

Current situation and optimization path of occupational injury protection for new types of workers - based on PMC index model

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Abstract: With the development and growth of the sharing economy, various new forms of employment emerge at the historic moment, and the social security rights and interests of flexible employees in new forms of employment are significantly less than those of traditional practitioners, and the problems in occupational injury protection are especially prominent, which is in urgent need of the state to issue policies to improve. Since 2019, the central and local governments have successively carried out pilot work on occupational injury protection for workers with new employment forms. Based on the PMC policy evaluation index model, this study conducted a systematic quantitative evaluation and analysis of the occupational injury protection policies of the new types of flexible employment in several pilot provinces and cities, quantitatively evaluated the scientific integrity of each dimension of the current policies, and put forward targeted optimization countermeasures for the occupational injury protection policies of the new types of flexible employment. Effectively safeguard the occupational injury protection rights and interests of new types of flexible employment.

Keywords: New Employment Form; Policy Evaluation; Occupational Injury; Social Security

1. the current predicament of occupational injury protection for workers in new forms of business

1.1 The identification of labor relations is difficult and controversial. At present, it is difficult to identify the labor relations of new employment forms and disputes are often involved, mainly because there is no formal labor contract signed between platform enterprises and employees. In addition, according to the current laws and regulations, platform enterprises and new forms of employment do not meet the standards of labor relations identification, but more in line with the mode of service cooperation agreements between self-employed workers and platform enterprises. This ambiguity of labor relations will lead to many problems, such as platform enterprises do not have to assume the duties of employers, such as providing social insurance to employees, providing a safe and healthy working environment and paying legal wages, and employees can not get the same welfare protection as permanent employees.

1.2 The working environment of employees in new employment forms is high intensity and high risk. There are still a variety of unstable and unsafe factors in the working environment of new employment forms, including high-load work pressure, long-term work intensity, lack of safety and other factors. These unfavorable conditions may lead to occupational fatigue, accidental injury and other problems of the new employment form, so that they face a significant increase in occupational injury risk.

1.3 The existing occupational injury protection measures cannot achieve full coverage. Although various platform enterprises provide different types of commercial insurance for their new employment forms, the insurance still cannot provide strong and perfect protection for this group. Compared with industrial injury insurance, commercial accident insurance provides a narrow scope of protection, low protection standards, relatively high premium cost, numerous exclusions, and only one-time compensation, lack of long-term protection and dynamic adjustment ability.

2. the current policy analysis and evaluation results -- based on the PMC model

2.1 Collection and text mining of policy texts

In the process of collection, the research adheres to the strict screening principle. Firstly, the repeated policy texts are excluded to ensure the uniqueness of each document. Second, it focuses on policies directly related to occupational injury protection for flexible employees

under the “new employment pattern”, excluding non-policy documents such as leadership instructions, meeting minutes, announcements, and so on, in order to focus on core issues. Finally, through careful comparison and evaluation, 35 most representative policy documents are selected from the mass of texts to build an effective database for this study. Then the policy text is transcribed, and the powerful function of ROSTCM 6.0 software is used to analyze the word frequency of the text. Finally, 60 high-frequency keywords are sorted out and analyzed as an important basis for constructing the policy evaluation index system and evaluation criteria.

2.2 Variable classification and parameter identification

Based on the OmniaMobilis hypothesis as the guiding ideology, this paper takes the occupational injury protection policy of flexible employees in new forms of employment as the research object, and on the basis of the policy evaluation study by Ruiz Estrada, the setting of variable parameters by Zhang Yongan and Zhao Jianguo et al., combined with the content of policy text mining and the characteristics of flexible employees in new forms of employment. Nine first-level variables are adjusted and established, which are: policy nature (X1); Policy timeliness (X2); Policy level (X3); Policy content (X4); Policy evaluation (X5); Policy object (X6); Policy instruments (X7); Guarantee mode (X8); Policy effectiveness (X9).

2.3 Policy quantitative evaluation results

In this paper, five policy texts with comprehensive coverage, strong representation and clear implementation policies are selected from the text database to reflect the current development of occupational injury protection policies for flexible practitioners of new formats in China. The quantitative evaluation results of the policies show:

2.3.1 The score of the five policies in terms of policy nature is 0.6, and the nature of the five policies is “guidance”, “suggestion” and “pilot”, rather than “supervision” and “regulation”, which means that the design and implementation of the above policies are not directly related to the supervision, management and formulation of relevant standards for the protection of occupational injury of flexible employees in the new business. In addition, although the policy text has put forward a number of policies on occupational injury insurance and rights protection of new flexible employment personnel, most of these policies are not mandatory, which limits the actual implementation effect of the policy.

2.3.2 The five policies have excellent performance in terms of policy content. Each policy contains the protection object, protection type, protection level, rate standard, payment subject, treatment level, etc., and the content is detailed and specific. In particular, the occupational injury insurance for new types of flexible employment has made comprehensive and detailed regulations. However, at the same time, some policies do not cover issues related to occupational injury dispute resolution. In addition, none of the policies address occupational injury prevention, the lack of which increases the risk of workplace injury for flexible workers

2.3.3 All the five policies scored poorly in terms of policy effectiveness, only 0.33 points. In terms of the evaluation dimension of policy effectiveness, the five policies scored generally low, only 0.33 points, which reflects a key problem: significant inadequacy of policy documents in terms of legal effectiveness, administrative execution and industry standardization.

2.3.4 The five policies have different scores in terms of policy objects. In terms of evaluating policy objects, the scores of 5 policies show some differences, but the common point is that they all cover the participation of industrial injury insurance institutions and human resources and social security departments. However, a prominent problem is that the role and function of trade unions are not fully taken into account in these five policies.

3. Optimization path of occupational injury protection policy for new types of workers

3.1 Elevate the excellent pilot experience to the legislative level. In view of the problem of different pilot results in different places, the problem reveals that there is no unified solution to the factors such as the setting standard of insurance amount, insurance access conditions, and guarantee payment. In this regard, the system rules of occupational injury protection should be improved, and the pilot experience that can be implemented nationwide should be determined through legislation. Combined with local practices that are conducive to ensuring the occupational safety of practitioners in new forms of business, the pilot effect of the system is better played, and the specific aspects are de-

tailed from the protection subject, payment base, payment rate, etc.

3.2 Coordinate management to build a sound occupational injury protection system. First of all, the concept of flexibility, adaptability and diversity should be established, including the involvement of the government, platform enterprises and insurance companies, to establish a security structure combining occupational injury insurance and commercial insurance, and to build an ecological and platform security mechanism. Secondly, commercial insurance is adopted as a way to supplement protection. Third, for platform enterprises, platform enterprises should fulfill the corresponding management and training of new business workers. For the trade union, it is necessary to urge the government departments to improve the internal communication and dialogue mechanism, set up a dispute mediation organization, and resolve the contradiction in the bud. Finally, from the perspective of individual workers, the management mode of division of labor and cooperation between social security departments and insurance companies can not only meet the needs of new business practitioners for basic injury protection, but also meet the higher level of occupational injury protection needs of new business enterprises.

3.3 Strengthen occupational injury prevention and rehabilitation

First of all, it is necessary to strengthen the attention of occupational injury prevention and rehabilitation, and realize its importance. The current policy focuses too much on occupational injury compensation and neglects the importance of prevention and rehabilitation. Second, we should try to establish a sound legal system. According to the research results and requirements of the International Labor Office on occupational injuries, the prevention of industrial accidents is the primary task of industrial injury insurance. Finally, it is necessary to implement the people-oriented scientific development concept and actively carry out the pilot work of industrial injury rehabilitation.

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