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# Five Years of Platform Labour Protest in Germany – A Summary

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# Platform Labour Protest in Germany

**Denis Neumann, Leeds**

# Platform Labour Protest: Germany

Since 2017, platform workers in Germany have made remarkable efforts to improve their working conditions. While ride-hailing plays a minor role in the German market, the spread of on-demand food delivery services has been accompanied by recurrent periods of resistance from food couriers. This ranges from wildcat strikes, demonstrations, and spontaneous flash mobs, to the formation of works councils and the search for collective agreements.

The Leeds Index of Platform Labour Protest covers a total of 69 protest events in Germany. In European perspective, after the UK, France and Spain, Germany ranks fourth in terms of the number of protests among delivery workers since 2017.

# 69

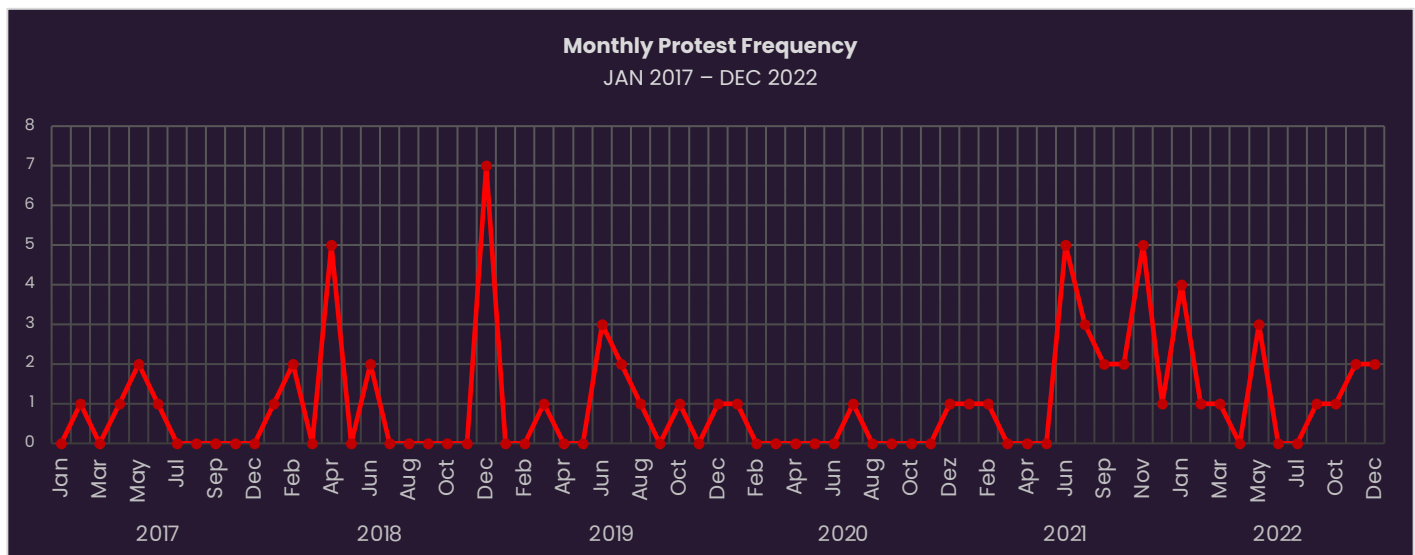
**Protests recorded between 2017 and 2022**

The course of the protests between 2017 and 2022 can be divided into three phases: the ignition between 2017 and 2018, a waning during the pandemic and a revival over the last two years.

Demonstrations were the preferred method of protest in the first phase. 2018 marked the peak of the protests to date, featuring 14 demonstrations. This culminated when riders all over Germany took to the streets in a joint action to protest against Foodora about withheld wages.

With the withdrawal of Deliveroo from Germany and the takeover of Foodora by Lieferando in 2019, the first wave of protests was contained, and workers had to reorientate. In 2020, the protests nearly came to a standstill. The influence of the pandemic seems evident during this period. While in the first Corona year orders increased by three quarters, lockdown circumstances seem to have hindered German riders from initiating publicly visible protest.

The last two years can be considered a new phase of protest dynamics, picking up what began in 2018, albeit with a change of emphasis regarding the type of protest. The year 2021 even surpasses the previous peak year with a total of 20 protest events. While demonstrations dominated in 2018, 2021 featured a more varied range of tactics: legal action and works council formations at Lieferando contrasted with a wave of wildcat strikes at the grocery delivery start-up Gorillas.



Regarding motivations for protest, the German case is not fundamentally different from the rest of the world. Pay is the main grievance that drives protest (31%), followed by working conditions (25%) and running costs/equipment (14%).

A large part of the conflict over pay revolves around late or non-payment of wages, often based on non-transparent calculation of wages. This phenomenon appears through all five years. Since it also occurred in all the companies observed, this suggests a structural problem across platform businesses. Or, to put it another way: wage theft is part of the business model.

Another major concern for riders is based on complaints about running costs and equipment. Although the riders are employees in Germany, they usually use their own mobile phones and bicycles.

At least for employees of the food delivery market leader, Lieferando, this has changed slightly. Based on a court ruling following a lawsuit by two riders, the company was directed by the Federal Labour Court to provide its riders with company phones. But whether this is being implemented still depends heavily on workers' agency at the respective company site. To date, the company has only handed out company phones by individual request and under threat of legal consequences. Similarly, inadequate work clothes are another significant trigger for protest.

## INVOLVEMENT IN PROTEST EVENTS

Mainstream Trade Union	62%*
Workers Collective	43%
Grassroots Trade Union	30%

\*The numbers do not add up to 100% because multiple actors were involved per protest event

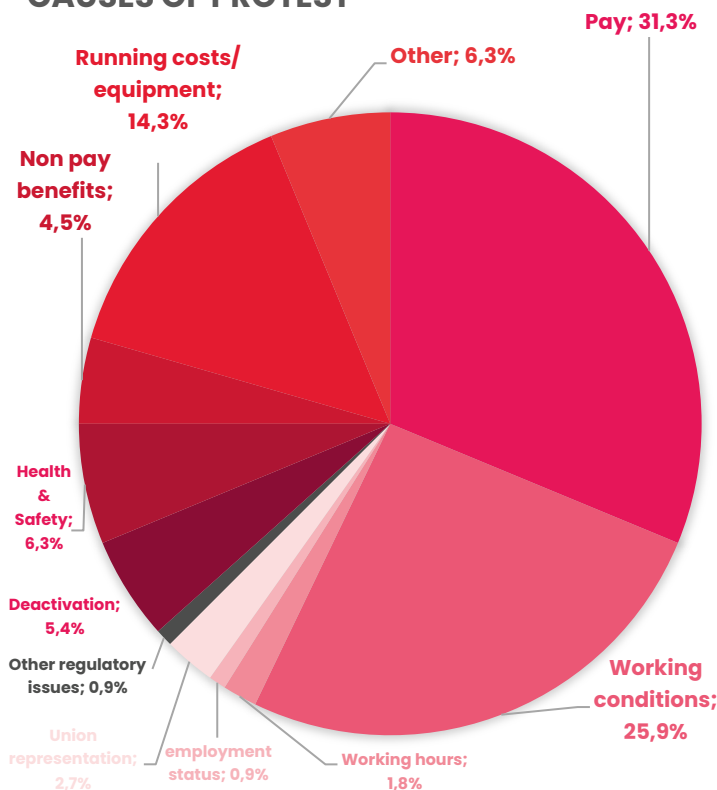
While the company landscape has changed considerably, many unionised or active riders continue to work in the sector. They have successfully stimulated an ongoing public debate about working conditions in Germany's food delivery workplace. Young and often migrant couriers who were in many cases new to unionism showed great creativity in their actions and ways of organising under challenging circumstances. They have demonstrated, gone on strike, and formed works councils. Because of their institutional protection and power, many works council members have been in office since the beginning and have kept up the fight ever since.

In terms of initial grassroots-level organising and strategy-building, in the first phase of protest the riders were one step ahead of the mainstream union DGB (Federation of German Trade Unions). More recently, however, the latter have started to recognise the struggle of platform workers and have increasingly become involved. In some cases, the expertise of established trade unions has paid off, especially in supporting the foundation of works councils and representing workers in court cases. Thus, with the increase in court cases and the establishment of more works councils, the influence of the DGB trade union NGG (Food, Beverages and Catering Union) in platform work has increased. According to the Leeds Index, DGB trade unions were involved in 62% of protests.

There has also been a remarkable influence of grassroots "new actors" in initiating unrest. The FAU (Free Workers Union) was involved in 30% of protests. Looking at the timeline, this small union, outside the mainstream federation, was most prominent in the first phase of action, but it never went away.

In addition, workers' collectives were involved in 43% of protests. Under banners such as Lieferando Workers' Collective, Gorillas Workers' Collective, Deliverunion or Liefern am Limit (Delivering at the Limit), they have pioneered public relations and organising skills for workers which have surpassed those of established unions. This type of worker grouping is new to the German context and is inspired by rider collectives from other European countries. Especially in Berlin, they still make their mark on the struggle with their refreshing and militant approach.

## CAUSES OF PROTEST



Looking at the distribution of types of protest in Germany, the different phases are characterised by changing protest patterns over time. The first phase was characterised largely by public demonstrations, which accounted for almost half of the protests. From the riders' strategic point of view, this was important for raising public awareness of the problem of poor working conditions in the sector and to build pressure on the companies.

Legal action and methods of institutionalisation (like the foundation of unions or works councils) have increased over the years. The intense strike offensive by the Gorillas Riders, which lasted for six months in 2021, can be seen as an exception compared to this overall trend, but nevertheless accounts for 12% of all protests. The escalation of the conflict at Gorillas was caused by unprecedentedly bad working conditions in an already precarious sector and the particular militancy of the predominantly migrant workforce.

"Institutionalisation" is more prominent in Germany than elsewhere, due to an ongoing initiative by couriers to establish works councils. At Lieferando alone, workers have set up 11 works councils. In the western part of Germany, these structures have existed since 2017 and have slowly expanded across the north and south of the country. Two cities in the east, Berlin and Leipzig, have joined in December.

Type of Action	Frequency
Demonstration	42%
Institutionalisation	23%
Legal Action	20%
Strikes (and log-offs)	12%
Other	3%

In some Lieferando establishments, the legitimacy of works council elections themselves is still being fought out in court. In others, a routine of negotiation with companies has already been established that at times approaches the typical protocol of German industrial relations.

But it is not only Lieferando that has acted against works councils. Numerous court cases have been initiated by platform companies against works council elections at Gorillas and Flink, although at the latter workers are still fighting relentlessly for their right to co-determination. Unfortunately, at Getir, the company reacted very quickly and repeated what Elon Musk's Tesla did at their German site: they installed a works council "from above", from which little resistance is to be expected.

Against this backdrop, we can conclude that the platform companies are joining the prevailing trend in German industrial relations of employers circumventing the regulatory regime that still legally exists but is eroding in the face of weakened trade unions.

But sometimes, workers have managed to counter this process through public pressure and the imposition of institutional discipline. They have managed to turn platforms' disregard for workers' rights into acceptance of them in some cases. The future will tell if the latter will become the normality and not the exception.

