

EVALUATION PAPER

Obstacles and Opportunities for Implementing the Platform Work Directive: *Focus on Work Classification and the Presumption of Employment in Montenegro*

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About EUROPEUM

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About the Project

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Introduction

The main goal of this paper is to explore the practical challenges and opportunities related to the implementation of the Platform Work Directive (PWD) in Montenegro, with a specific focus on one of its key provisions: the presumption of employment. The platform work landscape in Montenegro is primarily characterized by online work (freelancing often mediated through global platforms like Upwork or Freelancer). This distinction is important for understanding the context in which regulatory challenges—such as employment classification and algorithmic management—are being discussed in Montenegro. While issues like control and surveillance are present, they often manifest differently than in the case of gig workers on location, where platforms exercise more direct oversight.

This Directive,¹ which entered into force on December 1, 2024 after lengthy negotiations, sets out two main goals: (a) improving the working conditions of people performing platform work as employees, and (b) protecting the personal data of all platform workers, regardless of their employment status. In line with the first goal, the Directive introduces measures to help determine the correct employment status of platform workers. This is hardly surprising, as the issue of misclassification has been one of the most debated and researched topics in the platform economy. The key legal tool to address this issue is the introduction of a legal presumption of an employment relationship for platform workers.² This means that when certain criteria indicating the platform's control over the worker are met, the worker will be presumed to be an employee. Crucially, it is then up to the platform to prove otherwise. By shifting the burden of proof in this way, the Directive aims to counter the widespread and systematic misclassification of workers as independent contractors, which often deprives them of basic labor rights and protections.

¹ European Union, Directive (EU) 2024/831 of the European Parliament and of the Council of 28 February 2024 on improving working conditions in platform work, Official Journal of the European Union, L 2024/831, March 13, 2024, https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202402831.

² Konstantinos Zografidis, "Implementing the Presumption of Employment of the Platform Work Directive." Global Workplace Law & Policy (Wolters Kluwer), April 23, 2025. <https://legalblogs.wolterskluwer.com/global-workplace-law-and-policy/implementing-the-presumption-of-employment-of-the-platform-work-directive/>.

Given the growing prevalence of platform work across Europe—including in Montenegro, where this type of work is present but still largely unregulated—³ this paper examines how national actors perceive and prepare for the transposition and enforcement of these provisions in practice. It asks: What practical obstacles and opportunities are expected when implementing the PWD's provisions related to work classification and the presumption of employment at the national level?

To answer the research question, this paper applies a qualitative methodology combining legal analysis, desk research, and expert interviews. It examines existing national legislation related to work classification, freelancing, and employment status, alongside the EU PWD. The analysis is complemented by a review of academic, policy, legal, and media sources. Moreover, semi-structured interviews⁴ were conducted with representatives of the Ministry of Labor, Employment and Social Dialogue,

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trade union representatives, and members of the academic and research community with expertise in freelancing. These interviews provided insight into the current institutional awareness, perceived barriers, and anticipated impacts of implementing the Directive in the Montenegrin context. This mixed-method approach provides a comprehensive understanding of both the legal gaps and institutional capacities that may shape the future implementation of the PWD in Montenegro.

In Montenegro, platform work remains largely unregulated as a distinct category within the legal system. The legal provisions that do exist primarily pertain to freelancing, which is sometimes mistakenly equated with platform work. However, not

³ Ivana Božović and Dragana Jaćimović, Mapping Platform Work in Montenegro (EUROPEUM Institute for European Policy, 2025), <https://www.europeum.org/wp-content/uploads/MONTENEGRO.pdf>

⁴ These interviews were conducted with four individuals: two representatives from the Ministry of Labor, Employment and Social Dialogue, one representative of a trade union, and one member of the academic and research community with expertise in freelancing. Two interviews were conducted in person, at the premises of the Ministry of Labor and the Union of Free Trade Unions of Montenegro, while the interview with the academic representative was held via Zoom.

all freelancers operate through digital labor platforms—many work independently, offering services to various clients without relying on a mediating platform. On the other hand, the status of individuals engaged in location-based platform work, such as food delivery couriers working for Glovo and similar services, is not specifically covered by any legal framework. There are no official statistics on the scale of platform work in Montenegro—no data on the share of platform workers in the overall workforce, their professional distribution, or their demographic profiles. This lack of official data also contributes to confusion about the extent to which platform work in Montenegro is mediated by platforms themselves, as opposed to being conducted independently under the broader umbrella of freelancing.

Obstacles and Opportunities

Alignment with Existing Legislation

In the case of Montenegro, the new PWD⁵ neither fully aligns with nor directly conflicts with existing national legislation—primarily because there is no comprehensive legal framework regulating platform work in the first place. The only partially relevant laws currently in force concern freelancers, and even those cover a narrow segment of individuals working independently in innovation and research,⁶ without explicitly addressing the broader and more complex category of platform workers.

In Montenegro, platform work is neither legally defined nor systematically regulated under the Law on Labor, which is the main concern raised by the experts we interviewed for this analysis. The interviews were conducted with representatives of relevant stakeholder groups, including academics who have researched platform work and freelancing, the Union of Free Trade Unions of Montenegro, and representatives of the Ministry of Labor, Employment and Social Dialogue. They emphasized that,

⁵ European Union. Directive (EU) 2024/831 of the European Parliament and of the Council of 28 February 2024 on improving working conditions in platform work. Official Journal of the European Union, L 2024/831, March 13, 2024, available at: https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202402831.

⁶ Law on Innovation Activity. 2020. Official Gazette of Montenegro, no. 082/20, Article X, <https://www.gov.me/dokumenta/e4de3d3b-f1cf-4a14-9bd8-20c39b570536>; Law on Incentive Measures for the Development of Research and Innovation, Official Gazette of Montenegro, no. 082/20, Article V <https://wapi.gov.me/download-preview/c78f2ba7-875e-4274-9264-515588392a81?version=1.0>

first and foremost, there is a need for legal regulation in this area—either through amendments to the existing Law on Labor or by adopting a separate, dedicated law.

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The existing legal framework⁷ primarily addresses aspects of freelancing, but it does not adequately capture the realities of platform work, especially considering that not all freelancers operate through digital platforms. Moreover, platforms active in Montenegro and the wider region typically present themselves as intermediaries rather than employers. It is important to highlight that these platforms generate direct profit from the work of couriers, drivers, and others who carry out the core

business activities, even though they do not sign contracts with the workers themselves. Instead, contracts are most often concluded through third parties—intermediary agencies or self-employed individuals—who formally hire the workers, interact with them, and handle wage payments.⁸

This structure allows platforms to retain operational control and profit while avoiding the legal obligations they would bear as employers. This creates a key tension: while platforms claim to be intermediaries, in practice—and increasingly in light of new legislation in some countries—they do not operate as neutral facilitators, but as entities that exercise real control over working conditions. This allows them to bypass responsibilities associated with standard employment, such as offering paid sick leave, maternity leave, or enabling union organization and collective bargaining. As a result, platform workers often find themselves in a legal grey zone, without the protections afforded to formally employed individuals.⁹

⁷ Existing legal framework in this area consists of two laws: Law on Innovation Activity and Law on Incentive Measures for the Development of Research and Innovation.

⁸ Branka Anđelković, Tanja Jakobi, Maja Kovač, and Slobodan Golušin, Pakleni vozači: Ima li dostojanstvenog rada na digitalnim platformama za dostavu i prevoz putnika u Srbiji (Belgrade: Public Policy Research Centre, 2023), 10, <https://publicpolicy.rs/publikacije/7541fca6a2ab37f0f57ea39f035f9cc247d6a75.pdf>.

⁹ Ivana Božović and Dragana Jaćimović, Mapping Platform Work in Montenegro (EUROPEUM Institute for European Policy, 2025), <https://www.europeum.org/wp-content/uploads/MONTENEGRO.pdf>.

This legal gap is particularly evident in the case of platform workers in food delivery services, such as Glovo couriers, whose status remains undefined by any law. These workers are often engaged through intermediary agencies and fall outside traditional employment relationships as defined by the Law on Labor.¹⁰ Moreover, no Montenegrin ministry has officially assumed responsibility for regulating this category of workers, resulting in a legal vacuum.¹¹

Given this context, the Directive cannot be said to “build on” existing rules, nor does it “conflict” with them; rather, it introduces a new regulatory standard that could serve as a valuable foundation for shaping future Montenegrin legislation. Its comprehensive approach to defining employment status, regulating algorithmic management, and ensuring social protection offers clear guidance on how to approach the legal recognition and protection of platform workers.

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Although the PWD is a legal instrument expected to significantly influence the regulation of this increasingly widespread form of work, no concrete steps have yet been taken in Montenegro to align national legislation with the Directive due to the fact that EU Member States themselves have not yet fully implemented the Directive.¹² Furthermore, no legal or strategic framework has been initiated to address the specific challenges of platform work.¹³ Similarly, the Government's work program (2024-2027) does not foresee any activities in this area.¹⁴

¹⁰ Interview with Bojana Radović, Executive Director of Glovo Montenegro, Investor.me, December 21, 2022, <https://investitor.me/2022/12/21/radovic-kako-je-glovo-postao-svakodnevna-potreba-crnogorskih-gradjana/>

¹¹ Ivan Ivanović, "No One is Responsible for Gig Workers," Vijesti.me, November 7, 2022, <https://www.vijesti.me/vijesti/ekonomija/629563/niko-nije-nadlezan-za-gig-radnike>.

¹² Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

¹³ Government of Montenegro, Draft Reform Agenda of Montenegro 2024–2027, <https://www.gov.me/dokumenta/2cc3baa0-65d6-4d97-a25c-fa171aa559b3>; Ministry of Economic Development, National Employment Strategy 2021 - 2025, <https://www.zzzcg.me/wp-content/uploads/2022/02/predlog-nacionalne-strategije-zaposljavanja-2021-2025-s-predlogom-akcionog-plana-zaposljavanja-za-2021-godinu.pdf>

¹⁴ Government of Montenegro. Predlog programa rada Vlade za 2025. s Izveštajem o realizaciji Srednjoročnog programa rada Vlade 2024–2027. za 2024. godinu – zaključci. Podgorica: Government of Montenegro, March 3, 2025, <https://wapi.gov.me/download-preview/ebb3d686-4881-4c32-9479-826a1d63f4c1?version=1.0>

According to the Ministry of Labor, Employment and Social Dialogue, they have been given a deadline until December 2026 to transpose their provisions and establish the necessary institutional mechanisms. In light of this, the Ministry expects that Montenegro will begin to actively work on regulating this area only after Member States have implemented the Directive and established practices that may serve as a reference for candidate countries.¹⁵ In other words, the pace of implementation in Montenegro will largely depend on developments at the EU level and the experiences that emerge from the Directive's application in Member States.

At present, Montenegro lacks both the legal framework and the institutional preparedness necessary to monitor and enforce the contractual status of platform workers.

The limited definitions provided by the Law on Innovation Activities and the Law on Incentive Measures for the Development of Research and Innovation—which define freelancers narrowly as individuals working in innovative sectors¹⁶—may offer a starting point for rethinking the legal treatment of platform work, as they at least acknowledge non-standard forms of labor outside traditional employment and recognize the need for tailored policy responses. However, the current laws do not capture the reality of platform-mediated labor, especially in sectors like delivery or transport that fall outside innovation-related activities, because they overlook the specific employment conditions, risks, and power asymmetries that characterize this type of work—such as algorithmic control, lack of direct contracts, and the absence of social protections.

Therefore, rather than aligning with current Montenegrin laws, the Directive highlights the need to develop a legal framework where none yet exists. It points to key policy areas that must be addressed—including employment classification, rights to collective bargaining, transparency of algorithmic decision-making, and the responsibility of

¹⁵ Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

¹⁶ Law on Innovation Activity. 2020. Official Gazette of Montenegro, no. 082/20, Article X, <https://www.gov.me/dokumenta/e4de3d3b-f1cf-4a14-9bd8-20c39b570536>; Law on Incentive Measures for the Development of Research and Innovation, Official Gazette of Montenegro, no. 082/20, Article V <https://wapi.gov.me/download-preview/c78f2ba7-875e-4274-9264-515588392a81?version=1.0>

digital platforms—and thus offers a roadmap for legal reform in line with EU standards.

Administrative Barriers and Opportunities

At present, Montenegro lacks both the legal framework and the institutional preparedness necessary to monitor and enforce the contractual status of platform workers. Interviews with key stakeholders¹⁷ suggest that the primary barrier is not a lack of institutional capacity per se, but rather the absence of a clear legal basis upon which enforcement activities could be structured. From the perspective of the Ministry of Labor, Employment, and Social Dialogue, the country is in a waiting phase, observing how EU Member States will implement Directive (EU) 2024/2831 and awaiting the final adoption of a new International Labor Organization (ILO) Convention on decent work in platform labor, expected in June 2026. The Ministry underlines that Montenegro currently has no legal obligations in this area, and thus, no active institutional efforts have been launched. The lack of consensus between employers and workers at the international level is cited as a reason for cautious progress.¹⁸

Trade union representatives from the Union of Free Trade Unions of Montenegro, acknowledge the legal vacuum surrounding platform work but stress that this cannot justify further delay. They argue that while regulation is complex, it is inevitable and must begin sooner rather than later, especially given the rapid growth of platform-based labor in real time. As for institutional capacity, they believe the existing human and procedural resources could be sufficient, provided that the process follows a structured path: beginning with social dialogue between state institutions, unions, civil society, and other stakeholders, followed by legislative drafting within working groups and then formal parliamentary procedures.¹⁹ Taken together, these actors' perspectives suggest that dialogue—not capacity—is the true starting point. Without a structured consultation process and legislative amendments, policy reforms risk being top-down

¹⁷ The Ministry of Labor, Employment and Social Dialogue, a trade union, and the academic and research community.

¹⁸ Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

¹⁹ Ivana Mihajlović, Independent Legal Advisor at the Union of Free Trade Unions of Montenegro, interview by the author, June 12, 2025.

and ineffective. Furthermore, while some general data on platform work may exist—for example, the Ministry of Education may have limited information related to freelancers under the two relevant laws—there is currently no comprehensive mechanism for collecting, centralizing, or utilizing this information. The Tax Administration is expected to hold the most relevant data, particularly on individuals registered or deregistered by platforms like Glovo, which are required to report such engagements and ensure the payment of personal income tax, even when workers are contracted under service agreements. However, in many cases, workers are not engaged directly by the platform but through intermediary agencies or self-employed individuals.²⁰ It remains unclear whether and how these indirectly engaged workers are registered with the Tax Administration, or whether Glovo reports them at all. This uncertainty further complicates efforts to assess the actual number of platform workers and the extent to which their work is formally recorded.

Representatives of the Union of Free Trade Unions of Montenegro stated that they had attempted to obtain the total number of applications for acquiring the status of a beneficiary of incentive measures for research and innovation²¹, which they believed could provide insight into how many people are engaged in freelancing²² (specifically within the framework of the two relevant laws).²³ However, they were unable to access this information. While the official response they received was that the data is publicly available on the website inovacije.gov.me,²⁴ which contains the Register of Innovation

²⁰ Ibid.

²¹ These incentive measures, as defined by the Law on Incentive Measures for the Development of Research and Innovation, aim to create a supportive environment for innovation activities, scientific research, and technological development. They include financial support for innovators and researchers in the form of subsidies, grants, and non-refundable funds for research and development projects, as well as co-financing for patents, prototypes, products, and technologies. In order to qualify for this type of financial assistance, individuals must first apply to become beneficiaries of these measures. Only after submitting the required documentation—outlined in detail by the law—and following verification by a designated commission, can they be officially granted beneficiary status and thus become eligible for tax reductions and other forms of state support.

²² In the Montenegrin context, freelancing and platform work are often conflated. While legal provisions mainly cover freelancers—who typically work independently and without platform mediation—platform work, such as food delivery or ride-hailing, remains unregulated. As a result, references to freelancing are used where no legal or statistical framework exists for platform work.

²³ Law on Innovation Activity. 2020. Official Gazette of Montenegro, no. 082/20, Article X, <https://www.gov.me/dokumenta/e4de3d3b-f1cf-4a14-9bd8-20c39b570536>; Law on Incentive Measures for the Development of Research and Innovation, Official Gazette of Montenegro, no. 082/20, Article V <https://wapi.gov.me/download-preview/c78f2ba7-875e-4274-9264-515588392a81?version=1.0>

²⁴ Ivana Mihajlović, Independent Legal Advisor at the Union of Free Trade Unions of Montenegro, interview by the author, June 12, 2025.

Activities, this register dates back to March 2024 and appears incomplete.²⁵ These representatives emphasized that even when following all the steps on the website—which seems more like a registration process than one to request access to information about registered individuals—the database in question does not contain the needed data.

They also stressed that the Tax Administration should have most of the relevant information, particularly regarding individuals engaged under contracts for temporary or occasional work (that is, a contract for services), as even these workers are required to pay personal income tax at a minimum.²⁶ At this stage, we are not aware of any such data being publicly accessible, nor does there appear to be a well-known public registry that consolidates this information and makes it available to stakeholders. An interviewed academic also raised critical concerns. She emphasized that regulation efforts have so far skipped essential steps, pointing out that Montenegro moved quickly to offer legal incentives for non-resident digital nomads in 2020/2021, while entirely neglecting to regulate resident citizens working through platforms. According to her, meaningful regulation will not begin until the Directive becomes binding, and she expressed skepticism about any earlier progress.²⁷

In summary, the real opportunity lies in initiating inclusive dialogue and closing legislative gaps, which would, in turn, activate administrative resources and responsibilities.

Political Barriers and Opportunities

As a candidate country for EU membership, Montenegro is expected to align its policies with the European Union's legal and policy frameworks. Although the country is not yet legally bound by Directive (EU) 2024/2831 on platform work, the process of alignment with EU standards is an essential political commitment.

²⁵ E - Inovacije, https://inovacije.gov.me/ords/f?p=111:LOGIN_DESKTOP:17349608977530:::.

²⁶ Ivana Mihajlović, Independent Legal Advisor at the Union of Free Trade Unions of Montenegro, interview by the author, June 12, 2025.

²⁷ Svetlana Duković, Researcher at the University of Donja Gorica, interview by the author, via Zoom, June 9, 2025.

From the interviews conducted, there appears to be a general political will among state actors to eventually regulate platform work, although not framed within a specific plan, as neither the Government's work program nor strategic documents foresee any related activities.²⁸ Representatives from the Ministry of Labor have expressed awareness of the importance of this issue and recognized the need for harmonization, especially once the Directive becomes fully binding for Member States. They also mentioned that the upcoming ILO Convention on decent work in the platform economy will likely reinforce these obligations.²⁹

However, the timing and prioritization of such reforms remain uncertain. While political commitment to EU integration is strong, actual policy action on platform work is still lacking. The polarized political environment in Montenegro, alongside more pressing social and economic challenges, makes it difficult to predict how quickly or coherently such reforms could be implemented. At this stage, platform work is not yet a politically prominent topic, and as such, there is no significant political pressure to act preemptively.

One notable barrier, as emphasized by a trade union representative, lies in the resistance from digital platforms themselves.³⁰

In conclusion, while there is a clear strategic and political incentive to align with EU norms, particularly in light of Montenegro's candidacy status, the path to regulating platform work remains off the policy agenda for now. A successful reform process will require not only political will, but also a broad-based consensus, cross-sectoral dialogue, and readiness to navigate resistance from different economic actors. The Directive could serve as a useful tool to drive this alignment forward, but only if supported by a deliberate, inclusive, and transparent national policy effort.

²⁸ Government of Montenegro, Government Work Programme of Montenegro for 2025, <https://wapi.gov.me/download-preview/ebb3d686-4881-4c32-9479-826a1d63f4c1?version=1.0>; Ministry of Economic Development, National Employment Strategy 2021 - 2025, <https://www.zzzcg.me/wp-content/uploads/2022/02/predlog-nacionalne-strategije-zaposljavanja-2021-2025-s-predlogom-akcionog-plana-zaposljavanja-za-2021-godinu.pdf>

²⁹ Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

³⁰ Ivana Mihajlović, Independent Legal Advisor at the Union of Free Trade Unions of Montenegro, interview by the author, June 12, 2025.

Pushback from the Private Sector

Platforms have little incentive to accept the role of employer and to assume obligations such as social security contributions, paid leave, or workplace protections. As the Union of Free Trade Unions' representative pointed out, platforms are structured in a way that blurs legal responsibility—they act as intermediaries rather than employers. This makes enforcement difficult and undermines the social protections normally associated with traditional employment.³¹ The Ministry of Labor shares this concern, noting that the interests of employers and workers in this area are fundamentally at odds, and that regulatory ambiguity currently favors platforms.³² While it cannot be definitively stated that platforms will obstruct the reform process, there is a reasonable expectation that they may resist changes that impose new legal and financial obligations.

Social Opposition and Support

Currently, there is no significant support or mobilization among platform workers in Montenegro to demand their reclassification as employees. Both the Ministry of Labor and the Union of Free Trade Unions (USSCG) confirmed that they have not received any formal initiatives or requests from workers in this area. The only exception is the Trade Union of Media of Montenegro, a sectoral union operating under the USSCG, which has managed to organize a group of media freelancers.³³ However, there is no evidence of collective action or demands from platform workers across different sectors or platforms. It is important to note that platform work in Montenegro varies significantly: many online platform workers or freelancers enjoy a higher degree of freedom in organizing their work and managing their time compared to location-based workers such as Glovo couriers. While this does not mean that online freelancers cannot or should not advocate for employee status, the lower degree of direct control exercised by platforms over these workers makes such claims less straightforward. Moreover, platforms differ considerably in how they position themselves—as

³¹ Ibid.

³² Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

³³ Ivana Mihajlović, Independent Legal Advisor at the Union of Free Trade Unions of Montenegro, interview by the author, June 12, 2025.

intermediaries or as employers—which further complicates the debate about workers' rights and classification.

According to USSCG, one possible explanation for this lack of pressure is that many domestic freelancers in Montenegro already have primary, stable employment. For them, platform work or freelancing is typically a secondary source of income, which may reduce the urgency to formalize their employment status or seek labor protections.³⁴ Similarly, a representative from the Ministry of Labor recalled only a single case in recent years—that of a parent seeking tax guidance on behalf of a freelance child—as the only direct inquiry related to this type of work.³⁵

As for the awareness of rights that would follow from formal employment contracts, there seems to be a significant information gap. While certain categories of platform workers—particularly those covered by the two existing laws on innovation (freelancers)—may be treated as self-employed and receive some benefits (such as tax reductions), most do not fall under any clearly defined legal category.

USSCG emphasized that, despite this legal ambiguity, freelancers and even platform workers theoretically have the right to unionize, in line with ILO standards that guarantee freedom of association regardless of employment status. This view was backed by a ruling from the Administrative Court of Montenegro, which affirmed that even self-employed taxi drivers have the right to choose between joining a union or a business association.³⁶ However, this right is often contested by employers, and in the case of platform workers like Glovo couriers, their actual employment status is often unclear—some may be engaged via temporary work agencies or service contracts rather than standard employment contracts. Union representatives acknowledge how this limits both their legal recognition and their ability to organize.³⁷

A researcher specializing in the freelancing area also noted that all regulation should be preceded by classification, ideally through amendments to the Law on Labor. Until

³⁴ Ibid.

³⁵ Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

³⁶ Ivana Mihajlović, Independent Legal Advisor at the Union of Free Trade Unions of Montenegro, interview by the author, June 12, 2025.

³⁷ Ibid.

this happens, any regulatory steps may be premature or inconsistent.³⁸ The Ministry of Labor reiterated that Montenegro currently has no legal obligation to act regarding the PWD, but that change will become necessary following the adoption of the upcoming ILO Convention and the EU Directive.³⁹

In summary, social support for reclassification is currently minimal, largely due to limited worker mobilization, low awareness of potential benefits, and unclear legal status.⁴⁰ Nonetheless, with the growing relevance of platform work in Montenegro, both researchers and union representatives anticipate that demands for regulation may increase in the future, especially once broader legal and policy frameworks begin to shift at the international level.

Conclusion

The implementation of the PWD in Montenegro faces several significant and urgent challenges, but also opens space for meaningful reform. The most pressing issue is the absence of a legal framework that recognizes platform work and defines the responsibilities of relevant institutions. Without this foundation, regulatory bodies remain passive, and the country lacks a coordinated approach to improving working conditions in the platform economy. Compounding this is the lack of structured dialogue between key actors—state institutions, trade unions, civil society, and platform representatives—which is essential for developing coherent and inclusive policy responses.

Although there is a general political orientation toward EU integration and alignment with European standards, concrete actions remain limited. This inaction is influenced by competing national priorities, ongoing political instability, and the expectation that EU Member States will first move forward with implementing the Directive. At the same time, digital platforms may resist regulatory changes, concerned that new

³⁸ Svetlana Duković, Researcher at the University of Donja Gorica, interview by the author, via Zoom, June 9, 2025.

³⁹ Joksimović and Zoronjić, representatives from the Ministry of Labor, Employment and Social Dialogue, interview by author.

⁴⁰ Ivana Božović and Dragana Jaćimović, Mapping Platform Work in Montenegro (EUROPEUM Institute for European Policy, 2025), <https://www.europeum.org/wp-content/uploads/MONTENEGRO.pdf>

obligations could disrupt their low-cost and flexible business models. On the ground, many platform workers remain unaware of their rights or do not perceive themselves as part of a distinct labor category, particularly because a significant number engage in this work alongside formal employment. As a result, there is little collective pressure for change—yet this may shift as the platform workforce grows and international norms become more binding.

Despite these obstacles, the Directive provides Montenegro with a clear roadmap for reform. It sets out standards for determining employment status, regulating algorithmic management, and protecting workers’ rights—offering a foundation for building legislation that reflects the realities of the digital labor market. To take advantage of this opportunity, Montenegro must move beyond passive alignment and proactively shape policies that address the specific needs of its labor market. This includes drafting a legal definition of platform work, establishing mechanisms for enforcement and oversight, and initiating inclusive dialogue that brings all relevant actors to the table. If approached strategically, the Directive can serve not just as a compliance requirement, but as a catalyst for building a fairer and more resilient future of work.

Recommendations

1. **Define platform work in law**

Introduce a clear and comprehensive legal definition of platform work to distinguish it from freelancing, self-employment, and other non-standard forms of work, particularly in sectors like delivery and transport.

2. **Develop a dedicated legal framework**

Instead of amending existing legislation in a fragmented way, consider adopting a standalone law or set of regulations specifically addressing the rights, status, and protections of platform workers.

3. **Clarify institutional mandates and improve coordination**

Clearly assign responsibilities to key institutions—such as the Ministry of Labor, the Tax Administration, and the Labor Inspectorate—in monitoring, registering, and protecting platform workers. A coordinating body for digital labor policy could also be established.

4. Initiate structured social dialogue

Launch a regular, inclusive dialogue involving government, trade unions, platform representatives, civil society organizations, and platform workers themselves to jointly shape policy and ensure effective implementation.

5. Improve the availability and quality of data

Establish systematic data collection and publication on platform work—including worker numbers, sectoral distribution, demographics, and working conditions—to support evidence-based policymaking.

6. Raise awareness and educate platform workers

Organize public information campaigns and training programs to ensure platform workers understand their rights, tax obligations, and available mechanisms for legal and social protection.

7. Monitor international practices and adopt a flexible transposition approach

Follow the implementation of Directive 2024/2831 in EU Member States and the upcoming ILO Convention, adapting relevant models to the Montenegrin context to ensure both legal alignment and practical effectiveness.

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