Working through a platform: am I an employee or do I run my own business?

For: Platformski radnik kod poslodavca · Platformski rad preko vlastitog obrta

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Applicability: Special provisions on platform work apply from 1 January 2024.

The name of the application does not determine your legal status. The basis is the contract, the actual organisation of work and the identity of the other contracting party.

First, establish who the contracting party is.

MROSP distinguishes between an employment relationship with a platform or aggregator and, under prescribed conditions, other forms of engagement, including self-employment. Therefore, the initial question is not only which app you drive for or deliver to, but who employs you, or to whom your business provides services.

On the first page of the contract, find the other party's full name and OIB. Then separate the employment contract from the business cooperation agreement. For your own business, do not compare the amount on the platform report with the worker's net pay: they are different figures with different costs and obligations.

How to choose a branch of the Guide

If you have an employment contract, start by asking about the contract, working hours, payslip and the protection of your rights. If you are operating as a sole trader, raise the issues of vehicle costs, records of receipts, invoices and dealings with the contracting party. If the contract and the actual way of working do not align, request an individual status check before concluding that the mere form of the contract is sufficient.

Same application, different relationship

Delivery driver A is employed by the partner company, while delivery driver B has contracted the work through his own sole trader business. The same application does not mean that you apply the same procedure to their accounting and records.

Specific next steps

1. Find the contract and the full name of the contracting party.
2. Indicate whether it is a matter of work, the secondment of a worker or a business collaboration.
3. Record who determines the schedule, approves payment and bears the costs.
4. Select the appropriate branch of the Guide; first clarify any unknown status.

Most common mistakes

• To assume that the owner of the application is automatically your employer.

• Replace the displayed traffic with net pay or disposable cash.

Limits of application

It does not establish a definitive employment or tax status. Students, employment contracts and other special forms require separate verification.

Sources

MROSP · Work via digital work platforms

https://mrosp.gov.hr/rad-putem-digitalnih-radnih-platformi/13269

Original page

https://adriatrends.hr/poslovni-vodic/en/pitanja/platforme-model-rada