent Professionals (EFIP) freelancers are self-employed workers who chose to set up their own business without employing other people. They provide technical, artistic or commercial services outsourced by companies or organisations, via digital platforms or directly. Unlike self-employed persons, freelancers do not necessarily have a fixed income or licence to practice certain profession. Today, there are about 11 million freelancers in Europe and 53 million in the USA (35% of the labour force). About 20-30% of the employed who perform freelance services alongside their regular jobs should be added to these figures. According to the research conducted by the EFIP in 2018, freelancers in Europe worked most frequently in the area of marketing and communications (30.9%), ICT (26.5%) and arts, entertainment and recreation (18%). For the largest group of freelancers (37.8%) the average project lasts three months. 57.1% of freelancers are over 35 years old and 52.5% of them have a master's degree or a PhD. Even 76.6% of freelancers chose to work independently and 50.7% of freelancers have more

than four years of experience as independent workers. They find work via professional recommendations (57.9), online platforms (42.7%) and social media (28.4%). Many freelancers in Croatia are members of the Croatian Independent Professionals Association (HDNP) which is a non-profit association established with the aim of creating, maintaining and promoting healthy professional environment for all freelancers in Croatia. According to the preliminary results of the EFIP research for Croatia, freelancers choose an independent profession most frequently in arts (31%), ICT sector (21%) and marketing and communications (18%). The research showed that for 68% of the respondents in Croatia freelancing was their own choice whereas for 32% that was the necessity. Especially women start freelancing out of necessity while men mostly say it was their own choice. The research showed that, in comparison to the rest of Europe, Croatian freelancers find work much harder, their projects last shorter and they have difficulties with collecting fees for their services.

Source: EFIP&MALT, 2018; Vlahović Žuvela, 2018.

The participants stated that Croatian legislation does not follow the new forms of work and employment. Hence, they feel unprotected and deprived of their rights. The laws do not clearly define who is a freelancer which causes numerous problems with the realisation of material and other entitlements. Furthermore, persons engaged in free professions generally exercise their rights much better whereas persons working under contracts for services and author's contracts have the most problems. Persons working under civil contracts pay health insurance contributions but are not entitled to anything beyond the basic health insurance which is what the unemployed are entitled to as well. In case they are sick for more than 42 days, nobody covers their sick leave. Regardless of the fact that they pay pension insurance contributions, they find it very difficult to obtain pension insurance rights.

According to the focus group participants, the existing legislation protects the employers much better than them. There are several legal possibilities for freelancing, but the employers frequently determine that legal form while the workers frequently do not have a choice. In general, the legislation is not adjusted to new times because there are numerous examples of absurd regulations. One such provision stipulates the necessity of having a warehouse when providing sale services even though the product could be digital.

There is no trade union for freelancers in Croatia. However, the participants pointed out that the Croatian Independent Professionals Association is trying to raise awareness about the need for better regulation of this area and better legal protection of freelancers. However, the problem is that the association's capacities are insufficient because it operates on the voluntary basis. The first spontaneous reaction of several participants when trade unions were mentioned was negative and directed towards trade union organisations which are currently present in the media and perceived as politicised. At the same time the idea of establishing a trade union of freelancers was accepted as positive by the majority of participants if such trade union would be successful in performing its basic purpose, the protection of the rights of such workers. It was concluded that modern technologies would be crucial for a successful work of some potential freelancers' trade union because such workers otherwise would be very difficult to organise.

Box 15. Freelance artists in Croatia

The Act on the Rights of Freelance Artists and the Encouragement of Cultural and Artistic Creativity regulates the rights of freelance artists, registration and operation of artistic organisations and measures for encouraging cultural and artistic creativity. The act stipulates that freelance artists are persons having no employment relationship and for whom artistic creativity and activity is the only and main profession. All artists who want to obtain the status of a freelance artist for artistic and multimedia creativity must meet the stipulated criteria. Freelance artists regulate their status through their umbrella association, the Croatian Freelance Artists' Association (HZSU). By being a member of the Association, freelance artists obtain the right to have their pension and health insurance contributions paid from the state budget. The request for the recognition of this status is filed via the Association and it is decided on by a committee consisting of one member of the Croatian Freelance Artists' Association, a representative of the Ministry of Culture and three representatives of artistic professional associations. Within the package of tax regulations adopted at the beginning of 2017, the distinction between persons whose fees are just supplementary to their primary source of income and persons whose fees are their only source of income was removed. That is why many artists who live off their fees requested the resignation of the minister of culture. On that occasion the minister announced the amendments to the Act on the Rights of Freelance Artists which will better regulate tax treatment of certain categories of artists.

Source: Kuliš et al., 2017; Markovičić, 2017.

## 5. CONCLUSIONS AND RECOMMENDATIONS

### 5.1. Conclusions

The following text contains conclusions from the project implemented in Croatia and entitled Adaptation of industrial relations towards new forms of work (February 2018 – July 2019) which are based on desk analysis and empirical research (survey, interviews and focus groups) conducted in line with the common methodology applied in five new EU member states and one EU candidate state. Research results serve as an analytical basis for constructive coping with the risks of digitalisation which causes significant changes for the development of society as a whole and which particularly impacts the labour market.

From the perspective of the labour market the main dilemma related to digitalisation impact is the question whether the positive effect in terms of new job creation exceeds the negative effect of the loss of existing jobs. The answer to this question is still not easy to make, especially because digitalisation dynamizes the labour market that is now exposed to much faster changes which are more difficult to predict. However, it is beyond doubt that digitalisation causes additional polarisation on the labour market by increasingly destroying middle-income jobs while at the same time stimulating the creation of higher-income and lower-income jobs. It is therefore very important to reform the educational systems properly so that they can adequately respond to new conditions on the labour market where there is substantial demand for experts with qualifications in the STEM area.

Digitalisation level of EU member states is measured according to the Digital Economy and Society Index (DESI) published each year by the European Commission. The DESI monitors the following five indicators annually: connectivity, human capital, use of internet services, integration of digital technology and digital public services. According to the results of DESI 2018, which ranks countries according to the indicators for 2017, Croatia lags behind the majority of EU member states and is ranked 22<sup>nd</sup> in EU 28. It is in the group of less successful EU countries together with Romania, Greece, Bulgaria, Italy, Poland, Hungary, Cyprus and Slovakia. There were certain modifications in the methodology of calculating DESI 2018 so the ranking of EU member states is not completely comparable to previous years. However, the retroactive calculation for the previous year shows that, when applying the same calculation methodology as earlier, Croatia was ranked 23<sup>rd</sup> and that overall it made certain progress.

Each DESI indicator is relevant for the labour market. However, from the perspective of a well-functioning labour market, human capital can be seen as the indicator of a special relevance considering the increasing importance of education for professional success of each individual. According to this DESI 2018 indicator, Croatia is ranked 18<sup>th</sup> in the EU whereas in 2017 it was 19<sup>th</sup>. It made certain progress as compared to the previous year in terms of sub-indicators such as the number of ICT experts and the number of STEM graduates. However, the main recommendations of the European Commission to Croatia in 2018 reiterate the importance of improving adult education and accelerating the reform of the educational system as a whole.

Digitalisation stimulates or creates preconditions for the development of numerous non-standard forms of work which share the same need for more flexibility both in terms of job location as in terms of working time. When analysing the labour market of the EU member states in 2015, Eurofound classified the new forms of work caused by digitalisation into nine different forms of such work. They include the new models of employment or the new forms of work in the era of industrial revolution 4.0. It was indicated that throughout the EU there is a large need for a more adequate legal regulation of those new forms of work which generally do not provide a sufficient level of social protection for workers and are also in many cases not adequately regulated in terms of taxation. The above-mentioned forms of work are analysed in this research and they include: employee sharing, job sharing, interim management, casual work, ICT-based mobile work, voucher-based work, portfolio work, crowd employment and collaborative employment.

Crowd employment is one of the most common forms of work in the world which is directly connected with the phenomenon of digitalisation. Online platforms connect workers and employers on the global level thus making the jobs widely available but also lowering the costs of labour. Research conducted in 2016 by the Foundation for European Progressive Studies shows that 11% of the population of selected old member states worked via online platforms but that only for 2% of them this was the main source of income. Crowd employment as well as all other new forms of work caused by digitalisation represent a huge challenge for the trade unions because such workers generally do not have a permanent employer and therefore cannot join the trade unions in a traditional sense. Furthermore, such jobs are only additional jobs for many workers which also makes trade union organising difficult.

In Croatia, as in other EU member states, digitalisation is perceived as one of the most important factors causing the increase of non-standard

employment contracts which include all contracts that are not open-ended contracts for the full-time work. Those non-standard contracts in Croatia represent in majority cases a legal basis for the new forms of work identified by Eurofound in 2015. Of all forms of non-standard work which are regulated by the Croatian Labour Act the most common is fixed-term employment which in the last ten years has become the predominant form of new employment. At the level of general economy there is a constant increase of fixed-term employment and according to data from 2017, it is more common in the private sector (every fifth contract) than in the public sector (every tenth contract). Part-time work is much less frequent in Croatia even though it is also on an upward trend. In 2016, 5% of workers in the private and 4% of workers in the public sector worked part time.

Pursuant to the Labour Act, agency work in Croatia can be conducted on the basis of either open-ended or fixed-term contracts. However, in practice all such contracts are fixed-term contracts. In 2016, agency workers comprised 1.2% of working population. Permanent seasonal work is also a form of non-standard work regulated by the Croatian Labour Act. Conclusion of such fixed-term contracts obliges employers to offer to their workers a new contract for the following season. When not working, permanent seasonal workers receive certain charges from the state. However, the number of permanent seasonal contracts as compared to standard fixed-term contracts is very small and in 2017 there were only 2831 such contracts.

In Croatia, the most common form of work outside of employment relationship is work under civil contracts which include contract for services, author's contract and student contract. Work under these contracts is not regulated by the Labour Act but by other legal regulations. Work under a civil contract is in most cases used as contractual basis for the implementation of casual work, crowd employment and interim management, according to Eurofound in 2015 classification. Under a contract for services, the contractor is obliged to carry out certain work in exchange for a price that the ordering party agrees to pay. The scope of work which can be performed under an author's contract is much more limited as compared to the contract for services because author's contracts are used for work defined as copyright work. Work under student contracts is intended for regular students who are predominantly expected to perform work otherwise performed by workers employed according to the Labour Act. The survey conducted by the Croatian Employment Service showed that in 2016 11.9% of contracts concluded with Croatian employers were civil contracts. Of that percentage, 3.7% were contracts for services, 3.1% author's contracts and 5.1% student contracts.

One form of work outside of employment relationship is also self-employment which in Croatia can be carried out by registering a craft or a flat-taxed craft or by registering a company. The self-employed activity can also include independent professions such as journalists, artists or athletes. According to Eurostat data, in 2017 in Croatia the self-employed accounted for 10.4% of working population whereas 5.6% of that percentage were the self-employed without other employees or portfolio workers. Since the beginning of the global financial crisis in 2009 the number of the self-employed in Croatia has been continuously decreasing which can be explained by the fact that during the crisis the self-employed became one of the most vulnerable groups on the labour market. After the EU accession and liberalisation of movement for Croatian workers the country was hit by a wave of labour force emigration caused by the opening of the Western European labour markets which negatively impacted the increase of self-employment.

In 2012, the Employment Promotion Act introduced the possibility of voucher-based work in the agriculture which enables daily work in that sector. Such work, which is a separate category according to Eurofound, is limited to 90 days a year and is prohibited to minors, parents on parental leave, persons in an employment relationship or self-employed persons. According to the data of the Croatian Pension Insurance Institute in 2017 there were 2269 workers in the voucher-based work.

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The empirical part of this research (the survey) depicts the current employment situation of the respondents and presents their experiences and attitudes towards the new forms of work and digital economy. It shows that a large majority of respondents (almost 90%) is employed by an employer whereas a significantly smaller number is self-employed. Almost three quarters of those working for an employer have an open-ended contract and only a fifth have a fixed-term contract. Almost two thirds of the respondents are employed in the private and only a third in the public sector. Furthermore, full-time work prevails in employment contracts and the share of those working part time is significantly lower.

Among the self-employed participating in the survey, two thirds work as sole employees in their own companies or crafts or are directors of their own companies or crafts which employ other workers. The reasons for self-employment are different, but the most frequent ones are independence and freedom; lack of other alternatives for work; challenges related to creativity, success and satisfaction; in certain cases, also, the possibility of higher income and better balance between professional and family life. The most frequently stated problem related to self-employment is tax burden. It should be pointed out that the majority of the self-em-

ployed worked for an employer before starting their own business.

The largest number of respondents use obligatory medical insurance based on work (85%) and regular paid annual leave (almost 80%), whereas only a quarter use free or subsidised food and even less use the free child care. The self-employed respondents use social benefits less frequently than those employed in other forms of work. A quarter of the respondents are members of the trade unions. A significantly larger number of respondents are not trade union members because such organisations do not exist in their area of work, because of lacking interest to join them and due to weak value for costs.

Typically, the respondents' express positive opinion about new forms of work. A half of them have worked at least once in some of the new forms of employment. The most frequently mentioned are casual work, ICT-based mobile work and job sharing. In general, the respondents agree that the new forms of work might solve some of the key labour market challenges, primarily in terms of excessive taxation, bureaucracy and low wages. Two thirds of the respondents' state that they would be willing to seek employment in a new form of work and the most frequently stated reasons for doing so are income increase, professional motivation and the need to gain work experience.

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Almost all respondents agree that the key skills needed to find a good job are above all communication skills, foreign language skills and ICT skills. More than half of the respondents believe that their present skills and experience suffice to cope with their professional duties and about 64% of them believe that those skills and experience would significantly help them in finding a new job.

Even though a significantly larger share of the respondents believe that their level of skills and experience is satisfactory, there are also many of those who would nevertheless accept working in conditions worse than those stipulated in the contract. Namely, in order to find a job, a half of the respondents would be willing to accept wages lower than those stipulated in the contract and somewhat more than a third of the respondents would accept working without a contract.

The interviews with the experts for labour market and digitalisation pointed out towards the fact that in Croatia there are legal limitations for the use of civil contracts or the services provided by the self-employed. Even though this could be more cost-effective for employers, such forms of work cannot be implemented if on the basis of its activity a company is obliged to employ a worker under an employment contract. Also problematic are significant differences in the established lev-

els of basic salaries and the rates for the payment of contributions for different types of non-standard work which complicates calculation of the fiscal effects for the companies. A tax relief for payments up to HRK 3800 which encourages the employers to pay minimum wages was also criticised as was the 20% profit tax which reduces global competitiveness of Croatian companies.

Interviews with employers in the ICT sector showed that employers in this sector, which is the leader in digitalisation, predominantly use open-ended contracts because this represents the best guarantee for keeping expert employees. However, project work sometimes requires employment under non-standard contracts which in Croatia is not regulated in the best way. It was pointed out in this respect that additional adjustment of labour and related legislation is a necessity in order for Croatia not to lag behind other countries. Certain provisions of the Labour Act, for example the one on an additional employment contract, should be liberalised since they do not reflect the reality of the dynamic work in the ICT sector. Furthermore, it was pointed out that the benefits of the employment relationship in terms of material and social rights should be correspondingly developed in the area of work outside of employment relationship.

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In the focus group with social partners the participants concluded that the new forms of work caused by digitalisation are appealing to workers due to their need for more independence and flexibility. While employers found the new forms of work, as classified by Eurofound, generally to be very positive, the representatives of trade unions were more reserved and pointed out that for workers such work is often not a free choice but a necessity. Social partners agreed that there is the need to expand the definition of a worker to include the new forms of work in digital economy and the existing legal framework is characterised as inadequate for their regulation and control. Furthermore, they pointed out that it is necessary to develop a bipartite social dialogue on digitalisation and its impact on the labour market. Such dialogue should primarily be focused on establishing standards for professions but also on estimating future trends on the labour market and thus related necessary education.

In the focus group with freelancers it was pointed out that the key problem of traditional online platforms is their excessive focus on the cost of labour. However, the participants pointed out that not all platforms are the same and that there are such platforms which take their intermediary role very seriously. They do not focus only on the cost of labour but also take into account the offered expertise which in the end leads to better quality. The majority of participants explained their decision to

work as freelancers with the need to have more flexibility in organising their working time and the need to have more freedom in selecting projects to work on. However, the majority of participants concluded that the new forms of work in which freelancers predominantly work are very appealing to employers because they enable them to transfer part of the costs of labour to workers. In terms of Croatian legislation, it was pointed out that it does not follow the new forms of work and employment which makes freelancers unprotected. The legislation does not clearly define who is a freelancer which results in numerous problems with the realisation of their material and other rights.

## 5.2. Recommendations

- Under the impact of digitalisation workers become more and more divided into those who are well protected by the standard employment relationship and those who are non-standard workers. Therefore, in order to create fairer conditions on the labour market the government and social partners should work on expanding the traditional definition of a worker in legislation and collective agreements. This implies the establishment of comparable social security systems for the freelancers which are not covered by labour legislation.
- The government should cooperate with the technological and social partners in order to support development of professionally rooted digital education and training as well as informing about careers at the universities. The government should also encourage the schools and universities to secure effective and accessible courses for introduction into digital skills, especially for individuals who do not possess them. The digital skills should together with mathematics and foreign languages, especially English, become one of key components in all education and training programs.
- Social partners in all sectors should pay special attention to establishing employment relationship models which enable flexibility in choosing the time and place of working. These efforts should not be focused only on the new forms of work in digital economy but also on work and employment as a whole.
- The new forms of work are not completely regulated by the Labour

Act and other related legislation. It is therefore necessary to legally regulate those forms of work which are not yet regulated and to harmonise their definitions in our legislation with the definitions provided by Eurofound.

- It would be advisable to facilitate practical implementation of the new forms of work in a procedural sense. Namely, implementation of some of these forms, such as for example employee sharing or ICT-based mobile work, requires numerous administrative pre steps which makes them unappealing to Croatian employers. However, at the same time total effects on the labour market need to be considered, in order to avoid the new forms of work becoming unfair competition to traditional forms of work and employment.
- The government should initiate a discussion with the social partners on the possibilities of introducing voucher-based work also in other sectors (other than agriculture). The discussion should also be initiated on regulation of the casual work with the aim of unburdening the student work and reducing the share of grey economy.
- In cooperation with social partners the government should harmonise the differences in the established levels of basic salaries and contributions for different types of non-standard work which are currently not equalized. That would make the calculation of fiscal effects significantly easier for workers and employers when concluding such contracts.
- In order for Croatian ICT companies to become more competitive, the government should in cooperation with the social partners consider the possibility of introducing some new forms of fiscal practices such as profit sharing between employers and workers. The aim of introducing such innovative models would be to keep the best experts in this area, which experiences dynamic development, in Croatia.
- In terms of education reform, enrolment quotas to university STEM programmes should be increased and quotas for the programmes resulting in professions which are not in demand should be lowered. It is necessary to be persistent with the reform of vocational education which brings more practical teaching and much more active role of employers. Furthermore, the government should, with the help of social partners, provide conditions for higher participation of adults in education and training and for easier recognition of knowledge obtained through

informal learning. Special attention should be paid to further development of skills necessary for work and employment in the new jobs, which are primarily communication and ICT skills.

- According to the conducted empirical research, citizens are rather motivated to accept the new forms of work but the knowledge about these new categories is certainly insufficient. In order to raise the understanding of the new forms of work and their legal regulation, it would be useful to organise different types of educational events for the citizens and stakeholders in the above-mentioned forms of work.
- Trade unions should develop effective strategies for organising non-standard workers. Incentive measures can range from reduced membership fees for the non-standard workers, through taking coordination role in specially targeted campaigns, to lobbying for the legal changes which would increase material and other rights of non-standard workers.
- Trade unions and employers should work more on developing and promoting the bipartite social dialogue on the impacts of digitalisation on work and employment in certain sectors. Such dialogue should be focused on anticipating changes, educating and retraining workers as well as on developing special protection mechanisms (e.g. quotas in collective agreements) for the non-standard workers in digital economy.

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Digital Society, Zagreb: 11. 10. 2018.

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# ANNEXES

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## Annex 1.

### Tables of employment according to type of working contract and contractual working time in selected sectors of Croatian economy

Table 1. Wholesale and retail trade; repair of motor vehicles and motorcycles

Category	Public sector			Private sector		
	2015	2016	2017	2015	2016	2017
<b>Total number of employed people</b>	2,752	2,424	2,339	140,398	154,391	151,738
<b>Type of employment</b>						
No. of open-ended contracts	2,095	1,767	1,715	114,117	123,266	119,907
Share of open-ended contracts	76.12%	72.90%	73.32%	81.28%	79.84%	79.02%
No. fixed-term contracts	573	605	576	25,987	30,761	31,689
Share of fixed-term contracts	20.82%	24.96%	24.62%	18.51%	19.92%	20.88%
<b>Contractual working time</b>						
Full-time	2,722	2,372		135,364	147,900	
Part-time	27	19		4,850	6,203	

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Source: Croatian Bureau of Statistics (compiled by the authors)

Table 2. Accommodation and food service activities

Category	Public sector			Private sector		
	2015	2016	2017	2015	2016	2017
<b>Total number of employed people</b>	2,594	4,338	4,979	27,591	37,075	37,403
<b>Type of employment</b>						
No. of open-ended contracts	2,331	3,630	4,336	19,144	23,868	23,626
Share of open-ended contracts	89.86%	83.68%	87.08%	69.38%	64.38%	63.16%
No. fixed-term contracts	255	695	639	8,411	13,135	13,756
Share of fixed-term contracts	9.83%	16.02%	12.83%	30.48%	35.43%	36.77%
<b>Contractual working time</b>						
Full-time	2,572	4,300		26,391	34,909	
Part-time	22	37		1,163	2,144	

Source: Croatian Bureau of Statistics (compiled by the authors)

Table 3. Information and communication

Category	Public sector			Private sector		
	2015	2016	2017	2015	2016	2017
<b>Total number of employed people</b>	4,406	4,296	4,152	22,751	25,806	24,916
<b>Type of employment</b>						
No. of open-ended contracts	4,299	4,186	4,015	20,273	23,003	22,222
Share of open-ended contracts	97.57%	97.44%	96.70%	89.11%	89.14%	89.19%
No. fixed-term contracts	98	103	134	2,380	2,678	2,635
Share of fixed-term contracts	2.22%	2.86%	3.23%	10.46%	10.38%	10.57%
<b>Contractual working time</b>						
Full-time	4,387	4,281		22,344	25,283	
Part-time	15	12		370	508	

Source: Croatian Bureau of Statistics (compiled by the authors)

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Table 4. Human health and social work activities

Category	Public sector			Private sector		
	2015	2016	2017	2015	2016	2017
<b>Total number of employed people</b>	74,063	75,537	76,135	8,508	10,934	10,362
<b>Type of employment</b>						
No. of open-ended contracts	68,227	69,469	69,272	6,934	8,363	8,121
Share of open-ended contracts	92.12%	91.97%	90.98%	81.50%	76.49%	78.37%
No. fixed-term contracts	5,567	5,921	6,679	1,510	2,506	2,214
Share of fixed-term contracts	7.52%	7.84%	8.77%	17.75%	22.92%	21.36%
<b>Contractual working time</b>						
Full-time	72,573	73,727		7,761	9,662	
Part-time	1,434	1,597		734	1,236	

Source: Croatian Bureau of Statistics (compiled by the authors)

Table 5. Arts, entertainment and recreation

Category	Public sector			Private sector		
	2015	2016	2017	2015	2016	2017
<b>Total number of employed people</b>	11,594	12,008	11,138	5,892	6,826	6,826
<b>Type of employment</b>						
No. of open-ended contracts	10,190	10,458	9,785	4,344	4,717	4,648
Share of open-ended contracts	87.89%	87.09%	87.85%	73.73%	69.10%	68.09%
No. fixed-term contracts	1,332	1,492	1,321	1,546	2,079	2,175
Share of fixed-term contracts	11.49%	12.42%	11.86%	26.24%	30.46%	31.86%
<b>Contractual working time</b>						
Full-time	11,446	11,721		5,592	6,494	
Part-time	134	160		297	319	

Source: Croatian Bureau of Statistics (compiled by the authors)

## Annex 2.

### Questionnaire for the interviews with representatives of the ICT companies in Croatia

1. Basic information about the company (number of employees, structure, short history)
2. New nonstandard forms of employment in your company
  - 2.1. *What is the prevalence of the new forms of work and employment in the area of your work? Percentage of the overall number of employees if possible?*
  - 2.2. *What new forms of work and employment do you use in your company?*
  - 2.3. *What are the reasons behind the use of the new forms of work and employment (economic, advantages for the employees...)?*
  - 2.4. *What are the main competences of such workers?*
  - 2.5. *What are the advantages and shortfalls of the new forms of work and employment for the employer?*
  - 2.6. *What are the advantages and shortfalls of the new forms of work and employment for the employees?*
  - 2.7. *In case of work outside of the office [mobile work], how do you measure the working time?*
  - 2.8. *Would you offer some of the new forms of employment to new workers?*
  - 2.9. *What is your vision for the future? In the future will you use new forms of work and employment more or less often? What are the reasons for that?*
3. Croatian legislation
  - 3.1. *Please comment the fiscal framework related to new forms of work and employment?*
  - 3.2. *In your opinion does Croatian legislation recognise the new forms of work and employment sufficiently? Would you prefer a more detailed laws?*
  - 3.3. *What type of working contracts do you use (regardless of whether they are in compliance with the Labour Act or with some other forms of legislation)? Please comment the situation in the area of grey economy?*

### Annex 3.

## Questionnaire for the interviews with experts for the labour market and digitalisation

1. The process of digitalisation in Croatia
2. New nonstandard forms of employment in Croatia
  - 2.1. *What is the prevalence of the new forms of work and employment in Croatia? Percentage of the overall number of employees if possible?*
  - 2.2. *In which sectors are the new forms of work and employment represented the most?*
  - 2.3. *What are the reasons behind the use of new forms of work and employment (economic, advantages for the employees...)?*
  - 2.4. *What are the main competences of such workers?*
  - 2.5. *What are the advantages and shortfalls of the new forms of work and employment for the employer?*
  - 2.6. *What are the advantages and shortfalls of the new forms of work and employment for the employees?*
  - 2.7. *In case of work outside of the office [mobile work], how the working time is being measured?*
  - 2.8. *What is your vision for the future? In the future will new forms of work and employment be used more frequently? What are the reasons for that?*
3. Croatian legislation
  - 3.1. *Please comment the fiscal framework related to new forms of work and employment?*
  - 3.2. *In your opinion does Croatian legislation recognise the new forms of work and employment sufficiently? Would you prefer a more detailed laws?*
  - 3.3. *What type of working contracts are being used (regardless of whether they are in compliance with the Labour Act or with some other forms of legislation)? Please comment the situation in the area of grey economy?*

## Annex 4. About the authors

**Hrvoje Butković** works as a Senior Research Associate at the Department for European Integration of the Institute for Development and International Relations (IRMO), Zagreb. He defended his PhD in 2010 at the Faculty of Political Science of the University of Zagreb. His primary research interests include industrial relations in Croatia and the EU, social Europe Europeanization of the policy making in Croatia and development of democracy at the supranational level of the EU. In the area of industrial relations, he participated in implementation of several European Commission funded projects which focused on developments in Croatia and other new EU member states since 2008. This engagement resulted with publication of three scientific books which were published by IRMO in co-authorship. He actively participated at numerous international scientific conferences, published works, participated in doctoral schools and seminars, participated in organization of various round tables and conferences and cooperated with the media.

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**Višnja Samardžija** is Emeritus Researcher at the Institute for Development and International Relations (IRMO) Zagreb, where she works since 1981. She obtained her PhD in 1993 at the Faculty of Economics, University of Zagreb. From 2000 to 2004 she was assistant minister in the Ministry for European Integration of the Republic of Croatia. She coordinated or participated as leader of the IRMO team on many national and international projects mostly financed by the European Commission. Prof Samardžija lectures on two European doctoral study programs at the Faculty of Political Science, University of Zagreb and at the University of Osijek. She published numerous scientific and professional articles in Croatia and abroad and participated at many international conferences. She was a Board member of the Trans European Policy Studies Association – TEPSA in Brussels in three mandates (2010-2016). The area of her interest are: institutional and economic aspects of the EU enlargement, EU public policies, industrial relations, EU 2020 Strategy and position of Croatia as a new EU member state.



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## O KNJIZI

Ova sveobuhvatna studija o transformaciji hrvatskoga tržišta rada pod utjecajem digitalizacije pridonijet će razumijevanju prednosti ali i opasnosti koje nove tehnologije donose radnicima. Publikacija je utemeljena na nalazima empirijskog istraživanja provedenog na reprezentativnom uzorku ispitanika (500) koje donosi stavove o hrvatskom tržištu rada, novim oblicima rada i učincima digitalizacije na rad i zaposlenost. Uz to, empirijska osnova studije obuhvaća rezultate intervjua i fokus grupa sa socijalnim partnerima, poslodavcima u IKT sektoru i stručnjacima za radne odnose. U studiji se objašnjavaju novonastali složeni odnosi na tržištu rada, iznose stavovi brojnih aktera te donose prijedlozi za nositelje vlasti i druge dionike kojima se trasira pravac budućih aktivnosti. Autori upozoravaju na važnost borbe protiv stvaranja podskupina marginaliziranih osoba koje se zbog neodgovarajuće digitalne pismenosti nalaze u sve lošijem položaju na tržištu rada.

Dr. sc. Predrag Bejaković

## ABOUT THIS BOOK

This comprehensive study about transformation of Croatian labour market due to digitalization will contribute to better understanding of the advantages as well as dangers which the new technologies bring to workers. The publication is based on findings of empirical research on the representative sample of examinees (500) which brings forward standpoints about the Croatian labour market, new forms of work and impacts of digitalization on work and employment. Furthermore, empirical base of this study includes the results of interviews and focus groups with the social partners, employers in the ICT sector and experts in the field of working relations. The study explains newly created relations on the labour market, positions of numerous actors and brings forward recommendations for the authorities and other stakeholders which track the path of future activities. The authors warn about the importance of preventing creation of the marginalized subgroups of persons which due to inadequate digital literacy find themselves in continually worsening position on the labour market.

Predrag Bejaković, PhD

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# IRMO

Institut za razvoj i  
međunarodne odnose

The Institute for Development  
and International Relations

## O projektu

Projekt „Prilagodba industrijskih odnosa novim oblicima rada“ (VS/2018/0039) financiran je sredstvima Europske komisije, Opće uprave za zapošljavanje, socijalna pitanja i inkluziju. Projekt je proveden između veljače 2018. i srpnja 2019. Koordinirao ga je Institut za javne politike (IPP) iz Bukurešta, Rumunjska a provodio se u partnerstvu s još pet istraživačkih institucija iz država članica EU-a (Bugarska, Češka, Hrvatska, Poljska) i jedne zemlje kandidatkinje za članstvo u EU (Sjeverna Makedonija). Glavni cilj projekta bio je unaprijediti znanje o učincima novih oblika rada i digitalizacije gospodarstva na industrijske odnose kako bi se pronašli što bolji prijedlozi za prilagodbu postojećih institucionalnih i regulacijskih sustava. IRMO je kao projektni partner bio odgovoran za provedbu aktivnosti u Hrvatskoj.

Više informacija dostupno je na:

<https://www.irmo.hr/hr/projekti/prilagodba-industrijskih-odnosa-novim-oblicima-rada/>

## About the project

The project “Adaptation of industrial relations towards new forms of work” (VS/2018/0039) was funded by the European Commission, DG Employment, Social Affairs and Inclusion. It was implemented between February 2018 and July 2019. The project was coordinated by the Institute for Public Policy (IPP), Bucharest, Romania in partnership with five additional research institution from the EU member states (Bulgaria, Croatia, Czech Republic, Poland) and one EU candidate (North Macedonia). The main goal was to improve the knowledge on the impact of the new forms of work and digitalisation of economy on industrial relations in order to advance proposals for adopting the existing institutional and regulatory systems. As a project partner IRMO was responsible for implementation of activities in Croatia.

Further information is available on:

<https://www.irmo.hr/en/projects/adaptation-of-industrial-relations-towards-new-forms-of-work/>

## O izdavaču

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