



Country Fiche

SPAIN

Authors: Pablo Sanz, Marc Caballero
(NOTUS)

February 2023



**Co-funded by
the European Union**

The TeamHub! Project is Funded by the European Union. Views and opinions expressed are however those of the author(s) only and do not necessarily reflect those of the European Union or the Directorate-General for Employment, Social Affairs, and Inclusion. Neither the European Union nor the granting authority can be held responsible for them.

Introduction

The *Team Hub!* project is a two-year project supported by the European Commission, Directorate-General for Employment, Social Affairs, and Inclusion, receiving funding under the call for proposals SOCPL-2021-IND-REL aimed at improving expertise in the field of industrial relations. Running for 24 months (August 2022 – July 2024), *Team Hub!* combines desk and empirical research, as well as mutual learning and networking activities, in order to analyse features and challenges of the e-commerce supply chain in a set of selected countries, namely Belgium, Estonia, France, Finland, Germany, Greece, Italy, Poland, Spain.

The *Team Hub!* project brings together a consortium of universities, research institutes and trade unions from nine EU countries to jointly address the complexities and challenges of e-commerce supply chains, especially with regard to storage and delivery activities. The aim of *Team Hub!* is to analyse the implications of the e-commerce boom, following the COVID-19 pandemic, and to equip trade unions with the knowledge and skills necessary to propose a sustainable reshaping of business models and work organization in the supply chain, also in view of the digital revolution and environmental sustainability objectives.

The first phase (Study) of the *Team Hub!* project consists of a preliminary literature review aimed at producing country-level analysis of the e-commerce and logistics national panorama. The goal is to identify and assess existing information and data about key trends and features in the e-commerce supply chains at national level, with a particular focus on key market players and dominant business models, working and employment conditions, social partners activities, and the geography of the supply chains in the covered countries.

The present Country Fiche, part of a series of nine similar papers, contains the results of the national-level analysis. The Country Fiches are aimed at feeding an EU-level comparative analysis to be included in the Background Report, which will equip the consortium with adequate background information for the following phases of the project.

Country Fiches are based on a common methodology agreed and shared in advance with the project's consortium. The research was realised by national experts appointed by the project partners. Experts developed their research on the basis of a common template, whose structure shapes the Country Fiche below. With a view to guaranteeing homogeneity and comparability of results, guidelines were shared with regard to sources and references to be used for the completion of the country fiches' template. In particular, the following categories were designated: scientific literature, administrative data, surveys, general press, interviews with relevant stakeholders.

Macro-analysis on trends and developments in the e-commerce sector

Sales, use of online channels by consumers and shops, market shares and presence of dominant players, employment and wage trends in the supply chain

According to the report by the Spain's National Authority for Markets and Competition (CNMC), the e-commerce sector **sales** in Spain amounted to €15.600 M in the first trimester of 2022, which meant an increase of 25.3% compared with the same trimester in 2021. The sectors of activity with the highest income have been clothing, with 7.3% of the total billing; travel agencies and tour operators, with 7.0% and services auxiliary to financial intermediation, in third place, with 6.1%. The CNMC defines e-commerce as any purchase made online, irrespective of the payment method used. However, the methodology used for the e-commerce statistics only takes into consideration e-commerce (business volume and number of transactions) carried out using bank payment cards corresponding to the collaborating Spanish payment entity: Sistema de Tarjetas y Medios de Pago S.A. (www.sistemapay.es). The CNMC keeps a census of all the e-commerce transactions carried out through virtual points of sale that have Spain as their point of origin and/or destination and whose payment is carried out through the payment method network previously mentioned (CNMC, 2022)¹

In terms of **employment**, Ransdat (2022) estimates that the Digital & E-commerce sector is small, but it is growing rapidly in recent years. The bulk of the sector employs some 630.000 people in Spain, according to the official statistics of the fourth quarter of 2021, accounting for 3.1% of all workers in Spain. Employment in the sector have experienced during the last year an increase of 79,600 jobs. Along 2021, 227,762 contracts have been signed in the Digital & E-commerce sector (of which 118.228 were of permanent nature and 109,534 were temporary), which represented 1.17% of all hiring generated in Spain in the past year (Ranstad, 2022). For this estimation, the sector is defined according to NACE rev. 2 statistical classification of economic activities. More specifically, e-commerce covers the following activities: 47.9 Retail trade not in stores, stalls or markets 58.2; Software publishing; 61.1 Wired telecommunications activities; 63 Information service activities.

There is not reliable information on wage trends because of the lack of specific collective agreements concluded for this activity, which is covered by different multi-employer collective agreements (retail, IT, etc.). According to Randstat report on wage trends (Rranstad, 2022), in 2022 annual wages greatly varied according to region and occupation: from 17,000-30,000 (e.g. account manager in Malaga) to 60,000-80,000 (e.g. marketing director in Madrid) (Ransdat, 2022)

¹ These statistics do not consider bank transfers, cash on delivery, and other types of payments that are not carried out with bank cards as payment methods. For example, for means of payment like PayPal, only PayPal transactions linked to a credit card and not those linked to a bank account will be taken into consideration

According to the E-commerce Guide of Spain 2021, **main players** in the e-commerce sector in Spain are Amazon (8.429M€), Aliexpress (3.042M€), El Corte Inglés (1.635M€), Ikea (942M€) and Carrefour (916M€).

According to the 2022 report of the Spanish Association of Marketing, based on a national survey, 24.7 million of Spanish citizens aged between 16 and 70 are **e-commerce users**, representing 78% of the Spanish population in this age range. 62% of them declare to share their buys between physical and online models. The profile of the e-commerce user is gender balanced (51% men, 49% women) and age range balanced (23% between 35 and 44 years, 24% between 45 and 54, 24% between 55 and 70). Most of them are employed (72%) and have tertiary studies (58%). The declared buying frequency is 2,8 times per month and the average cost of these purchases amounts for 69€.

Qualitative analysis on the different types of existing business models

Overview of the existing types, in particular concerning the relationships with workers and in the supply chain

The business models in the **e-commerce sector**, mainly in the **delivery subsector**, have been largely affected by the *Royal-Law Decree 9/2021 for the Amendment of the Workers Statute Law in order to protect the labour rights of workers dedicated to delivery in the framework of digital platforms*.

This law aims at protecting the rights of the delivery workers by tackling the extensive use of the fake self-employment professional relation between e-commerce (delivery) players and their workers. Briefly, the law forces the delivery players to hire the riders on an employment contact bases, rather than using service contracts. The law follows several court decisions that stated that the relation between companies and workers did not meet the requirements in terms of autonomy, time arrangements or revenues to be considered as a service provision (as Court Decision 805-2020 of the High Court of 25 September 2020i).

Out of the delivery sub-sector, the **main player** in the e-commerce sector in Spain (**Amazon**) employs more than 18.000 workers in their 130 storage platforms and pick-up points (owned by the company or subcontracted). According to Unions, main characteristics of the employment provided by the company is temporality of workers hired directly and the extensive use of temporary agencies. As a result, the level of extension of unions in the company work centres is quite low. Only 1 out of 10 of them have a Workers' Committee.

On the contrary, **Mercadona**, one of the major supermarkets chain in Spain, claims to issue permanent, high quality work contracts to their 2.000 employees of the e-commerce branch, including the personnel for storage and the drivers of their 400 delivery trucks.

Finally, an **alternative** business model is starting to consolidate, especially in the sub-sector of last mile parcel delivery. This model is based on eco-friendly and social inclusion approach and is often an initiative of the social economy agents or even third sector agents. For instance, **Koiki**², a small private initiative, has a development model based in the signature of agreements with third sector organizations in order to establish last mile parcel delivery centres managed by the organizations and which provide employment to their users. Some other small last mile parcel delivery initiatives are making arrangement with major players in the parcel delivery field (as UPS) to provide the last mile service.

2 www.koiki.es

Labour market and working conditions

Emerging issues in terms of employment, working conditions, and health and safety of workers involved in storage and delivery activities for e-commerce major players

The actual implementation of the Royal-Law Decree 9/2021 in the delivery sub-sector is one of the major issues in this moment, as it could be the base to tackle the situation of other e-economy business model based on the use of fake service relations between the economic player and the workers (fake self-employed). This could be the case for other branches of e-commerce, as parcel delivery (especially regarding truck drivers). The other issue which focuses attention in these moments is the extension of collective bargaining and Work Councils in the sector.

Geography of the e-commerce supply chain and presence of nodal points

Spain is a net buyer country as far as the e-commerce is concerned. 57,8% of the total e-commerce business corresponds to purchases issued from Spain to another country, while 30,9% are issued from Spain to Spain and only 11,3% correspond to sales made from abroad to Spanish companies. Out of the purchases made to foreign companies, 91% are within the European Union and 4% to the United Kingdom. Clothes and financial services are the main objects of purchase in foreign companies, while the e-commerce originated abroad and benefiting Spanish companies is mainly focused in touristic services (57,4%) and comes from the UE (62,3%).

The distribution of e-commerce activity in the country, in geographical terms, is coherent with the distribution of the population, as the sectors tries to cover those areas where more sales are issued. Therefore, main storage and distribution points are located in the surroundings of Madrid, the northeast (Basque Country), South and in the Mediterranean coast.

Social partners positions and main actions

Unions have developed an intensive work and have pressured on the Government in order to ensure the accomplishment of the Riders Law (Royal-Law Decree 9/2021), including the need to investigate the case of companies (as Glovo) that have established systems that could avoid the fulfilment of the Law and the Court Decision. Nevertheless, according to the Unions, the problem will not be solved once the labour relation is universally recognized in the sector, as many other work-related issues (subcontracting, illegal assignments of workers, work conditions, temporary work...) have to be tackled.

Another important action line for trade unions in the e-commerce sector (especially regarding parcel delivery) is the extension of collective bargaining and workers' committees which are still not frequent in the sector.

References

Comisión Nacional de los Mercados y la Competencia – www.cnmc.es

Court Decision 805-2020 of the High Court of 25 September 2020

IAB Spain – Estudio del eCommerce en España 2022 – www.iabspain.es

Instituto Valenciano de Investigaciones Económicas – www.ivie.es Cambios tecnológicos, trabajo y actividad profesional. El impacto socio – económico de la economía digital.

Business insider - <https://www.businessinsider.es/modelos-laborales-glovo-uber-eats-just-eat-deliveroo-ley-rider-912347>

Newtral.es. <https://www.newtral.es/ley-rider-cumple-ano/20220812/>

Royal-Law Decree 9/2021 for the Amendment of the Workers Statue Law in order to protect the labour rights of workers dedicated to delivery in the framework of digital platforms.

Amazon España frena a los sindicatos: sólo 1 de cada 10 centros tiene comité. La información (www.lainformación.com)

Mercadona Online alcanza los 2.000 trabajadores y prevé facturar 530 millones en 2022. Valencia Plaza (www.valenciaplaza.com)



TEAM HUB!

*Delivering sustainability
to the e-commerce
supply chain*