

# Analysis on the development status and challenges of new employment patterns under the epidemic

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**Abstract.** Since the communique of the Fifth Plenary Session of the 18th CPC Central Committee and the 2016 Government Work report mentioned "strengthening support for flexible employment and new forms of employment", that is, the concept of "new forms of employment" was first proposed, the policy improvement work on all levels of "new forms of employment" has been carried out in an orderly manner. Through the efforts of labor unions at all levels, the degree of organization of workers in new employment forms is constantly increasing. Data show that by the end of 2021, the number of newly developed and new employment forms of labor union members in China had exceeded 3.5 million, and 12 leading enterprises in 4 key industries had all established unions. However, in order for the new employment form worker group to more fully fight for their own interests, more platform enterprises and more new employment form workers need to actively participate in it, overcome the time and space problems of membership, fight for the rights and interests of their own groups, and create better new employment form development.

**Keywords:** "New forms of employment"; "Stable employment"; COVID-19.

## 1. Introduction

Since the communique of the Fifth Plenary Session of the 18th CPC Central Committee and the 2016 Government Work report mentioned "strengthening support for flexible employment and new forms of employment", that is, the concept of "new forms of employment" was first proposed, the policy improvement work on all levels of "new forms of employment" has been carried out in an orderly manner.

In recent years of development, the government for new forms of employment at the policy level, perfected step by step: in 2018, two sessions of the government work report, put forward to use "Internet +" development of new forms of employment, new forms of employment will be the future of the Labour market "new normal", also presents new changes and trends of the new age of employment in our country. In 2019, the Guiding Opinions of the General Office of the State Council on Promoting the Standardized and Healthy Development of the Platform Economy proposed that the legitimate rights and interests of platform economy participants should be effectively protected, and the legal protection of platform economy development should be strengthened; The Opinions of the State Council on Further Stabilizing Employment pointed out that flexible employment and new forms of employment should be supported, and workers should be supported to obtain employment through temporary, part-time, seasonal, flexible work and other flexible and diverse forms.

The General Office of the State Council once again emphasized supporting multi-channel flexible employment, planned to improve the employment service system for flexible employees, and established information release channels for flexible jobs; In 2021, eight ministries and commissions, including the Ministry of Human Resources and Social Security, made clear normative requirements on the protection of workers' rights and interests, such as working hours and wages, production safety, social insurance, and occupational injuries, fully reflecting the Chinese government's great importance to the protection of the rights and interests of workers in new employment forms.

New forms of employment and social development, the depth of the experience economy and population structure adjustment in our country, a significant change in Labour supply and demand sides, also has suffered sino-us trade friction and the impact of the outbreak of the new champions league, the overall downward pressure of economic operation situation, new form of employment for the employment market provides a number of new jobs, new jobs, alleviate the employment pressure,

Moreover, it has made great contributions to the goal of "stable employment" during the pandemic. At the same time, the emergence and development of new forms of employment have also brought about fundamental changes to the employment organization model of the labor market. In particular, the use of big data on the Internet platform has greatly reduced labor transaction costs and improved efficiency. Workers can choose to work more diversified, and employment models are more abundant. At the same time, the development of new forms of employment has also brought certain challenges to the existing legal system, security and regulatory mechanisms.

## 2. Definition of new forms of employment

Since the concept of "new employment form" was proposed, scholars from all walks of life have different opinions on its definition, and it has become increasingly mature with the extensive application of Internet economy, big data, cloud computing and other technologies and the improvement of government policies:

**Table 1.** Definition of new employment forms

Article	Author	Journal	Date of publication	Definition
The future trend of employment development, the concept and influence analysis of new employment forms	Zhang Chenggang	Human Resources Development in China	2016-10-08	With the progress of Internet technology and the upgrading of mass consumption, the disemployed employment model and the flexible employment model deviating from traditional formal employment and upgrading with the help of information technology have emerged
New Employment Patterns: Concepts, patterns and perspectives	Zhu Songing	Chinese Youth Social Sciences	2018-05-10	The new employment form is produced by the extension of traditional industries under the condition of the Internet and has not been completely transformed into an independent new form of employment form. It can be divided into five types: maker mode, VIP mode, to guest mode, circle guest mode and concurrently guest mode
New Employment Forms under the background of high quality development: Connotation, Influence and development countermeasures	Wang Juan	Academic exchange	2019-03-05	The main types of new employment forms are divided into: innovation driven employment, employment created by the new economy resulting from the integration of new technology and traditional economy, entrepreneurial employment, and new jobs brought about by information technology and market division
Legal Protection of Laborers in New Employment Form	Wang Fuxi Xi Yiheng	Journal of Renmin University of China	2020-09-16	The new employment situation is the emergence of new enterprises that are committed to connecting customers and personal service providers directly in the on-demand economy. Through the use of virtual platforms, a special employment relationship is established between "the people who provide the platform" and "the people working on the platform".
Analysis of current situation of new employment form cultivation	Du Xuehua	Industry and Technology Forum	2022-07-02	In the context of the economic policy of interconnection and sharing and the development of basic technology, workers do not need to be paid for a fixed job at a fixed time and place through traditional labor contract relations.
Strive to strengthen the protection of the rights and interests of workers in new forms of employment	Wang wei	Research of National People's Congress	2022-07-05	The new employment pattern is the update and upgrading of the employment pattern brought by the new round of information technology, especially the development of digital economy and platform economy. It is a new business form produced by the deep embedding of new technology into the economic and social operation, and a new transformation from the traditional employment pattern to a more flexible, diversified and open employment pattern.

By sorting out the definitions of new employment forms in various industries, we can probably draw a common conclusion that today's new employment situation has added the characteristics of platform, de employer, multi-employer and flexibility to the traditional employment forms. It is an inevitable employment trend formed by the platform enterprises generated by the development of the Internet digital economy, catering to more diversified and more modern employment needs. However, there are still many challenges and uncertainties in development.

### **2.1 The characteristics and important role of new forms of employment in the current epidemic situation**

Since the outbreak of COVID-19 in 2020, the global COVID-19 epidemic is still at a high level. However, many countries announced the end of the epidemic and cancelled or relaxed epidemic prevention restrictions. The United States lifted the mask order, the United Kingdom announced the "coexisting with COVID-19" plan, and many European countries such as Sweden, Denmark, Switzerland, Spain and the Czech Republic also completely ended the restrictions on the COVID-19 epidemic and relaxed their vigilance against the virus. Compared with the current domestic outbreak, although the overall is still in control, but the present point, wide noodles, more frequent, the characteristics of frequency increased significantly, rapid growth of infections, spread are also constantly expanding, the scope of the government, epidemic prevention and control of scientific and accurate fight outbreak input, the outbreak occurred to disposal work is orderly, powerful propulsion, Regular epidemic prevention and control has been gradually carried out.

Based on the current situation of the epidemic at home and abroad, the economy and society of all countries are seriously impacted, and the global labor market is not optimistic. The employment situation in China is more severe than before, which is not only due to the impact of the epidemic, but also due to the pressure of the total employment force and structural contradictions in China. Under the normalization of epidemic prevention and control, local governments have issued regulatory requirements for the resumption of work and production, transportation and other aspects, which has had a great impact on the traditional economic development and employment pattern. Employment is the biggest livelihood project. Our Party has always adhered to the ruling concept of "taking the people as the center", and has achieved remarkable results in stabilizing and promoting employment under the conditions of slowing economic growth, adjustment of employment structure, and external uncertainties. From this point of view, the success of the new employment pattern is indispensable and is expected to be high. Facing the complex and changeable social environment, the new employment pattern also presents new changes and new characteristics.

### **2.2 Under the new employment form, new jobs in the flexible labor market are constantly emerging**

Since the outbreak of the epidemic, major enterprises have stopped production, small and medium-sized enterprises have been hit by layoffs and bankruptcies, and the employment problem has always been concerned by the society and affected people from all walks of life. Based on China's GDP in the first quarter of 2019, Shi Yumei (2021) estimated that the COVID-19 pandemic brought about a potential economic loss of nearly 5 trillion yuan. In 2019, 13.5 million new urban jobs were created in China, with an average of 13.6 new jobs for every billion yuan of GDP. It is estimated that about 700,000 new urban jobs will be lost due to the pandemic.

The pandemic will cause a large number of workers to stay at home for longer, reduce the wage income that households rely on, and aggravate frictional unemployment. However, with the development of Internet technology, platform economy, digital economy, sharing economy and other new economies have sprung up, and a large number of new employment forms have emerged. Including unmanned aerial vehicle (uav) pilot, about distribution network, artificial intelligence trainer, engineering and technical personnel, community grid member block chain, Internet marketing, information security testers, application block chain operator, online learning services division, 3 d printing equipment the operator new professional have been the country name, such as more reflects

the scale of flexible employment, wide development space of the significant advantages. At the same time, the specific division of labor for employment under the new employment pattern is more detailed, the fields involved are more specialized, and more abundant employment opportunities are provided. What deserves our attention is that the consumer demand and market of the people corresponding to the tertiary industry will not disappear in vain due to the impact of the epidemic, but will change along the general environment of epidemic prevention and control, which has led to the replacement of the online economic form and e-commerce model.

Flexible employment is not only an employment channel for emerging occupations and an important source of income for families during the epidemic, but also an important force to promote the resumption of work, production and market during the epidemic prevention and control period and the normalization prevention and control stage. The substantial increase in online activities has attracted a large number of flexible employees, of which retired soldiers, migrant workers, poor people and graduate students account for a large proportion. Especially among the large enterprises such as meituan and ByteDance, the proportion of flexible employment groups is very large. The Report on the Development of China's Sharing Economy (2021) released by the State Information Center pointed out that the flexible employment mode under the sharing economy has become a reservoir of employment in the post-epidemic era, which plays an important role in "stabilizing employment" and "ensuring people's livelihood". According to estimates, there are about 84 million sharing economy service providers nationwide, an increase of about 7.7 percent year on year. The number of employees of platform enterprises is about 6.31 million, with a year-on-year growth of about 1.3%.

The latest data released by the National Bureau of Statistics shows that from January to November 2020, 10.99 million new jobs were created in urban areas across China, fulfilling 122.1 percent of the annual target. The overall stable and better than expected employment situation in 2020, when the epidemic was severe, could not have been achieved without the precise implementation of a series of government employment protection policies, as well as the large number of flexible jobs provided by new employment forms. The new employment form induced by Internet platform has developed into an important channel to absorb employment. The new employment pattern has played a unique role in broadening employment channels, enhancing employment flexibility, increasing workers' income, etc., and has become a new choice for today's practitioners.

### **2.3 Under the new employment pattern, the trend of taking flexible employment as a supplementary source of income has become increasingly significant**

In 2016, "slash youth" became a hot topic, mainly referring to that more and more contemporary young people are not satisfied with a single career, but begin to choose a diversified life with multiple occupations and identities. Nowadays, the way of working and attitude towards career of slash youth has become a popular trend, and sideline or part-time work mode is accepted by more and more people.

In May 2020, the institute cooperated big data released 2020 "workplace insight into report after 90, the report of backbone to gradually become the social from all walks of life after the 90 people surveyed, workplace after the report shows that nearly fifty percent of the 90 has a sideline, which has the characteristics of flexible obtain employment wechat business, live, short video up master, such as design, writing into popular sideline.

In July 2020, Meituan Research Institute conducted a survey on the new employment patterns and flexible employment in China's life service industry, and conducted a survey on China's flexible employment enterprises and flexible employment practitioners with Woqu Technology. The final figures show that more than 30 percent of flexible employment workers use flexible employment as a supplement to their livelihood, either as a side job or as a part-time job.

At present, this new form of employment represented by flexible employment as a source of supplementary income is blossoming everywhere. In addition to the social atmosphere mentioned above and the need to meet their own development value, there are many reasons behind it. First of

all, under the new employment form of vigorous development of digital economy and platform economy, social demand is also not improved. It provides abundant employment opportunities, more efficient information dissemination and more flexible employment methods, which are the prerequisite for most people to engage in part-time or sideline jobs. Secondly, the income loss under the influence of the epidemic and the continuous improvement of people's requirements for material living standards need to make up for the income gap and improve the income level. In addition, "security" and "uncertainty" are the most frequently discussed words about sidelines on today's social media. The domestic market is full of uncertainty in the normalized epidemic situation, and the competition in the labor market is becoming increasingly fierce. Therefore, it is also important to prepare for a rainy day. Most importantly, the national policy is also focusing on the development of micro economy and encouraging "sideline innovation". Efforts will be made to stimulate the innovation and entrepreneurship vitality of all types of employment subjects, and build an employment pattern in which part-time employment, sideline entrepreneurship and other forms of employment flourish together.

#### **2.4 The new employment pattern is characterized by "seeking" first and then "moving"**

At present, our country is still in the stage of new employment form's development, the worker's legal protection under the new business mode is difficult to be measured by the traditional standards of employment, so the situation is more complex. Although some achievements have been made in promoting the normative development of the platform economy and maintaining the workers' security of the new employment form, there are still many problems. We should uphold the traditional labor relations identification standards, and use the experience of domestic and foreign judicial practice for reference, while preventing enterprises from escaping the restrictions of labor relations rules and regulations and labor laws in the name of "new employment form", The labor security rights and interests of employees in the new business form should also be protected by national laws to achieve the goal of "keeping abreast of research, making up legal weaknesses in a timely manner, and constantly improving in the process of change".

However, judicial practice always precedes legislation. Before legislation and improvement, it is difficult for us to presuppose potential problems in the unknown. We can only pay attention to existing problems in the development of new employment forms and continuous changes, and by analogy, we can gain insight into possible problems and build the entire legal security system. Therefore, local governments should "move" after "for" first, first to accept that attitude to treat some of the innovation system of enterprise in the recruitment of new forms, characteristics, trends and problems of platform flexible employment careful analysis, temporarily issues arising in the course of development to the labor dispute arbitration or judicial departments "discretionary" combined with the specific case. When the development mode of the new employment form is relatively complete and most workers in the new employment form are truly "professional", it will rise to the legislative level.

Taking the new type of labor relations as an example, in the court's judgment on the employment of workers on Internet platforms, many cases that identify labor relations are related to actual cases of "work-related injury". It is rare to simply "identify" labor relations. In the case by case arbitration, the judicial adjudication mode on whether a labor relationship is formed between platform enterprises and workers has gradually taken shape.

As mentioned in the 13th Five Year Plan Outline for the Development of Human Resources and Social Security, "to improve the coordination mechanism of labor relations", "to establish a dynamic monitoring, analysis, research and judgment mechanism for the situation of labor relations, and to promote the construction of a comprehensive pilot area for harmonious labor relations." As well as the "sound people's mediation, administrative mediation, arbitration mediation, judicial mediation linkage system" proposed for "improving the labor and personnel dispute settlement mechanism". We will innovate ways of handling arbitration cases, simplify and optimize arbitration procedures, gradually increase the proportion of final decisions, and improve the mechanism for handling disputes

over collective labor and personnel rights. Relying on the tripartite mechanism for coordinating labor relations, we will improve the methods for coordinating and handling collective bargaining disputes, and effectively mediate disputes and collective stop-work events arising from the signing of collective contracts." And the reply given by Zhejiang Provincial Department of Human Resources and Social Security based on the "Suggestions on Labor Disputes between Fishing Boats and Fishermen" : As for the labor relations problems existing in the fishery field and all industries in the province, we will establish five working mechanisms, including strengthening and innovating labor management, independent consultation and coordination between labor and capital, macro-control of wage and income distribution, social coordination of labor relations, and mediation of labor relations contradictions and disputes. Solve the problem earnestly and try to make up for the shortcomings. That is, "seeking" first and then "acting". In the process of independent negotiation, social coordination, contradiction coordination, court arbitration, and macro-control, the protection of workers' legal rights and interests is gradually improved, forming a "protective umbrella" for new employment forms.

Since the epidemic in 2020, the global economy has been in a serious decline, and China's economy has also suffered a heavy blow. The average growth rate in the past two years has dropped compared with the 6% growth rate in 2019. In this year's Government Work Report, China's overall economic target has achieved an increase of about 5.5%. First of all, considering the need to stabilize employment, protect people's livelihood and prevent risks, employment is the biggest livelihood. In the face of downward pressure on the economy, the central government has made clear the general principle of pursuing progress while maintaining stability, adhered to the new development philosophy, and introduced relevant safeguard measures in a timely manner, requiring local governments to stabilize employment, finance, foreign trade, foreign investment, investment, and expectations. We will ensure the "six guarantees" of employment, basic people's livelihood, market entities, food and energy security, industrial and supply chain stability, and community-level operation, and work hard to overcome the adverse impact of the epidemic.

As the main part of the new employment form, flexible employment has developed rapidly in China, and has become the focus of national policy and public concerns, and there is no doubt that it occupies a very important position in China's labor market. Therefore, the new employment pattern has played a decisive role in the prevention and control of epidemic situation in stabilizing employment and reducing costs.

## **2.5 Flexible employment has become an important force for stabilizing employment amid the normalization of the epidemic**

In recent years, the new forms of digital economy in China have developed rapidly, and the new forms of employment represented by Internet platform employment have become an important force to absorb employment. In particular, in the face of sudden economic fluctuations during the COVID-19 pandemic, the flexible and inclusive characteristics of new employment forms have been put into full play, providing a large number of jobs in a short period of time, and acting as an employment shock absorber.

It can be seen from the table data that the rise of new forms of employment has not only enriched the types of jobs, improved the quality of employment, but also promoted the profound changes in the overall employment structure and scale of our society. With the continuous expansion of the scale of the digital economy, the large-scale expansion of the industry and the digital transformation, a large number of new employment needs have been generated. Since the COVID-19 pandemic, major enterprises have stopped production, small and medium-sized enterprises have suffered layoffs and bankruptcies, and the employment problem has always been the focus of the community and affected the people of all walks of life. As a result, a large number of workers have been unemployed for a longer period of time, the wage income that households rely on for survival has decreased, and frictional unemployment has been aggravated. The state encourages enterprises to adopt flexible employment mode to resume work and production. With the development of Internet technology,

new economies such as platform economy, digital economy and sharing economy have sprung up, and a large number of new employment forms have emerged, which has significant advantages of large scale and wide development space. At the same time, flexible employment has not only become an employment channel for emerging occupations and an important source of income for families during the epidemic, but also an important force to promote the resumption of work, production and market during the epidemic prevention and control period and the phase of normal prevention and control.

**Table 2.** Data on the scale of new employment forms

Renrui Talent Technology Group Co., Ltd. and the flexible employment research group of Renmin University of China	2020	Blue Book of China Flexible Employment Development Report	Investigation and research	In 2020, 55.7% of Chinese enterprises adopted flexible employment.
State Information Center	2020	China's Sharing Economy Development Report (2021)	Investigation and research	In 2020, the scale of China's digital economy will reach 39.2 trillion-yuan, accounting for 38.6% of GDP. The number of service providers in the platform economy and sharing economy has reached 84 million, accounting for about 6% of China's total population.
Renrui Talent Technology Group Co., LTD. And Flexible Employment Research Group of Renmin University of China	2021	Blue Book of China Flexible Employment Development Report	Investigation and research	In 2021, 61.14% of Chinese enterprises will adopt flexible employment.
National Bureau of Statistics	2021	Statistics Bureau data	Investigation and research	The number of flexible workers has reached about 200 million. According to a survey, some platforms have more than 4 million food delivery riders; There were more than 1.6 million anchors and related employees on the platform, nearly three times more than the previous year.

## 2.6 New forms of employment reduce labor transaction costs and improve efficiency under the normalization of epidemic situation

The new employment form is dependent on the Internet, big data, digital platform economy and other advanced technologies. It is characterized by a large employment market, low barriers to entry, high flexibility and de employer orientation. These characteristics are also the channels to attract employment. Especially during the epidemic prevention and control period, in order to avoid the cross-infection caused by the aggregation of people, governments in various regions are advocating home isolation, reducing aggregation and going out, cloud conference, cloud office, cloud classroom, cloud consultation... With the support of Internet information technology, life on the cloud has broken through the barriers in space, injected new vitality into epidemic prevention and control, helped and ensured People's Daily life and work, and promoted the stable and comprehensive restoration of economic and social order.

It is precisely on the basis of the characteristics of the new employment form and the new employment mode relying on Internet technology and digital technology that, in the fight against COVID-19, the big environment of new employment forms such as unmanned economy, contactless economy, residential economy and online economy has gradually taken shape. E-commerce platforms, sharing economy and other new employment forms emerge in endlessly, providing an objective basis for the development of various new employment forms. As a result, the Internet platform by big data organization and deployment of labor resources, between workers and consumers on a large scale, a wide range of resource allocation and task assignment and other activities, organization and coordination is more precise and more efficient, more innovative, eliminated information asymmetry, thus greatly and is eliminated the Labour market is the main reason for the frictional unemployment. Therefore, the platform big data can be used to substantially match the jobs suitable for the work and skills of workers, effectively and accurately supply labor, reduce the cost of labor market search,

reduce the risk of structural unemployment, improve the matching efficiency of job supply and demand, and achieve rapid docking.

In addition, everyone has their own files on the Internet platform, what they are good at and what quality services they can provide. Through big data and cloud computing, they will be pushed to relevant demanders, which greatly reduces the transaction costs caused by information asymmetry and saves costs for both supply and demand. Many cloud office software occupies the forefront of the mobile phone software download rankings. This cloud office software can not only provide accurate message delivery, schedule sharing, task document collaboration, remote clock in and other features, but also have basic functions such as schedule reporting, office document approval, intelligent personnel management, and many remote office software and platforms also welcome the peak of users. Driven by these large enterprises on the network platform, online office mode will soon be promoted to more industries and fields, which will help to improve employment efficiency.

Under the new employment pattern, the takeout field that we are familiar with is also changing quietly. "Safe delivery", "Buy vegetables in cloud" "No contact room service is also in" conditions of reducing the risk of the outbreak, to a certain extent reduce the take-away member of labor, the online communication with the customers by phone or APP, will be delivered in the designated area outside the selling point or the home, also saved face to face and docking time cost.

Therefore, whether from the perspective of "stabilizing employment" and providing more job opportunities, or from the perspective of reducing labor transaction costs and improving efficiency, new employment forms play an indispensable role in the sustainable development and prevention and control of the epidemic.

### **3. Problems and challenges faced by new forms of employment**

In the context of the global spread of COVID-19, in order to control the rebound of the epidemic, "isolation" measures, "closure" or restriction policies have caused the interruption of the global supply chain of some industries, the breaking of the balance of supply and demand of international trade, and so on, which have had a significant impact on the economic development of all countries in the world. In China's employment, the epidemic forced enterprises to stop production, also increased the degree of difficulty in the resumption of work and production.

Outbreak during the whole manufacturing markets to keep factories and workers idle and interrupted the commodity circulation channels, consumer deal temporary stagnation, thus makes the income of the small and medium-sized enterprises, however during this period of small and medium-sized enterprises is faced with great entity operating costs, under such extreme imbalance of payments, make the most of the small and medium-sized enterprises continued to make ends meet, Even declared bankruptcy due to the pressure of cash flow. According to a statistical data on nearly 1000 small and medium-sized enterprises affected by the epidemic, 58% of the surveyed enterprises will reduce their overall annual income by more than 30%, 67% of the enterprises are mainly under the pressure of staff cost expenditure, and more than 70% of the enterprises are facing the difficult situation that their cash flow does not exceed two months. However, at the present time of the epidemic, the large reduction of clustered activities has also led to a great negative impact on the service industries such as accommodation and catering, which has led to the reduction of employment posts and the rise of unemployment rate in the huge industries.

However, even though the current epidemic situation tends to be stable and controllable, it is still very difficult to promote the follow-up work of returning to work and production. In particular, industries such as manufacturing and service industries are labor intensive. For many small and medium-sized enterprises, the smaller the scale and the greater the population density, the greater the difficulty of resuming production. The main reasons are the restrictions on the flow of workers, the imperfect epidemic prevention facilities and the resumption of work in the upstream and downstream industrial chains. In terms of transportation, due to the impact of the epidemic situation and epidemic prevention policies in various regions, many passenger routes have been greatly affected, reducing

the efficiency of cross-regional population mobility, increasing the cost of transportation, and making progress in many tasks difficult. More importantly, while many small and medium-sized enterprises are unable to resume work and production, they also need to bear the basic salaries of their employees and basic operation costs, which makes it difficult for small and micro enterprises with weak ability to fight risks to continue to operate.

While traditional employment is facing the adverse impact of the pandemic, leading to the bankruptcy of many small and medium-sized enterprises, and the unemployment rate is rising, according to the data of the Ministry of Education, the number of college graduates in 2022 will exceed 10 million for the first time, reaching 10.76 million, an increase of 1.67 million over 2021, reaching a new record high. Excluding those who have gone abroad for the postgraduate entrance examination, there are still a large number of college graduates pouring into the employment market as a new generation of labor force, which further increases the employment pressure and further increases the impact of the global economic recession on China's economy under the spread of the epidemic, and the labor market will become more crowded. Therefore, the further development and improvement of new forms of employment that play a role in stabilizing employment and reducing costs will be more important. There are still difficulties and challenges in the development of current new forms of employment.

### **3.1 Social security of workers in new employment forms is insufficient**

With regard to the social security of practitioners under the new employment pattern, as early as 2017, a scholar Yuan Sai in China proposed the difficulties in industrial management of the new employment pattern, and the trend of complicating the protection of workers' rights and interests; In 2018, Wang Hui also stressed that the labor security situation of employees in the new employment field has problems such as unstable income and insufficient protection of rights and interests. The new Internet business model and wage structure make the wage dispersion of this group relatively high, and the income of some employees is low. The e-hiring workers generally face the hidden danger of unstable income and customers. At THE same time, it is pointed out that there are some difficulties for practitioners of "three new" to participate in the insurance, because there is no labor contract relationship in the legal sense, and there is no clear subject of payment. On March 25, 2021, the Ministry of Human Resources and Social Security and other eight ministries and commissions jointly issued the Guiding Opinions on Safeguarding the Labor Security Rights and Interests of Workers in New Forms of Employment, which covers many areas of workers' rights and interests protection, such as hourly wage, safety production, social insurance, occupational injury, and fully reflects the great importance that our government attaches to the protection of the rights and interests of workers in new forms of employment.

The reason why the protection of workers' rights and interests under the new employment pattern has become a difficult problem to solve is, on the one hand, because many couriers, takeout boys, etc. usually do not sign labor contracts with the platform, so they do not belong to labor relations, and therefore cannot enjoy the treatment of "five insurances and one fund" in traditional employment. At the same time, some platform enterprises do not pay due attention to the basic rights and interests of workers. Under multiple pressures such as big data delivery and assessment mechanism, takeout operators often race against time to complete orders in order to get compensation, seize the road, run red lights and other dangerous events that violate traffic rules, and traffic safety accidents occur from time to time. In platform economy now does not have to establish labor relations, labor contract current even exist some shipping companies, car rental companies and other traditional industries, to reduce the cost of choose and employ persons, also in the name of the new form of employment recruitment employment, goods transportation, vehicle scheduling and other traditional need full-time engaged in the work, with their own or other third party network platform, In the form of "crowdsourcing" to individual workers to complete, and in the way of service fee settlement wages. In this case, the wages payable by the enterprise to employees are greatly reduced, and there is no need to pay social insurance premiums. If the enterprise settles through other platforms, it can also

obtain the corresponding VAT deduction, but the labor rights and interests of workers cannot be guaranteed. Under the new employment pattern, the labor relationship between workers and related parties is complex, and it is difficult to clarify the legal relationship. Therefore, when workers work for the platform, they often have no obligation to pay compensation for accidental injuries or third-party damages.

Social security for workers has always been the most worrying issue for scholars from all walks of life regarding the new employment pattern. We have also witnessed the country's continuous improvement in the development of platform economy and the protection of the interests of platform economy participants. In labor relations in the legal level of clear, flexible workers of social security, workers' rights and interests maintenance, constraints of platform for enterprise, the respect such as flexible workers access qualifications scholars put forward the common concern, although local governments are actively implements the commissioning plan, but in the developing and changing of new employment trends, Up to now, the policies and measures concerning the social security of workers still need to be further improved.

### **3.2 The inadequacy of new employment forms in terms of entry thresholds**

According to the China Association for Employment Promotion, the new form of employment has the characteristics of high flexibility, large employment flexibility, low entry threshold, small cost, wide range and small restrictions. Especially in the current epidemic situation, although the low threshold provides more development opportunities for more vulnerable groups, it also lowers the access threshold in some industries and lowers the service quality of the entire industry group.

Because of the epidemic situation, many large-scale examinations have been canceled, such as the securities qualification examination, the registered nuclear safety engineer, the qualification of cultural relics protection engineering, the first class registered fire engineer, the registered surveyor, computer technology, etc. These professional access certificates are related to employment, and many unemployed people cannot obtain the access certificate for employment because of the cancellation of the examination. Therefore, With regard to the newly issued Detailed Rules for the Implementation of the Evaluation and Testing of Professional Competence Level of Securities Practitioners (Draft for Comments), the China Securities Association will adjust the qualification examination from the admittance type test to the non-admittance type professional competence level evaluation test, and the registration conditions will also be adjusted accordingly. The certificate examination has been implemented in China for more than 20 years, and has been used as the "entry gate" for talent selection in the securities industry. About one million people have passed the certificate examination and entered the securities industry. Although the policy adjustment has given employment opportunities to people who can't pass the exam because of the epidemic, it has also changed the employment standards of some industries, and how to control the professional ability of employees has become a new problem.

On the other hand, the epidemic situation is current, and the professional and technical training of the new generation of workers is seriously lacking or the quality is difficult to guarantee. At present, China's vocational professional and technical training is more focused on traditional industries, such as skilled workers, medical care, education and other fields, and professional training for new employment forms has not yet been clearly formulated. Due to the epidemic, there is no unified offline training, which means that the new generation of workers need to rely on self-study to meet the working standards, which not only takes a long time, but also the professional quality of the final employees is uneven. Again, at the same time, the new generation workers under the new form of employment in the field with strong volatility, often active or passive change the direction of employment and occupation, enterprise also cannot be systematic to provide unified training, therefore, in the industry barriers to entry of new employment form there is not enough, the practitioners of professional control remains to be perfect.

### 3.3 It is difficult for workers in new forms of employment to establish associations

In addition to the requirements and supervision of the enterprise platform by the policy, the rights and interests of newly employed workers need to be fought for by the practitioners. During this year's National two sessions, deputies and committee members found in research that many workers employed on Internet platforms are trapped in the platform's "algorithm", suffering from physical burden, mental stress and safety risks in order to complete a quota of work tasks. The compensation methods and performance rules of workers in the current new forms of employment are mostly formulated unilaterally by the platform. When loosely organized and highly mobile workers enter the platform as individuals, it is difficult to "bargain" with the platform in case of problems. Therefore, it is very necessary to organize the employees under these new forms of employment to enter the Chinese trade unions to "speak up" for themselves.

However, in practice, based on the interference of the epidemic situation and the characteristics of the new employment form, trade union organizations around the country found that there were certain difficulties in establishing and joining the new employment form of workers. Compared with workers in traditional occupations, the new employment groups have the characteristics of platform organization, internet work content, fragmented working hours, de employer labor relations, strong mobility and low organization. At the same time, the epidemic prevention and control makes it difficult for large-scale practitioners to organize together offline; The unclear labor relationship of some workers in the new employment form also challenges the original mode of establishing the association; The decentralized and mobile nature of labor unions is also inconsistent with the traditional way of organizing labor unions, resulting in difficult contact offline and online.

Although in recent years, through the efforts of labor unions at all levels, the degree of organization of workers in new employment forms is constantly increasing. Data show that by the end of 2021, the number of newly developed and new employment forms of labor union members in China had exceeded 3.5 million, and 12 leading enterprises in 4 key industries had all established unions. However, in order for the new employment form worker group to more fully fight for their own interests, more platform enterprises and more new employment form workers need to actively participate in it, overcome the time and space problems of membership, fight for the rights and interests of their own groups, and create better new employment form development.

## References

- [1] Zhang Chenggang. Future trend of employment development, concept and impact analysis of new employment forms [J]. China Human Resources Development, 2016 (19): 86-91. DOI: 10.16471/j.cnki.11-2822/c.2016.19.011.
- [2] Zhu Songling. New Employment Form: Concept, Mode and Prospect [J]. China Youth Social Sciences, 2018, 37 (03): 8-14. DOI: 10.16034/j.cnki.10-1318/c. 2018.03.021.
- [3] Wang Juan. New forms of employment in the context of high-quality development: connotation, impact and development countermeasures [J]. Academic Exchange, 2019 (03): 131-141.
- [4] Wang Fu-xi, Xi Yi-heng. Legal protection of workers in new employment form [J]. Journal of Renmin University of China, 2020,34(05):121-131.
- [5] Du Xuehua. Analysis of the current situation of cultivating new employment forms [J]. Industry and Technology Forum, 2022, 21(13):80-81.
- [6] Wang Wei. Focus on strengthening the protection of workers' rights and interests in new employment forms [J]. Research of National People's Congress, 2022 (07): 54-57. doi: 10.13755/j.cnki.rdyj.2022.07.003.
- [7] Shi Yumei. Countermeasures of "stabilizing employment" in Jiangsu under the situation of COVID-19 epidemic [J]. Journal of Jiangsu Vocational and Technical College of Economics and Business, 2021 (05): 1-5. doi: 10.16335/j.cnki.issn1672-2604.2021.05.001.
- [8] 2020- China News Network-Hunting for "Insight Report of Post-90s Workplace People in 2020". <https://baijiahao.baidu.com/s?id=1666001977761723066&wfr=spider&for=pc>.

- [9] Legal Regulation of New Employment Form: The Government Should "Seek" First and "Move" Later -- An Interview with Wang Wenzhen, Researcher of the Chinese Academy of Labor and Social Security Sciences. [http://chinajob.mohrss.gov.cn/h5/c/2018-03-15/1910.shtml?bsh\\_bid=5682822371](http://chinajob.mohrss.gov.cn/h5/c/2018-03-15/1910.shtml?bsh_bid=5682822371).
- [10] Yuan Sai. Discussion on the situation and countermeasures of workers' rights and interest's protection in the new employment form [J]. Journal of Hubei Second Normal University, 2017, 34(07):46-49.
- [11] Wang Hui. New wisdom is needed to escort new forms of employment-the representative members discuss the labor relations and social security under the new forms of employment [J]. Labor and Social Security World, 2018(10):14.
- [12] Kou Jiali. Liu Yan, a deputy to the National People's Congress. Strengthening the protection of workers' rights and interests in the new employment form [J]. Economy, 2022(04):37.
- [13] It's difficult for workers in the new employment form to join the National Federation of Trade Unions to solve the problem from four aspects. <https://t.yinet.cn/baijia/31130426.html>.