

INTERNATIONAL REGULATION OF EL-FREELANCING AMONG PEOPLE WITH DISABILITIES

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ABSTRACT

Modern society is difficult to imagine without using the achievements of scientific and technological progress and the Internet. The Internet is becoming a part of our life every day. Not an exception and the field of entrepreneurship, especially for people with disabilities. The purpose of the article is to study the concept and prospects for the development of electronic freelancing among people with disabilities within the framework of the current economic realities of the development of society, as well as to highlight the legal status of a freelancer in accordance with modern legislation. Based on the analysis of statistical data and sociological surveys, we were able to identify the positive and negative aspects of the development of electronic freelancing among people with disabilities. In the process of the study, the authors came to the conclusion that freelancing is a promising direction in the development of small business among the disabled. In many Western countries, it has already become widespread, while in Russia it continues to evolve.

Keywords: Freelancer, Law, Disabled, Outsourcing, Wage Labor, Teleworking, Self-Employment.

INTRODUCTION

This article is devoted to the study of this form of self-employment of the population, which is called freelancing. Freelancer-free worker-a term characterizing a person who is not employed on a permanent basis for a specific employer in the long term. In this study, we will understand by “*electronic freelance*” this type of individual labour activity, during which the duties of the contractor are performed remotely, regardless of the location of the potential employer, using modern means of communication (mainly the Internet) (Davydova & Nagaytsev, 2017).

The transition to free employment as an electronic freelance is mainly carried out by young people, as evidenced by the following reasons. First, the requirements for age, health, experience and the presence of children in the business environment (Schwartz, 2018; Shevchuk et al., 2018). Such a framework causes big problems with employment, especially for people

with disabilities (Barreneche, 2014). Secondly, the financial crisis. Employers reduce recruitment and reduce existing staff. Unskilled workers are being recruited for low wages. The need for the services of creative people on an on-going basis is diminishing: designers, translators, journalists are the favourite professions of people with disabilities (Feynberg, 2018). Thirdly, the ability to independently manage their time, being in comfortable conditions, without leaving for a certain workplace.

METHODOLOGY

The methodological basis of this research includes the dialectical method of knowledge, based on a system of general scientific and private-scientific methods: a logical method (in the formulation of the material, the formulation of conclusions); statistical method (in the process of analysis and synthesis of the material); content analysis (analysis of individual provisions of legislative acts, scientific works), the method of system analysis and others.

Based on the analysis of statistical data and sociological surveys, we were able to identify the positive and negative aspects of the development of electronic freelancing among people with disabilities. In the process of the study, the authors came to the conclusion that freelancing is a promising direction in the development of small business among the disabled. In many Western countries, it has already become widespread, while in Russia it continues to evolve.

LITERATURE REVIEW

The European Commission does not define “*freelancers*” in any legislation. However, the European Commission defines a self-employed person as conducting paid activity at one's own expense under conditions established by national law. In carrying out such activities, a personal worker is of particular importance, and such an exercise always implies considerable independence in the exercise of professional activity. This definition derives from the Directive (2010/41/EU) on the application of the principle of equal treatment between men and women engaged in activities within self-employed potential (European Union, 2010).

According to the German income tax law (“*Einkommensteuergesetz*”), a freelancer can be described as an independent person, whose business is either artificial (that is, artist & musician), scientific, copyright (professional writing), educational or educational sector, or if their work is determined by their personal knowledge of a particular profession. This includes doctors, dentists, journalists, translators, lawyers, business consultants, etc.

Under current US law, freelancing is defined as the entrepreneurial activity of the sole proprietor of an enterprise without hired employees, for the purpose of making a profit by selling goods or providing services (Caballero, 2017).

Analysis of research papers aimed at studying online employment (electronic freelance), suggests that this type of labour market is of little popularity among researchers. Basically there is a separate consideration of various aspects close to the topic under study (Manuylova, 2018).

The study of processes related to the transition to the information economy can be found among such scholars as: Primastomo et al. (2016). Analysis of the problems of informal employment in the Russian labour market was studied by such researchers as Strebkov & Shevchuk (2010).

The study of problems related to unemployment and the search for ways to reduce it, are revealed in the works: Monnik & Pan (2014), Monticelli (2010), Pham et al. (2018) Issues

related to the employment of graduates of high schools have found distribution in the works. It is also worth highlighting research on the topic of electronic freelancing among specialists of foreign origin (Eden, 1973; Davydova & Nagaytsev, 2017; Caballero, 2017).

The majority of publications are journalistic in nature and are presented mainly on Internet resources, which indicates an insufficient amount of basic research on this topic and gives grounds for a conclusion about the relevance of the chosen topic.

RESULTS & DISCUSSION

Today, the “*freelancer*” is one of the most experienced specialists, journalists, designers, copywriters, translators, etc. It can be used in all countries. For example, in the United States of America, representatives of this category often call themselves “*consultants*” and “*independent contractors*”, “*portfolio workers*”, and in France and Canada—“*autonomous employees*. Due to the emergence and development of electronic freelancing, as well as with the wide distribution and appearance of its new types, the need for a sociological analysis of the concept under study arises (Eden, 1973; Hellmueller et al., 2017).

Electronic freelancing is currently a relatively new form of employment, which is formed on the basis of various processes: political changes in the country, changes in the value-normative system, the development of computer and hardware (Kovalenko & Gubareva, 2018). The considered sociological paradigms seem to be a useful tool for understanding electronic freelancing and determining its structural elements and their functions, giving a more detailed image of the form of free employment (electronic freelancing) as a whole (Kuznetsova, 2018; Manuylova, 2018).

Currently, about 100 distant work exchanges operate in the Russian freelance market, while about a third of them are general exchanges, and the rest specialize in certain professional fields (Monnik & Pan, 2014; Monticelli, 2010; Pham et al., 2018). Most specialized exchanges focus on copyright and web programming, followed by exchanges for illustrators and designers. There are also separate online portals in such areas as legal and financial services, marketing and PR, engineering and architecture, photo and video.

In the analysis of distant work exchanges on the Russian labour market, we managed to identify their main parameters (Table 1).

Table 1
TYPES OF REMOTE WORK EXCHANGES

No	Signs of a Remote Work Exchange	Description
1	Exchange specialization	In accordance with it, one can identify general exchanges and stock exchanges specializing in any one professional sphere
2	Method of distributing orders between electronic freelancers	The most common is a system of proposals or applications. First, the customer publishes information about the project. Then the freelancers who are interested in the project, leave their proposals (applications). After confirmation of the contractor, the project is closed.

3	Method of registering an electronic freelancer on the portal	In most cases, registration is open. However, copyright exchanges are characterized by the use of additional tasks during registration to determine the level of competence of the applicant. Less common are exchanges with closed registration.
4	Payment method	Exchanges can be divided into portals that use external electronic payment systems, self-sufficient platforms that can make money transactions within their system

The first and most obvious sign is the specialization of the exchange. In accordance with it, general exchanges, specializing in any one professional sphere, can be distinguished. In the Russian market of freelance services, there is the largest common “*monopolist exchange*” (*Freelance.ru*), as well as several large specialized exchanges that control their market share in a particular industry.

The second important feature by which various types of exchanges can be distinguished is the way orders are distributed among electronic freelancers. “*In the Russian-language market of distant work, the most common is the system of proposals or applications. First, the customer publishes information about the project, usually a brief description of the nature of the task, the desired deadlines for the project and the amount of remuneration, possible ways of transferring money, sometimes there are requirements for the contractor (minimum experience, the presence of similar projects completed, certificate, etc.)*”. Then, freelancers who are interested in the project leave their proposals (applications), which indicate the desired amount of remuneration and possible deadlines for completing the assignment, note that they have experience in one area or another, provide links to examples of their work, etc. “*The customer has the opportunity to get acquainted with all the proposals received and select the most optimal one for them. After confirmation of the contractor, the project is closed. It is worth noting that there are two types of the sentence system-open and closed. In the first case, the performer can see the proposals of competitors; his own proposal is also in the public domain (for example, *Proektanti.ru*). In the second case, the entire set of applications is visible only to the customer and is not available to freelancers (for example, *FL.ru*, *Etxt.ru*) (Davydova & Nagaytsev, 2017)*”.

Significantly different from the proposal system described above is the selection of the contractor through an auction. In this case, “*the customer determines the marginal cost of the project, which is gradually reduced by the bidders (performers). Thus, the auction is won by the bidder who offered the minimum price for the execution of the order. This type of distribution of orders is extremely popular on foreign exchanges*”, but does not find a wide response among Russian audiences.

Another possible type of distribution of orders on the remote work exchange is “*competitive selection (for example, on the stock exchanges *E-generator.ru*, *Citycelebrity.ru*). It implies the fulfillment of the order by all applicants. The customer has the opportunity to choose the best, in his opinion, option and pay only for him and only one applicant. Often this method is used to perform easy tasks when the originality of the solution is important*” (for example, on the naming exchange *Votimennno.ru*) (Davydova & Nagaytsev, 2017; Strebkov et al., 2015).

There is also a somewhat less common method of automatic distribution of orders, in which the one who managed to take the project to work first wins. Most often, according to this principle, there are copyright exchanges (*Advego.ru*, *Textsale.ru*). This type of exchanges

(Advego.ru, Etxt.ru) also practices the “ready-made materials shop”, in which already written articles are put up for sale.

The third sign on which it is possible to identify the types of exchanges of distant work is the method of registering an electronic freelancer on the portal. In most cases, “*registration is open: relatively simple and free, without the need to enter personal data or confirm qualifications. However, copyright exchanges are characterized by the use of additional tasks for registering to determine the applicant's level of competence: for example, a test in the Russian language, writing trial articles on a given topic, translating a fragment of text, etc. (Exchange Contentmonster.ru, Miratext.ru). Less common are exchanges with closed registration, which can be reached either by the recommendation of an already registered user, or during certain periods when registration is declared open and then closed again (usually the “open” period lasts no more than 2-3 days)*” (for example, Copyright Textbroker.ru, Miratext.ru).

Finally, as a fourth feature of a typology, you can single out a “*payment method, according to which exchanges can be divided into portals using external electronic payment systems*” (WebMoney, Yandex.Money, etc.), and (less common) self-sufficient platforms having the ability to make cash transactions within your system (for example, the FL.ru exchange) (Davydova & Nagaytsev, 2017; Monticelli, 2010; Pham et al., 2018; Primastomo et al., 2016).

Of course, the signs of classification of exchanges of distant work that we have identified do not always appear in their pure form. For example, “*the exchange can be declared as a platform of general orientation, but in reality, it is dominated by orders in individual specialties. Several methods of distributing orders among freelancers can be practiced on the same exchange, payment can be made at the request of the participants in the transaction either within the exchange or using external payment systems.*”

We have developed a questionnaire structure for an online survey, in accordance with the purpose and objectives of the study. Further and more detailed analysis of each of the categories we have identified is an important step in studying the state of e-freelancing in the labor market and in the field of employment of people with disabilities.

So, in this study, persons with disabilities from 18 to 30 years old residing in the city of Barnaul were selected as a general population.

The survey involved more than 300 people with disabilities, current, former and future electronic freelancers, as well as those who have never been. Respondents were divided into 3 age groups: 18-22 years; 23-26 years; 27-30 years. The following are the main results of the study.

To the first question of the questionnaire: “*Have you ever heard about electronic freelancing (independent, online employment)?*” The majority of respondents answered that they knew a lot about it (53%), 13% of respondents thought that “*they had heard about this concept, but they do not quite understand what it means,*” the remaining 11% have heard about it, but they do not know much, and 23% did not come across this concept at all.

Already in the analysis of the first question, we can safely say that the “*youth are sufficiently aware of the existence of non-standard forms of employment associated with the Internet and of electronic freelancing as such. Among electronic freelancers,*” women prevail (81%), men, in turn, make up 19%. “*The predominance of the female half is likely due to the fact that they often have to be at home (for example, maternity leave) and in such a situation it is convenient to switch to work via the Internet. Gender differences in the areas of professional activity and income level, we consider next.*”

Age. "There is reason to believe that it is electronic freelancing that is especially attractive for novice professionals who do not have a high level of social capital and a dense network of professional connections at this stage of their career. Perhaps, remote work electronic exchanges are for young workers a source of relatively rapid accumulation of professional experience and connections, which allows in the future forming a base of regular customers and working with them directly without the mediation of remote work markets."

The majority of respondents are people under the age of 25 (56%). The older the age categories of respondents, the less among them are electronic freelancers: people from 25-40 years old make up 31% working remotely, from 40-50 years old-13%.

Family status. Considering the number of electronic freelancers, it is 46% live in the so-called "civil marriage", 35%-and only a small part of 19%-are married. We believe that such results are associated with responders.

The level of education. The survey results showed a high educational level of freelancers. The level of all available.

The sphere of education. Freelancers were the most common professional areas-29%, humanities-24% of all electronic freelancers, legal-22%, economic sciences (finance, marketing, accounting & trade)-nineteen%, 3% and 2% for natural science diploma (chemistry, biology & geography) (Figure 1).

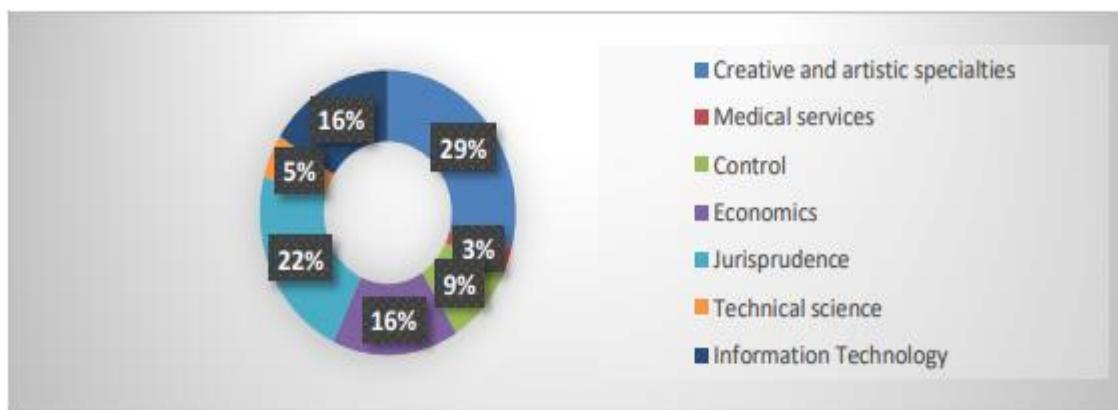


FIGURE 1
TYPES OF FREELANCER'S EDUCATION, %

Professional composition- To date, it is not a matter of how much remote work. They represent the following areas: design and graphics-17%, texts, copyright, translations-18%, development and maintenance of websites-18%, photo services (photo retouching, etc.)-20%, marketing services (advertising, consulting, legal services, finance)-16%. 6%, engineering (engineering and consulting services)-2% (Figure 2).

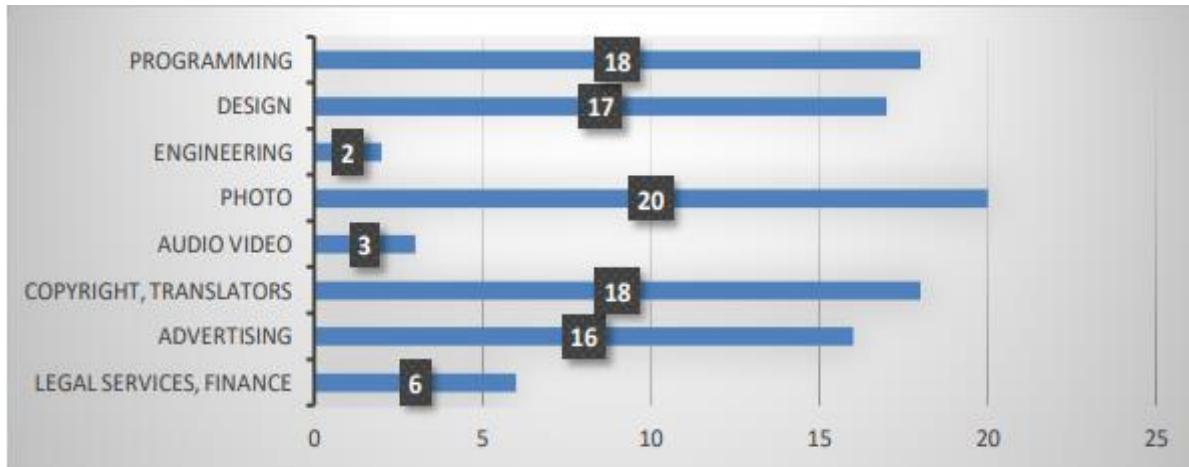


FIGURE 2
SPECIALIZATION OF ELECTRONIC FREELANCERS, %

The main requirement for the services of electronic freelancers remains unchanged—the results of the work must be translated into electronic form and assume the possibility of transmission via the Internet.

The analysis of this issue allowed us to identify professional gender differences: the male half dominates the professions related to the development and support of websites, programming, engineering, work with audio and video files, as well as work in the field of design and graphics. The female part is more often engaged in the following specialties: writing texts, copyright, rewriting and translations of texts, marketing.

Educational and professional inconsistencies “*The share of electronic freelancers, whose subjective assessment of the correspondence of education received to the work they are currently doing, was positive or rather positive, almost coincided with the share of freelancers whose assessment was negative or rather negative (42% and 40%, respectively).*” In other words, two fifths of surveyed electronic freelancers are sure that “*the scope of their work in the field of freelance services is not interrelated with the education they received, while the other two fifths work within the framework of the received specialty. At the same time, 18% of respondents are not sure which category they belong to.*”

The most important cause of educational and professional inconsistencies among electronic freelancers (especially women) “*may be associated with lower incomes and job satisfaction. Probably, the transition to a non-specialty job for the female half is more often associated with going on a de-holiday vacation. In this situation, women have to accept work that can be combined with a large amount of family responsibilities, even if it does not bring high income and satisfaction.*”

Work experience as an electronic freelancer. The average length of service for survey participants as electronic freelancers ranges from 1 to 3 years (57%), about 31% of all independent workers can be classified as beginners (with less than a year experience), the remaining 12% are electronic freelancers who work more than 5 years.

These results of a small amount of remote work experience (electronic freelance) are explained by the relatively short existence of electronic employment in Russia as a whole.

Labor values. As shown by the survey results, self-employed professionals do not have the primary materialistic motivation associated with wages. Electronic freelancers are more attracted to interesting work, which corresponds to their skills and abilities, with the possibility of taking initiative and achieving certain results. Finally, electronic freelancers have absolutely no inclination to minimize labor effort: light, unstressed work attracts only 13%, and large vacations-9% (Davydova & Nagaytsev, 2017).

The results obtained allow us to conclude that a large number of those who are set up for entrepreneurial activity and the creation of their own business, which indicates a high entrepreneurial potential for precarious work among the youth.

CONCLUSION

Due to the economic situation in Russia and the problems of employment of people with disabilities, freelancing movement with the help of Internet networks can be an effective method to combat unemployment among people with disabilities. Disabled people are attracted by the convenience of performing work, while improving their professional skills. This inevitably leads to the popularization of electronic freelancing and its distribution.

Advantages of electronic freelancing: managing your own time and choosing a convenient work schedule, intensity of work, no direct superiors, in some cases no need to get to your place of work or the ability to choose a convenient time for this, etc., determine work of interest, large earnings compared to full-time office work, a portfolio and a better resume of work experience (Davydova & Nagaytsev, 2017).

Cons of electronic freelancing: instability, irregular working hours, the risk of non-payment, to spend time on activities not related to specialization, lack of exchange of experience and competition, risk of choosing an unnecessary profession, the problem of income legalization, lack of social guarantees of the employer and social package (Davydova & Nagaytsev, 2017).

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