



Supporting Social Dialogue in the Age of Platform Work and Flexible Employment

Malta Country Report

Mary Grace Vella

General Workers Union

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Introduction

This report, forming part of the EU-funded project *Supporting Social Dialogue in the Age of Platform Work and Flexible Employment* implemented by the General Workers Union (GWU), examines the nature of platform work in Malta. Building upon the findings of the previous EU-funded *Mobile* project, which sought to strengthen social dialogue and improve conditions for intra-EU labor mobility in recognition of the vital role played by Third-Country Nationals (TCNs) in the EU Single Market, this analysis details the working conditions and multi-dimensional precarity defining Malta's platform economy. The analysis evaluates existing national legislation and sectoral collective bargaining to present actionable recommendations for policy and praxis. Its insights are grounded in the proceedings of a two-day seminar organised on the 30th June and 1st July 2026 by the GWU, featuring active contributions from platform courier workers, trade union representatives, social partners, and relevant governmental entities.

Platform Work in Malta: Market Dynamics and Worker Realities

Over the past decade, Malta's labour landscape has undergone a profound transformation driven by the rapid expansion of the digital platform economy. Originally emerging as a niche consumer utility, app-based labour has scaled into a structurally significant pillar of the domestic service market, dominated almost entirely by the food courier and passenger transport (Y-Plate) sectors. While other flexible and non-standard arrangements exist within the local market, such as zero-hour contracts, on-call work, and seasonal part-time employment, it is the platform economy that has emerged as the archetype of modern precarity. Due to this compounding precarity, digital labor has increasingly dominated the local media narrative. Public discourse and investigative reporting frequently expose the algorithmic manipulation and exploitation endured by these workers. While other flexible and non-standard arrangements exist within the local market, such as zero-hour contracts, on-call work, and seasonal part-time employment, it is the platform economy that has emerged as the archetype of modern precarity, driven largely by algorithmic manipulation and systemic worker exploitation.

Within the context of a labor market where overall foreign employment reached 135,417 individuals, with TCNs comprising 70% of the total registry (Jobsplus, 2025), platform work has become heavily populated by migrant and cross-border workers. These workers are frequently engaged through complex outsourcing networks and temporary work agencies governed under the Employment Agencies Regulations (L.N. 270 of 2023). Within this structure, 21% of this workforce is heavily concentrated within the wider transportation, storage, and retail distribution networks. Official labour registries validate the significant scale of this specific workforce, with Jobsplus data showing that TCN food couriers and passenger transport drivers peaked at 9,281 active workers in June 2024, representing 4,024 full-time and 5,257 part-time registrants. Following a government-mandated freeze on new work permits due to market saturation, this specific collective pool stabilised at 4,227 active workers by November 2024 (Jobsplus, 2024). However, registration statuses do not fully reflect workers' lived reality, as over 80% of active platform workers rely on this digital labor as their primary, full-time livelihood (DIER, 2026).

Beyond these macro-demographics and market dynamics, the daily lived experiences and systemic challenges faced by platform workers highlight a severe impact on their psychosocial well-being and overall quality of life. Specifically, TCNs and platform workers endure an elevated risk of in-work poverty, extreme working hours, and profound health and safety vulnerabilities (Debono, 2021). The

firsthand accounts of courier platform workers who shared their experiences during the GWU seminar vividly capture the depth of these operational hardships and systemic disadvantages.

Describing this reality, one courier remarked on the daily indignity of their physical working conditions:

“Most people only see us for a few seconds when we arrive with their food. They do not see the long hours we spend on the road, the heat in summer, the cold and rain in Winter, or the dangers we face very single day.”

In addition to these precarious physical work conditions, workers highlighted the lack of respect and emotional abuse faced by many couriers on a day-to-day basis:

“Some couriers have had eggs thrown at them while riding their scooters. Some people think this is funny, but it is not. It is dangerous. Throwing anything at a rider can cause a serious accident and could even cost someone their life. Some couriers have also experienced customers taking the food and refusing to pay. There have even been cases where customers push the courier and run away without paying.”

These dehumanising interactions severely exacerbate the psychosocial difficulties of the work, fostering a constant state of anxiety and emotional distress. As platform workers explained, *“these incidents may also only a few seconds, but the emotional impact stays with us for a long time”*, leaving them *“frightened and helpless”*.

Apart from these physical and emotional threats, *“behind every delivery there are many challenges”* arising directly from the administrative vulnerabilities of their TCN status. Platform workers emphasised that the intense bureaucracy and constant uncertainty surrounding their residence status and work permits directly undermine their financial stability, family support structures, and mental health:

“Many of us apply on time, yet we still wait for long periods before receiving our new ID cards. During this time, we live with fear and uncertainty. Some workers cannot work properly. Some lose income. Some cannot support their families.”

This extensive waiting time for permit renewals, which frequently stretches across multiple months, subjects platform workers to profound *“unnecessary stress and financial hardship”*. As one worker recounted:

“During this waiting period, our lives are full of uncertainty. We worry every day whether we will be able to continue working. We still have rent to pay. Bills to pay, and families who depend on us...The stress caused by these delays is something many people do not understand. Imagine waking up every morning wondering whether your permit will be approved. Imagine not knowing whether you will still be able to work tomorrow.”

To make matters *“even worse, there are times when applications are rejected because of mistakes made by the company”*, resulting in a systemic injustice whereby workers are *“punished for mistakes they did not make”*.

In view of these compounding physical, emotional, administrative, and financial challenges, platform work operates as a multi-layered structure of vulnerability where systemic failures consistently fall on the shoulders of the individual, a sobering truth captured by one seminar participant's conclusion: *“This is the reality for many TCN workers.”*

National Legislation

Subsidiary Legislation 452.127, the Digital Platform Delivery Wages Council Wage Regulation Order, establishes a comprehensive legal framework to safeguard against precarious working conditions for food and consumer product delivery couriers in Malta. Article 2 of the legislation defines platform work as:

“any work organised through a digital labour platform and performed in Malta by a person on the basis of a contractual relationship between the digital labour platform and the person, or on the basis of a contractual relationship between the work agency and the person who is assigned to or placed at the disposal of any digital labour platform or multiple digital labour platforms by the work agency, in each case irrespective of whether a contractual relationship exists between the person and the recipient of the service.”

The legislation’s primary provision introduces a legal presumption of an employment relationship between platform workers and the digital platforms or the intermediary work agencies engaging them. This effectively classifies couriers as standard employees, granting them statutory labour and social protection rights. Consequently, employers are legally bound to guarantee basic minimum wages, regularised 40-hour workweeks, mandatory overtime rates, paid sick leave, and vacation leave. Furthermore, the legislation prescribes strict operational cost accountability, dictating that employers must completely absorb the expenses for delivery vehicles, fuel, insurance, and mandatory safety gear like uniforms and helmets, while expressly prohibiting the deduction of recruitment fees from workers' wages.

Furthermore, the subsidiary legislation legally requires employers to provide full transparency regarding automated monitoring and decision-making systems, mandating that they disclose how algorithms are used to supervise, evaluate, or affect the workers' working conditions. It also addresses representation and digital infrastructure for digital platform work by providing a legal mechanism for official representatives or other legal entities to act on behalf or in support of platform workers in the case of rights infringements, subject to the worker's approval. Furthermore, platforms must provide a secure, private digital infrastructure within their apps where workers can communicate with one another and their representatives, explicitly prohibiting employers from monitoring or accessing these channels.

Collective Bargaining

Characterised by fragmented enterprise-level rather than centralised sectoral bargaining, Malta’s aggregate collective bargaining coverage remains below the 50% threshold (DIER, 2026). This figure exposes a stark institutional divergence, delineated by near-universal coverage within the public sector contrasted against a heavily subdued density across the private market.

Within platform work and other forms of flexible employment, trade unions face severe structural impediments to collective bargaining. The operational model of Malta's gig economy relies heavily on subcontracting agencies, creating an environment where traditional workforce unity is strategically broken down. As Axisa (2022, p.47) notes, the *“obstacles which limit unions on a social level are founded upon the model of the gig economy itself,”* as the very nature of the app interface is *“designed to isolate workers, specifically food delivery couriers that simply accept tasks on the mobile application and do not need to communicate with an employer or other colleagues”*.

This algorithmic setup ensures that a “*collective workforce grounded within a collective identity is non-existent*” leaving workers entirely “*individualised and isolated*” (Axisa, 2022, p. 48). Ultimately, this deep structural fragmentation makes it difficult for unions to verify the statutory threshold (50% + 1) required for official recognition. Because there is no mandatory, transparent digital or physical infrastructure through which unions can ascertain the exact denominator of the workforce, they are effectively blocked from identifying, contacting, and legally engaging platform workers at their actual place and time of work, stymieing traditional collective bargaining initiatives.

Despite these broader private-sector deficits and structural hurdles, Malta recently achieved a distinct milestone by formally establishing a collective framework for food couriers. This breakthrough was actualised through a landmark Memorandum of Understanding signed in 2025 between the General Workers Union and the Malta Delivery Fleet Operators Association (MDFOA) for food couriers.¹ This initiative culminated in the signing of a historic collective agreement in June 2026 with all MDFOA members, a network spanning two digital platforms and 11 fleets comprising approximately 1,000 couriers. In line with subsidiary legislation, this collective agreement counters the sector's precariousness by securing essential labour rights. It regulates base pay, working hours, algorithmic transparency, and communication rights, while prioritising health and safety and abolishing zero-hour contracts.

Recommendations

Through the Digital Platform Delivery Wages Council Wage Regulation Order (S.L. 452.127), Malta positioned itself at the forefront of EU policy by introducing specific protections for courier platform workers, effectively anticipating the adoption of the EU Platform Work Directive. Although persistent gaps remain in fully mitigating precariousness, this proactive framework positions the country as a vanguard case study for creating an enabling environment for collective bargaining.

However, the broader platform economy remains fractured by asymmetric regulatory interventions. While basic protections for courier work is established under S.L. 452.127 and governed by a collective agreement between GWU and MDFOA, platform workers in other sectors, such as ride-hailing services, continue to operate within a regulatory vacuum. Resolving this uneven coverage and addressing the remaining structural challenges for all individuals engaged in flexible employment requires further action. To this end, alongside initiatives aimed at raising public awareness and sensitivity to actively combat prejudice and racism, the following measures are proposed:

Addressing Infrastructure and Systemic Courier Precarity

Despite advancements in courier working conditions, these workers continue to experience acute physical, administrative, and systemic precarity. On the streets, they face a critical lack of operational infrastructure, routinely lacking designated waiting areas, shelter during extreme weather, and basic access to restrooms, with numerous local establishments forbidding platform workers from utilising their premises. Compounding this physical vulnerability are severe migration-related administrative burdens, where bureaucratic delays and visa uncertainties grant employers excessive power and control over the workers' legal status.

¹ The MDFOA convenes delivery fleets to improve safety, fairness and compliance across Malta's delivery industry. It offers a Seal of Standards Certification for fleets that follow proper legal, safety and employment practices.

To combat this systemic exploitation, direct interventions must target the workplace, the remuneration structure, and the immigration system. Platform operators must urgently reform the predatory 60/40 split and phase out exploitative payment models in favour of improved, stable base salaries. Simultaneously, national authorities must streamline migration bureaucracy by introducing fast-tracked visa renewals, direct work permit portability that breaks the employer-tied dependency, and transparent status-tracking systems to strip predatory employers of administrative leverage.

Furthermore, national authorities and platform operators must collaborate on establishing dedicated, multi-purpose digital labour hubs across strategic geographical locations in Malta. These hubs should serve as centralised rest areas, providing workers with essential amenities such as seating, climate-controlled spaces, charging stations, and clean sanitary facilities. Establishing these designated facilities not only mitigates the public space friction caused by scattered waiting zones, but directly safeguards the health, well-being, and basic human rights of platform workers.

Transposition of EU Directive

Malta's Subsidiary Legislation 452.127 and Directive (EU) 2024/2831 both aim to dismantle systemic precarity by tackling disguised self-employment and enforcing digital transparency regarding automated workplace management. However, the Maltese framework remains explicitly vertical and sector-specific, prioritising immediate wage protections and baseline benefits exclusively for delivery couriers. Conversely, the EU directive adopts a more horizontal architecture, establishing comprehensive employment rights and stringent algorithmic oversight across all digital platform industries. Furthermore, while the EU model relies on conditional criteria to trigger a legal status change, Maltese law mandates an automatic, immediate presumption of employment that places the burden of proof entirely on the platform or intermediary agency.

Consequently, the domestic transposition of the directive must achieve a strategic, non-regressive synthesis. This requires extending regulatory coverage horizontally to encompass all gig economy segments and fully integrating the directive's more robust, protective frameworks, while preserving Malta's more favourable provisions.

Capacity Building and Consolidation of Collective Coverage

The Malta National Action Plan for Collective Bargaining (2026), which aims to promote collective bargaining coverage and protection in fragmented and precarious sectors where union presence or sectoral agreements are absent (DIER, 2026), introduces High-Level General Agreements that establish binding sector-wide benchmarks prescribing standard core conditions exceeding the statutory minimum, while introducing a 30% (instead of the 50+1) density threshold for union recognition. This departure from localised, enterprise-specific agreements in favour of broader sectoral coverage must be actively leveraged to address the unique collective bargaining challenges faced by employees in platform and flexible work.

Building on the successful courier precedent of collective bargaining, establishing structured social dialogue tailored to the ride-hailing sector is a vital step toward extending protective frameworks to Y-plate operators, whose ongoing financial and operational precarity makes this market a primary candidate for such sectoral intervention, ultimately fostering a more equitable and sustainable digital labour market.

Given the specialised operational capabilities required to implement these new bargaining mechanisms and sectoral frameworks, successful execution relies on targeted institutional support. Accordingly, the capacity-building initiatives and resource fund proposed in the National Action Plan (DIER, 2026) should be strategically aligned to promote and sustain collective bargaining within the platform and flexible employment sectors.

Monitoring and Enforcement

While legislative advancements offer a crucial baseline, robust legal frameworks remain fundamentally insufficient in the absence of rigorous, proactive monitoring and enforcement. Reflecting on operational realities, the Department for Industrial and Employment Relations (DIER, 2026) highlighted various initial impediments, including widespread non-cooperation and institutional ‘ghosting’ by subcontracting employers, language barriers and a profound, pervasive fear among platform workers. This climate of intimidation undermined judicial recourse, as many platform workers feared testifying in court, effectively stalling the resolution of legal proceedings. Building on the positive resolution of legal proceedings with regards to courier platform work, prioritising enforcement resources and extending mandatory inspections to non-signatory and unregularised entities is now essential to translate statutory protections into de facto security across the entire industry.

Conclusion

This report examined the structural and lived realities governing platform work in Malta, revealing distinct systemic and personal challenges. While courier platform workers benefit from explicit, legally secured protective infrastructures, underpinned by a collective agreement and specialised subsidiary legislation, significant efforts are still required to enhance their quality of employment, particularly since unionisation is not universal and the wider platform sector continues to operate within a regulatory deficit. To ensure comprehensive protection across the entire flexible workforce, Malta must establish institutionalised frameworks that bridge these gaps by transposing the EU directive to cover all platform workers, consolidating collective bargaining coverage, and implementing targeted measures to address infrastructural deficits, mitigate physical precarity, and enhance regulatory monitoring and enforcement across all platform sectors. Yet, regulatory interventions alone cannot resolve these systemic challenges: platform work must further be interrogated through the lens of intersectional disadvantage and neoliberal frameworks that systematically privilege profit margins over human dignity. Remedying these deep-seated inequalities is central both to combating exploitation and in-work poverty, and to the broader pursuit of social justice.

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