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A Study on the Imbalance of Public Ethical Responsibilities in the Protection of the Rights and Interests of New Employment Groups

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Abstract. In recent years, the digital economy has flourished, giving rise to many new industries and new occupations, which have spawned a large-scale group of new employment forms. Due to its characteristics of "flexible employment" and "cooperative relationship," the field of new employment forms faces prominent problems such as lack of stable social security, high occupational injury risks, and obstructed channels for rights protection appeals, becoming one of the social pain points. This reflects the imbalance in the allocation of public ethical responsibilities among various subjects. This paper systematically analyzes the characteristics of the imbalance in the allocation of public ethical responsibilities among platform enterprises, government departments, and practitioners, and proposes the construction of a tripartite collaborative responsibility community of "platform self-discipline, government regulation, and worker participation" to achieve a balance between platform economic development and the protection of workers' dignity, thereby providing theoretical reference and decision-making basis for the protection of the rights and interests of workers in new employment forms.

Keywords: New employment groups, Rights and interests protection, Public ethical responsibility, Allocation imbalance

1. Introduction

The *Suggestions of the Central Committee of the Communist Party of China on Formulating the 15th Five-Year Plan for National Economic and Social Development* adopted by the Fourth Plenary Session of the 20th Central Committee of the Party proposes: "Focus on solving structural employment contradictions" "Improve the employment support and public service system, stabilize and expand employment for key groups such as college graduates, migrant workers, and retired soldiers, and promote the healthy development of flexible employment and new employment forms" [1]. Along with the development of information technology, China's digital economy has maintained strong growth momentum, and production methods and employment models have undergone tremendous changes. Under the impetus of this wave, new employment forms have become a core component of China's labor market, with the number of relevant practitioners increasing year by year. However, accompanying the flexible employment model is the security

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vacuum brought by "de-labor relationization"—problems such as lack of stable social security, high occupational injury risks, and obstructed channels for rights protection appeals are prominent, such as Meituan delivery riders "throwing all delivery money into the hospital" and "only receiving 2000 yuan in compensation for sudden death," exposing the dual lack of worker dignity and security, thereby triggering structural challenges such as blurred labor relations and algorithmic power alienation [2]. Behind this phenomenon is essentially the disorder in the allocation of public ethical responsibilities among various subjects, which urgently needs to be resolved from an ethical perspective. This paper, based on the development trend of rights and interests protection for workers in new employment forms, starts from the allocation of public ethical responsibilities among subjects such as enterprise platforms, government departments, and practitioners. It analyzes the realistic manifestations of the imbalance in the allocation of public ethical responsibilities in the protection of workers in new employment forms, and proposes paths to reconstruct the allocation system of public ethical responsibilities in the protection of new employment forms, providing theoretical basis and practical reference for achieving a balance between promoting the healthy development of the platform economy and the protection of workers' rights and interests.

2. Realistic manifestations of the imbalance of public ethical responsibilities in the protection of rights and interests of new employment groups

2.1. Platform enterprises: responsibility shifting and ethical anomie

2.1.1. "De-labor relationization" to evade responsibility

Platform enterprises often use ambiguous agreements such as "crowdsourcing," "cooperation," and "labor outsourcing" to deliberately define workers as "independent contractors" or "individual operators," cutting off direct connections with workers from the source of legal relations, thereby evading the legal obligations of signing labor contracts and paying the five insurances and one housing fund. Under this model, the platform only acts as an "information matchmaker" to obtain high commissions, but completely shifts core responsibilities such as labor risks and social security to individuals. Research by Professor Wang Zengwen and others from the Social Security Teaching and Research Office of Wuhan University points out that food delivery platforms generally weaken labor relations through crowdsourcing and labor outsourcing, leaving more than 80% of riders in a gray area of legal identity. Once work-related injuries or wage arrears occur, platforms often shirk responsibility on the grounds of "non-labor relations," forcing workers' rights protection into lengthy labor relation determination procedures with low success rates [3].

2.1.2. "Fragmented" safeguard measures to perfunctory responsibility

To demonstrate corporate ethical responsibility, some platform enterprises also introduce alternative measures such as "serious illness care plans," "mutual aid funds," and "short-term commercial accident insurance" to perfunctorily fulfill statutory social security obligations. These safeguards have shortcomings such as narrow coverage, low compensation standards, and harsh claim conditions, far from the stability and comprehensiveness of statutory social security. The reason for the emergence of such "fragmented" safeguards is mainly that China's existing labor laws are still insufficient in the area of "algorithmic management." Platform enterprises usually transform "statutory responsibilities" into "social responsibilities" and "rights care," [4] turning corporate legal

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obligations into soft responsibilities subject to discretionary judgment, making the protection of practitioners' rights and interests a "vacuum zone."

2.1.3. Algorithmic hegemony ignoring ethical appeals

In a fast-paced living environment, current platforms emphasize algorithms designed with efficiency priority and user experience supremacy as the guide, forming implicit control over workers. Through big data for precise calculation of delivery and ride-hailing times, errors are compressed to the minute level, yet they ignore workers' rest time and physiological limits. To improve order completion rates, algorithms automatically raise order volume requirements, forcing workers to speed and run red lights to avoid timeout penalties. What is more ethically paradoxical is that algorithms can precisely allocate vehicle wear, information fees, and other expenditures in cost accounting, but deliberately obscure the calculation of safeguard costs. Although documents such as the *Regulations on the Management of Algorithm Recommendations for Internet Information Services* and the *Guidelines for the Public Disclosure of Labor Rules for Workers in New Employment Forms* all emphasize that algorithm filings should be disclosed and equipped with constraint conditions, in reality it is extremely difficult, mostly superficial compliance. The algorithmic "black box" has always existed, making it impossible for practitioners' rights and interests to be protected [5].

2.2. Government departments: responsibility absence and ethical lag

2.2.1. Lagging institutional supply

In 2021, the Ministry of Human Resources and Social Security and eight other departments jointly issued the *Guiding Opinions on Safeguarding the Labor Rights and Interests of Workers in New Employment Forms* (Human Resources and Social Security Department [2021] No. 56). Although the document clarified concepts such as "incomplete labor relations" and "multiple labor relations," [6] supporting safeguard policies and enforcement standards are still in a preliminary stage. Current labor safeguard laws and regulations are mostly formulated based on traditional contractual labor relations, lacking clear provisions on the definition standards and penalty measures for platforms' "de-labor relationization," for example, whether "crowdsourcing agreements" constitute labor relations, labor arbitration institutions in various regions have inconsistent recognition standards. The unclear state at the institutional level leads to regulatory departments often having no basis to rely on when facing platform responsibility evasion behaviors, making it difficult to form effective constraints.

2.2.2. Inadequate safeguard coverage

In 2024, the Third Plenary Session of the 20th Central Committee of the Party focused on the social security issues of workers in new employment forms. General Secretary Xi Jinping pointed out in the *Explanation on the Decision of the Central Committee of the Communist Party of China on Further Comprehensively Deepening Reform and Advancing Chinese-Style Modernization* that "improve the social security system for flexible employed persons, migrant workers, and new employment form personnel, and comprehensively cancel household registration restrictions for participating in insurance in the place of employment." In 2025, the Supreme People's Court issued the *Interpretation (II) on Issues Concerning the Application of Law in the Trial of Labor Dispute*

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Cases (Fa Shi [2025] No. 12), which pointed out that workers' social insurance is a safeguard measure that should be mandatorily paid. Employers cannot privately negotiate with workers not to pay social insurance; even if both parties reach an agreement, it is deemed invalid [7]. However, in real life, due to the diverse forms of new employment, corresponding safeguard measures have not kept up in time. Even though some provinces have started pilot work, the current occupational injury safeguard pilots for workers in new employment forms in China are still relatively few, and the safeguarded objects are mostly limited to food delivery riders and online ride-hailing drivers, with insufficient coverage for groups such as live streamers and intra-city delivery personnel.

2.2.3. Inadequate implementation of regulatory enforcement

Government departments, as the leading role in the work of safeguarding the rights and interests of practitioners in new business forms, should play the functions and responsibilities of government macro-control and act as navigators leading the continuous iteration and optimization of the entire work. However, at present, some local governments, influenced by the "digital economy investment attraction" orientation, tend to "emphasize development and neglect regulation" toward platform enterprises, taking platform scale and employment contributions as core assessment indicators while ignoring labor safeguard regulation [8]. On the one hand, labor safeguard supervision departments' enforcement inspections of platforms are mostly "online talks" and "verbal reminders," with insufficient frequency of on-site inspections and special rectifications. On the other hand, coordination among various fields is difficult. Platform enterprise headquarters are mostly located in first-tier cities, while workers are distributed across the country. When labor disputes occur, local regulatory departments find it difficult to effectively pursue accountability against headquarters.

2.3. Workers themselves: responsibility disadvantage and ethical silence

Among workers in new employment forms, the majority come from rural areas or low-income urban families, with generally low education levels, mostly high school or below, and low awareness rates of labor safeguard laws and regulations. At the same time, severe employment pressure traps workers in the dilemma of "daring not to defend rights and being unable to defend rights." Platforms use algorithms to impose implicit penalties on "complainers and rights defenders," such as reducing dispatch volumes and lowering order quality. Some riders have their order-taking restricted due to complaints against the platform and ultimately have to voluntarily abandon rights protection. In addition, the popularization of digital technology allows workers to use smart devices such as mobile phones, computers, and tablets to break through restrictions on work time and place, establishing labor associations with platform enterprises. This means that under new employment forms, the labor relations formed by workers as individuals with digital platforms have obvious differences from traditional labor relations in fixed places. The level of organization of such workers is relatively low, especially lacking the support of trade union organizations [9]. Therefore, in the process of labor disputes and labor arbitration, individual workers in new employment forms have limited power, lack effective rights protection channels, are often in a disadvantaged position, and find it difficult to fully express their own demands.

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3. Paths to construct the public ethical responsibility allocation system in the protection of rights and interests of new employment groups

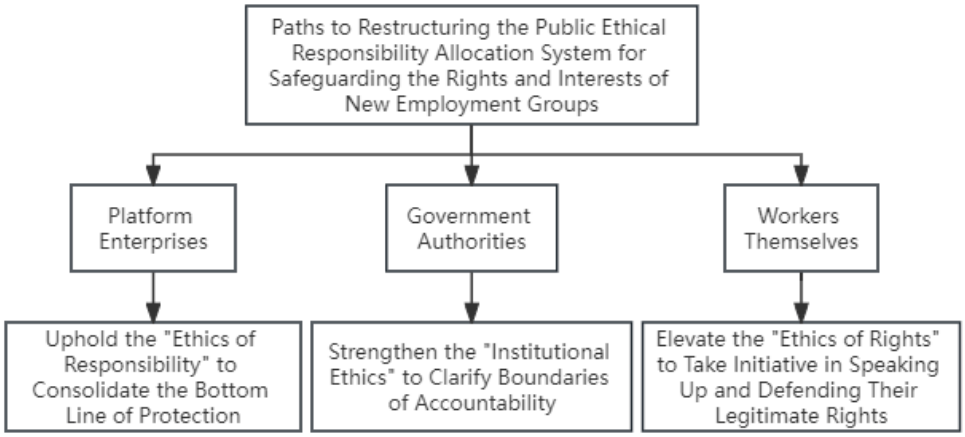

Figure 1. Paths to construct the public ethical responsibility allocation system in the protection of rights and interests of new employment groups

3.1. Platform enterprises: adhere to "responsibility ethics" and build a safeguard bottom line

3.1.1. Abandon the "cost externalization" mindset

Platform enterprises need to clarify labor relations with workers, especially for third-party outsourcing companies, to achieve full insurance coverage for this group, especially personal accident insurance as comprehensively as possible. There must be no statements evading responsibility or escaping risks in labor contract clauses. When workers' rights and interests are infringed, as employing units they must take proactive actions and provide rights and interests safeguards for workers in accordance with regulations. For workers with greater economic pressure who find it difficult to bear full insurance premiums, employing units can provide corresponding subsidies in terms of contribution ratios and contribution amounts or appropriately lower thresholds.

3.1.2. Optimize algorithm ethics

Platforms should design more flexible tiered reward and punishment rules, providing a certain degree of fault tolerance. According to the severity of errors, performance impacts on workers should be graded, reducing the impact of occasional situations on workers' income. The assessment cycle can also be extended, lengthening performance reward activities and assessment times from "daily" units to "weekly" or even "monthly" to reduce workers' anxiety over short-term high-frequency assessments [10]. In addition, flexible working hours should be introduced, allowing workers to temporarily suspend work in bad weather or extreme environments, upgrading workers' appeal functions. For timeouts and complaints under special circumstances, after verification, they should not affect workers' assessments and income.

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3.1.3. Smooth channels for appeals

Advocate that platform enterprises and workers jointly select personnel to form internal dispute mediation organizations to ensure that workers' appeals receive timely responses and fair handling, breaking down information barriers between platforms and workers [11]. The proportion of frontline workers in this organization should exceed half. Organizational personnel should have rights to information, suggestion, and supervision regarding safeguard policies, and the right to view detailed usage of platform safeguard funds. The organization should also regularly hold rights and interests and appeal communication meetings. After negotiation on safeguard appeals raised by workers, clear replies should be given within the stipulated time, ensuring that workers' rights and interests are safeguarded and their appeals are responded to.

3.2. Government departments: strengthen "institutional ethics" and clarify responsibility boundaries

3.2.1. Accelerate the process of special legislation

In response to the incomplete labor relation characteristics of new employment forms, legislators need to break through traditional thinking, uphold an open and inclusive mindset, and explore legal safeguard paths adapted to new labor relations. This requires updating legislative concepts, promptly eliminating outdated legal provisions, formulating legal rules that meet the needs of the times and are flexible and diverse, clarifying the legal status of workers in new employment forms, and enabling them to enjoy equal rights and treatment within the legal framework [12]. In addition, rights, obligations, and dispute resolution mechanisms should be clarified, detailing the statutory responsibilities of platform enterprises. For platforms that deliberately use "crowdsourcing agreements" to cover up labor relations, punitive measures such as fines at a certain proportion should be set, making responsibility allocation truly have laws to follow and rules to abide by.

3.2.2. Optimize the social security system

New employment forms have characteristics of both flexibility and diversity. The government can reassess social security standards. Specifically, the contribution base and welfare level settings of social insurance can be optimized so that the safeguard system can adapt to various employment relations, constructing a social security system suited to the flexible attributes of new employment forms. For flexible employment groups, more flexible retirement pension schemes can be introduced, supporting workers to independently choose contribution methods and receiving timing based on their actual situations. At the same time, medical safeguard efforts for this group need to be strengthened. By expanding medical insurance coverage, increasing reimbursement ratios, and increasing the supply of preventive health services, a solid line of defense against health risks for workers can be built. At the enterprise level, social security contribution standards linked to enterprise scale and profitability can be formulated to guide platform enterprises to further fulfill social responsibilities under new employment forms.

3.2.3. Strengthen regulatory enforcement efforts

Government departments need to build a regulatory mechanism with open standards, clarifying the responsibility boundaries of various subjects in platform economy new employment forms, making regulatory rules and implementation processes open and traceable to all stakeholders. To ensure the

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implementation and effectiveness of regulatory policies, enforcement effectiveness should be strengthened through establishing specialized enforcement agencies and detailing violation determination rules. Combining the digital characteristics of the platform economy, an advanced online monitoring system can be built to dynamically monitor relevant behaviors of platform enterprises and practitioners, precisely and efficiently investigate and reduce illegal phenomena. At the same time, platform enterprises can be guided to build industry self-discipline mechanisms, promoting the establishment of industry associations and the formulation of industry self-discipline norms, achieving industry self-constraint and regulation, thereby reducing government regulatory pressure [13].

3.3. Workers themselves: enhance "rights ethics" and actively speak out for rights protection

For workers in the field of new employment forms, most lack rights protection awareness due to factors such as low education levels. When rights and interests are infringed, they more often swallow the "silent loss" and shelve rights protection, or want to defend rights but lack knowledge and channels for rights protection. This requires support from relevant departments to raise workers' rights protection awareness and popularize rights protection knowledge and channels. On the one hand, trade unions and human resources and social security departments can jointly carry out "mobile classroom" activities at stations, conducting legal popularization training on core issues such as labor contract signing, social security contributions, and work injury rights protection, supplemented by the distribution of rights protection manuals, striving to improve workers' rights awareness rates. On the other hand, vigorously promote the construction of trade unions for workers in new employment forms, establishing rider unions and online ride-hailing driver unions by industry and region to absorb workers into membership. At the same time, unions can select backbone members from workers for professional training to represent the group in communication and negotiation with platforms and the government, ensuring that workers' appeals are truly heard and responded to.

3.4. Build a multi-party collaborative responsibility community

From the perspective of traditional labor rights protection models, collective bargaining plays a key role. It is not only one of the social relief paths for workers but also a powerful reliance for them to safeguard their own rights and interests [14]. New employment forms have the characteristics of incomplete labor relations, differing from full-time labor relations. Workers in this field have high mobility, irregular working hours, and variable work locations. To change this status quo, it is necessary to break through the dilemma of fighting alone, uniting enterprise platforms, government departments, the public, and workers themselves to form a multi-party cooperative work pattern and jointly safeguard the rights and interests of flexible employed and new employment form workers [15]. Specifically, local government human resources and social security departments can take the lead in organizing quarterly meetings with platform representatives, union representatives, and public welfare organization representatives to clarify responsibility lists for all parties. At the same time, build an information sharing platform to achieve interconnection and interoperability of employment data, safeguard fund data, complaint data, and other information, allowing all parties to dynamically grasp the implementation of responsibilities. On this basis, clarify responsibility pursuit mechanisms, imposing corresponding punishments on subjects that fail to fulfill responsibilities, forming a closed loop of complementary responsibilities and collaborative efforts, ultimately constructing an ethical responsibility allocation system in line with fairness and justice, enabling

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workers in new employment forms to truly achieve "labor has its reward, injury has its care, and difficulty has its help."

4. Conclusion

New employment forms, as an important product of digital economy development, now occupy an important position in China's labor market. The issue of safeguarding their workers' rights and interests not only concerns the vital interests of more than 84 million practitioners but also reflects the allocation logic of public ethical responsibilities among multiple subjects. The core of public ethical responsibility lies in safeguarding fairness and justice; if allocation is imbalanced, it will directly affect the interests of relevant subjects. In the field of new employment forms, due to the particularity of incomplete labor relations, the safeguarding of workers' rights and interests often requires multi-subject collaborative participation. However, in reality, there exists the problem of imbalance in the allocation of public ethical responsibilities among various subjects, damaging workers' rights and interests. To break through this dilemma, one cannot rely on isolated actions of a single subject. Instead, a multi-party collaborative responsibility community of "platform self-discipline, government regulation, and worker participation" should be built to achieve a reasonable allocation of public ethical responsibilities. Only then can the rights and interests of workers in new employment forms be better safeguarded, allowing them to truly share the fruits of digital economy development and laying a solid foundation for the goal of common prosperity.

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