

A Comparative of Social Security for Non-Standard Employed Persons in China and the United Kingdom

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Abstract. The different protections for flexible employment in the UK and the different forms and tendencies of flexible employment in China have resulted in different policies and forms of tendency. The essay focuses on comparing the social security of flexibly employed people and is divided into two parts to examine the differences. The first part: China uses the dichotomy of labour relations for non-standard employment in most cases. The UK has more comprehensive laws and adopts more lenient laws to provide protection for workers, and basic rights do not depend on long-term regular labour relations. The second section compares the different social security situations in the two countries. The Chinese section focuses on the trend of national pension insurance to promote universal coverage and the construction of occupational injury protection in today's society. The UK section focuses on the promotion of non-standard employment through the pension insurance programme and places greater emphasis on social assistance in social security. These comparisons can serve as a reference for China.

Keywords: Flexible working; social security; social policy.

1. Introduction

Flexible employment is a growing form of employment and has been on the market since the economic crisis of 2008 in the form of short-term odd jobs. With the development of Internet technology, a series of jobs that rely on Internet platforms and are not industrial forms of labour have subsequently emerged. The establishment of social security contributions for the non-standard employment was started in the UK. The establishment of a well-developed social security system has led to an increase in the contribution rate for people in non-standard employment to 50 per cent of the employed population in the UK [1]. The development of flexible employment peaked during the COVID-19 epidemic, fuelled by the emergence of home-based work, and then the right to request flexible work became a worker's right. After studies, flexible working can effectively help enterprises retain their employees, and it can also help employees balance their life and work space as far as possible. The British Government has also followed up by passing the Flexible Working Bill to protect employees' right to request flexible working. Apart from improving and balancing social insurance, employment is also a kind of improvement to social security.

In developed countries, where there are mature social security systems, the new employment situation, which is different from traditional labour, is also a major concern for social security, as is the improvement of social security coverage and the provision of assistance and support to vulnerable groups. The governments and many international organisations are thinking about the new positioning of social security.

China is still considering how to improve social security while at the same time building a social protection system for those in non-standard employment. The emergence of flexible workers in the public space in China also coincided with the epidemic, and the emergence of takeaway riders (a type of non-standard employment) was an integral part of China's urban recovery during the epidemic. There was no reasonable social insurance or social security policy for them, and based on this situation, research and policy on social security for non-standard employment in the platform economy in China began to focus on the discussion. Much of the research is based on a determination of labour relations and a rethinking of government functions.

In this article, the meaning of flexible employment and non-standard employment is a new type of flexible employment which is different from the traditional industrialised system with fixed working hours and fixed working places. This paper adopt the method of literature induction to analyse the different social security of flexible employment in China and the UK, mainly analysing the situation of flexible employment in China and the UK and the historical progress of social security, and comparing the impact of social security policy on flexible employment with that of old age pension insurance, as well as the implications of the policy for China.

2. Labour Relations of Flexibly Employed Persons in China and the United Kingdom

2.1. Labour Relations of Flexible Workers in China

China's non-standard employment is constantly increasing, reaching 200 million by 2021 [2]. China's laws on non-standard employment can be traced back as far as Social Insurance Law published in 2011, which refers to the change from mandatory to voluntary social insurance contributions for flexibly employed persons. The working hours, work obligations and frequency of work in online car rental were discussed in the Interim Measures for the Administration of Network Reservation Taxi Operation Services issued by China's Ministry of Transport in 2015, in the hope of establishing many different forms of labour contracts. This issue has continued to the present day, and in subsequent discussions about the labour relationship, the location and hours of labour cannot be separated from the discussion. Based on the argument of labour concentration theory, the platform can use informative technology to manage the workers and attain a labour relationship between the platform and the workers [3]. At present, the Platform has the responsibility only to provide commercial insurance for flexible workers according to its policy, but commercial insurance does not provide sufficient social security for flexible workers. The long-term and stable care role of industrial injury insurance cannot be provided in the commercial insurance that platforms purchase for flexible employees. By this behaviour, the contradiction between the platform and the flexibly employed persons is transferred to the insurance company and the flexibly employed persons, which cannot provide effective social protection for the flexibly employed persons.

2.2. Labour Relations for Flexible Workers in the UK

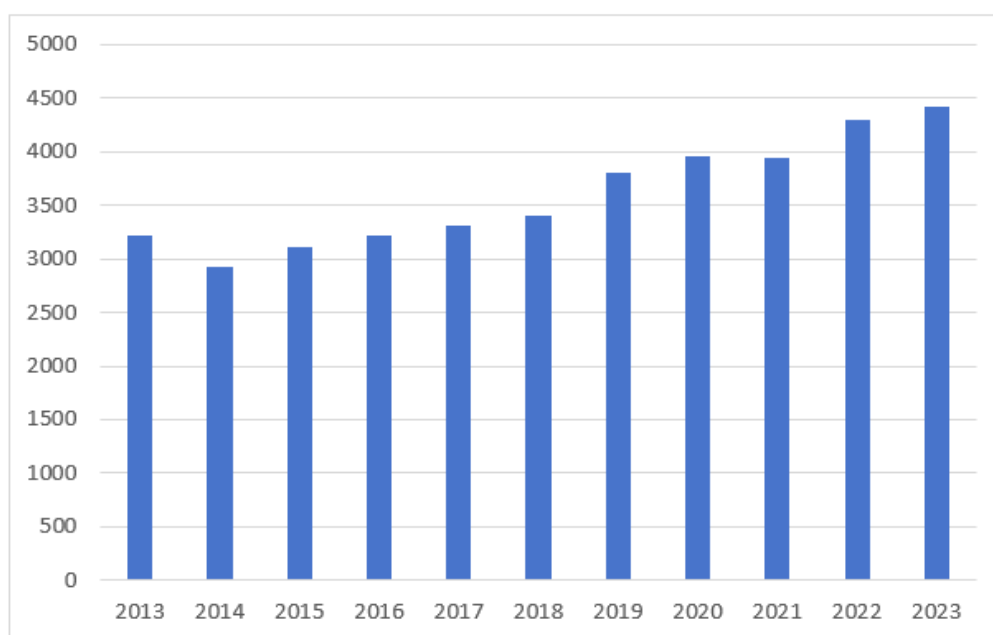


Fig 1. Number of employees that are able to work flexi-time hours in the United Kingdom from 2013 to 2023(in 1,000s) [4].

As shown in Figure 1, the number of people in non-standard employment in the UK who can take up flexible working has also been increasing, with the number growing non-stop from 2013 to the present. The impact of flexible working is even more evident in the COVID-19 epidemic era.

Legislation on employed persons in the United Kingdom is relatively well developed, and after the Labour Party came to power in 1996, to avoid the "employee-employer" dichotomy and to broaden the coverage of the workforce, the Employment Rights Act (ERA) was enacted, which refers to one form of worker: those who are economically dependent or personally dependent. He included a portion of non-standard forms of employment. The concept of worker mentioned in the Employment Rights Act was also adopted in two subsequent Acts, so that the legal protection of non-standard employment labour relations was established in the UK, and with the increase of flexible forms of employment in recent years, the UK government also applies the concept of labour in a wider sense, to prevent employers from evading their responsibilities towards their employees [5].

As for the most basic labour protection, British legislation considers minimum treatment to be irrelevant to the length of the labour relationship. In this regard, the UK has also enacted a series of laws to socially protect the rights of British workers to remuneration, safety at work and collective claims.

3. China's Social Security Policy for Flexibly Employed Persons

3.1. Pension Insurance: Facilitating Universal Coverage

In addition to the Chinese government's policies related to labour relations in 2015, the Chinese government's social security policies related to flexibly employed people. In addition to the Chinese government's policy related to the labour relations of online dating in 2015. The Chinese government's social security policy related to flexibly employed people after 2015, there is a tendency to promote flexible employment as a kind of employment through the promotion of flexible employment. in 2019, the Chinese government issued the "Guiding Opinions of the General Office of the State Council on the Promotion of the Standardised and Healthy Development of the Platform Economy", in which the Chinese government proposes to improve social security systems related to flexibly employed people Proposing a plan for universal insurance coverage.

Platform flexible employed persons are more likely to contribute to employees' basic pension insurance, while non-platform flexible employed persons are more likely to contribute to residents' pension insurance, and at the same time, they are more likely to participate in residents' medical insurance. One of the survey reports shows that 28 per cent of the non-platform flexible workers do not participate in any of the social insurances. Another report in the same report shows that the instability of income is a concern for many of them in flexible employment [1].

At the same time, due to the lack of labour relationship recognition, it is difficult to establish a stable labour relationship between workers and platforms, which facilitates the evasion of contribution responsibilities by enterprises, thus leading to the low participation rate of non-standard employment in China. Meanwhile, the pension insurance participation intention of flexibly employed people is also related to their migration distance. The study speculates that when the migration distance is too long, flexibly employed people can devote themselves to their work, while basic pension insurance, as a welfare system after old age, requires long-term investment [6].

3.2. Occupational Injury Protection: Constructing the Occupational Injury Protection System

China is also exploring the protection of flexibly employed persons against work-related and occupational injuries. In the Fourteenth Five-Year Plan, employment is proposed: the formulation of a trial scheme for occupational injury protection. On the issue of contributions, part-time flexibly employed workers must pay for work-related injury insurance, while the rest of the non-standard employment pattern does not have a clear contribution amount or standard to provide them with a choice if they have the willingness to participate in the occupational injury insurance. When it comes to the flexible working system can still use the traditional working system model, because the Internet

platform still has the power to control the employees, so it can also be taken as a worker to give occupational injury protection to the flexible employment personnel, or as a worker to the loosening of the labour relationship and the abstract concept of labour risk as a breakthrough, but this is contrary to China's legal basis and principles in the field of work-related injury insurance [7,8].

At the same time, China is also piloting a work injury insurance policy in several cities, including Taicang City, Suzhou City, and Wujiang District, Suzhou City, where work injury insurance is a fusion of government and commercial insurance. And for all non-standard employment of all forms of employment, including Wujiang District's contribution for the employee's personal contribution, which in itself socialises the employer's responsible behaviour and avoids enterprises avoiding the employer's protection against work-related injuries [8]. The prerequisite of Taicang City is to participate in local social insurance, which has an important impact on increasing the participation rate of social insurance.

4. Social Security Policy for Flexibly Employed People in the UK

4.1. State Pension Insurance

In the UK, there is no mandatory requirement for people in non-standard employment, so some people will waive their right to participate in the State Pension Scheme. As one of the first countries in the world to start private pensions, the UK introduced the State Income Pension Scheme (SIPS) in 1975, requiring all employees to participate. The foundations of occupational pensions were laid. In the numerous reforms that followed, the UK state pension system was divided into three main types of pillars, namely the basic state pension, occupational pensions and personal pensions. Positively to the basic state pension contributions, non-standard employment people have two types, as employees or employers to the social security department, the employer and the employee to share the cost. The self-employed, are required to make a second type of national insurance contribution, so this category of self-employed persons is entitled to all insurance benefits except unemployment benefits [9].

However, the basic national pension insurance can only provide the most basic pillar of life, the UK pension social security system in the form of pensions rely more on market-based corporate pensions, which is part of the need for higher salaries to support the increase in corporate pensions, zero-hours contracts for salary changes compared to the long-term stability of the contract is more sensitive to [10]. The improvement of the law on zero-hours contracts is also quite important for the protection of workers in the contracts.

4.2. Social Protection about Legislation

The International Social Security Association (ISSA) mentions that employment is one of the best forms of social security. The UK is more on protecting the workers in non-standard employment than it is still on protecting the group of people in non-standard employment. People in non-standard employment are more likely to be disadvantaged groups such as women and people with disabilities. The UK has enacted legislation to protect workers in non-standard employment like requiring flexible working. When divided by gender, flexible working can ease the conflict between family and work, especially for women's unpaid overtime hours are otherwise reduced. The defence of the right to request flexible working can help women return to the workplace in a better way [11].

For people with disabilities, for example, control over their own working hours can help them to better access healthcare, and the establishment of flexible working as a right of request for employees and limitations on employers can help them to realise more quickly that there are other ways of removing the limitations of work for people with disabilities [12].

5. Comparative Analysis of Social Security in China and the UK

The essay can be deduced that China's social security for the flexibly employed is hampered by some difficulties, in addition to the absence of a variety of laws, and the legacy of China's household

registration system. This is crucial for flexible workers' contributions, as some regions do not allow flexible workers to participate in local insurance, while too high contribution rates in some flexible workers' hukou discourage them from contributing to social insurance.

Compared with China, the UK has more systematic social protection for people in non-standard employment, including protection of workers' rights such as the recognition of labour relations, minimum wages and annual leave. In addition to this, the United Kingdom provides different social security measures for different employment situations in old-age insurance. For example, there is a second tier of national insurance, and the reform of social security in the United Kingdom, for example, the availability of Support Allowance for the disabled regardless of eligibility, avoids discrimination in the market against persons in non-standard employment.

Combined with these, there are still some lessons to be learnt for China from the UK's approach to flexible employment:

Firstly, formulate or establish more laws as a solid legal backing targeting employers to provide protection for the basic rights of non-strand employee. China's laws on workers mainly revolve around the Labour Law and the Civil Law, and the jurisprudence of the Social Insurance Law revolves around the identification of labour relations. The multiple types of legal relationships not only clarify the labour rights and interests of flexibly employed persons, but also help enterprises, platforms and the Government to improve their own responsibilities and functions, and reduce the burden brought about by the Government's regulation of the market.

Secondly, the establishment of multi-level and multi-type social insurance contribution brackets. The social insurance in the United Kingdom not only reduces the burden of public expenditure on the part of the United Kingdom Government in this regard but also provides a wide range of choices for nationals. In addition, the transfer and sharing of responsibilities, apart from facilitating the flow of the market, also gives the Government more energy to provide social assistance and social welfare other than social insurance. It helps to promote the construction and birth of more social assistance and social welfare systems.

Thirdly, the household registration system's restrictions on the arrival of flexibly employed persons should be gradually reduced. By means of informative technology, by reducing the difficulties of inter-regional transfer payments, and upgrading the national co-ordination, the household registration system is a big obstacle to the willingness of flexibly employed persons to pay social insurance premiums, most of the flexibly employed persons will choose to go to the first-tier cities to work, and the restriction of the social insurance payment in some areas will dampen the motivation of the flexibly employed persons, in addition to the propaganda of the flexibly employed persons' In addition to publicising the social security policy for flexibly employed persons, flexible employed persons are given the right to choose.

Fourthly, the characteristics of flexible employment should be captured to empower the unemployed. Flexible employment is a new type of employment, with no fixed working hours or workplace, which can ease the conflicts between work and family. In addition, the State can introduce policies to publicise the characteristics of flexible employment and provide training and guidance to the unemployed to broaden their new horizons of employment.

6. Conclusion

To summarise, the UK's social security policy is somewhat comparable to China's social security policy. China still relies on the Labour Law for the determination of labour relations. The UK has better legal protection and more tolerant jurisprudential principles, which provide some protection for the non-standard employment in the UK.

In pension insurance, the pilot in Taicang, Jiangsu Province, is the same as in the UK, and this practice can improve social security coverage. Most of the literature discusses the social security of the country, the significance of this article is the comparison of the two countries' differences in the basic national social security and the implications for the social security of non-standard employed

people in China. There are still some parts of the data in this paper that do not fully reflect the characteristics of the non-standard employed in the UK and do not include trade unions in the reference volume. It is hoped that more comparative studies of social security for the non-standard employed in China and other countries will emerge.

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