



International  
Labour  
Organization

# Digital platforms and the world of work in G20 countries: Status and Policy Action

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## ► Executive Summary

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Innovations in digital technologies and the ability to quickly and cheaply exchange large amounts of data and information between individuals, businesses and devices have laid the foundation for the rise of the digital economy. These transformations extend to the world of work, in particular through the fast growth of digital labour platforms. With the outbreak of the COVID-19 pandemic in March 2020, the increase in remote working arrangements further reinforced the growth and impact of the digital economy on labour markets.

***The past decade has seen a fivefold increase in the number of digital labour platforms, which are concentrated in a few countries.***

The rise of digital labour platforms has the potential to provide work to a large number of people and offers increased flexibility for those who need it, including women, people with disabilities and migrant workers. In developing countries in particular, digital labour platforms are regarded as a promising source of income-generating opportunities, leading many governments to invest in digital infrastructure and skills. Businesses are also benefiting, as they can use these platforms to access a global and local workforce, to improve efficiency and enhance productivity and enjoy wider market reach.

The proliferation of digital labour platforms over the past decade is largely supported by the availability of venture capital funds, and the ability to collect and utilize massive amounts of data. User data has emerged as one of the most valuable assets for platforms, as it provides a basis to develop new products and helps to improve algorithms.

***Opportunities provided by platforms are accompanied by some challenges.***

ILO survey findings show that many workers engaged on digital labour platforms face challenges related to regularity of work and income, working conditions, social protection, skills utilization and freedom of association and the right to collective bargaining.

The COVID-19 pandemic exposed these risks clearly, particularly for those engaged on location-based platforms. There are especially large gaps with regard to health insurance and work-related injury provision, unemployment and disability insurance and old-age pension or retirement benefits. As the working conditions on digital labour platforms are largely regulated by terms of service agreements, platform workers cannot access many of the workplace protections and entitlements that apply to employees, and fundamental rights of freedom of association and collective bargaining are extensively denied.

***A range of regulatory responses has started to address some of the issues related to working conditions on digital labour platforms.***

To address the challenges raised by this new way of working, many governments have taken regulatory steps to tackle issues such as the employment relationship, health and safety standards, social protection, working time, remuneration, access to data and privacy. Private, non-state actors and employers' and workers' organizations have also taken initiatives. However, variations in these regulatory responses have created further challenges. The matter is made more complex because many digital labour platforms operate across multiple borders and jurisdictions. The result is regulatory uncertainty for workers, businesses and governments.

***Further action is required...***

International policy dialogue and coordination could help ensuring regulatory certainty and the universal applicability of international labour standards. It is important that the ILO fundamental principles and rights at work are implemented for all platform workers, irrespective of their status. In addition, principles rooted in other ILO Conventions, such as those related to fair payment systems, fair termination and access to dispute resolution should also be extended to platform workers.

Digital labour platforms have the potential to benefit both workers and businesses and through them, society more generally. But they will only fulfil this positive potential and contribute to achieving the Sustainable Development Goals if the work opportunities they provide are decent. This requires:

- ensuring that workers' employment status is correctly classified and is in accordance with national classification systems;
- ensuring adequate social security benefits for all platform workers, independently from their employment status, by extending and adapting policy and legal frameworks where necessary;
- ensuring fair termination processes for platform workers;
- working towards ensuring that self-employed platform workers enjoy the right to bargain collectively, for example through greater harmonization of competition law with labour law;
- ensuring transparency and accountability of algorithms for workers and businesses.

## 1. Introduction

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Innovations in digital technologies are transforming every part of our lives, and the world of work in particular. The ability to quickly and cheaply exchange large amounts of data and information between individuals, businesses and devices has laid the foundations for the rise of the digital economy and digital platforms. These transformations extend to the world of work, as digital platforms have penetrated into a number of sectors of the economy. Three broad categories of such platforms can be identified: those that provide digital services and products to individual users, such as social media platforms (e.g. Facebook and TikTok); those that mediate exchange of goods and services, such as e-commerce (e.g. Amazon, Alibaba and Flipkart) or business to business (B2B) or electronic payment platforms (e.g. Paytm and Payfast); and those that mediate and facilitate labour exchange between different users, such as businesses, workers and consumers, such as digital labour platforms that provide varied types of services (e.g. Uber and Upwork).

Digital labour platforms are redefining the means of economic exchange and bringing rapid changes to work, work practices and the business landscape, and have significant implications to the world of work. These platforms can be classified into two broad categories: online web-based<sup>1</sup> and location-based platforms<sup>2</sup>. The distinguishing feature of both types of platforms is that technology or digital application is used to match workers, and businesses or clients: this enables individuals or business clients to arrange a ride, order food or find a freelancer to develop a website or translate a document, among many other activities. By connecting businesses and clients to workers, they are transforming labour processes with implications for the future of work. Some of the activities on these platforms are not new, and were previously performed and continue to be performed in the traditional labour market.

The COVID-19 pandemic has accelerated the digital transformations that were already underway, both in society and at work. Digital platforms have made economies more resilient to shocks and they have also played an important role in keeping the continuity of business and meeting the demands of the consumers. The remote-working arrangements adopted by many during the past year have further led to the rise in e-commerce, e-services and online freelance work.

This paper seeks to provide an understanding of platform work in G20 countries and how they are transforming the world of work. It presents some of the recent developments in digital labour platforms by providing estimates of the number of platforms in G20 countries, the funding or investments in these platforms, and the revenue generated by them over the past decade. The paper also provides an overview of the platform business model and discusses the implications of such a model for workers. Based on surveys of platform workers conducted by the ILO between 2017 and 2020, the paper examines some of the opportunities and challenges faced by platform workers in G20 countries. It then explores some of the regulatory gaps with regard to platform governance, and reviews some of the policy initiatives undertaken by governments and social partners to address these gaps and to ensure decent working conditions for platform workers. The final section concludes and presents some of the policy recommendations for discussion.

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1 On online web-based platforms, tasks or work assignments are performed online or remotely by workers. These tasks may include translation, legal, financial and patent services, design and software development on freelance and contest-based platforms; solving complex programming or data analytics problems within a designated time on competitive programming platforms; or completing short-term tasks, such as annotating images, moderating content, or transcribing a video on microtask platforms.

2 The tasks on location-based platforms are carried out in person in specified physical locations by workers, and include taxi, delivery and home services (such as a plumber or electrician), domestic work and care provision.

## 2. Rise of digital labour platforms

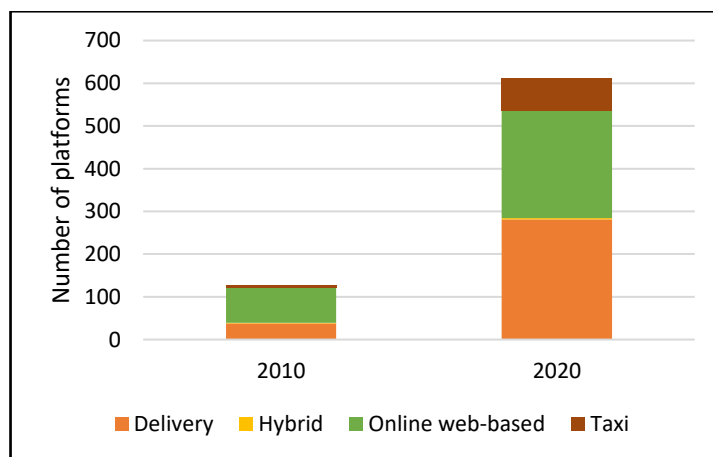
Digital labour platforms have been able to leverage the distinct features of the digital economy such as asset-lightness, network effects, datafication and mobility that allows them to operate globally across multiple jurisdictions from any location, irrespective of where their clients, workers and consumers are based. Further, the nature and organization of the digital economy, such as the availability of cloud infrastructure services at reduced costs along with the availability of venture capital funding, has reduced entry barriers and enabled the rapid growth of digital platforms over the past decade.<sup>3</sup>

While online web-based platforms have existed since the 2000s, the global recession of 2008–09 saw the rise of the location-based taxi and delivery platforms, as clients could access these services at a competitive price, and the platforms provided work opportunities. These platforms gained popularity among clients and customers and grew rapidly since 2012. This section provides estimates of the number of digital labour platforms and workers for G20 countries.

### 2.1 Estimates of number of digital labour platforms and workers

The number of digital labour platforms around the world has increased fivefold in the last 10 years<sup>4</sup>. In G20 countries, the number of platforms grew from 128 to 611 in the past decade (see figure 1). This represents 79% of the platforms operating around the world in 2021. Within the G20 countries, platforms are largely concentrated in the United States of America (37%), followed by the European Union (22%), India (10%) and the United Kingdom (6%). Across sectors, in G20 members the number of platforms is the highest in the delivery sector (281), followed by online web-based platforms (251) and the taxi sector (76). There are 3 hybrid platforms in G20 countries, which provide varied types of services.

► **Figure 1: Estimate of number of online web-based and location-based platforms in the G20 countries, 2010 and 2020**



Source: Crunchbase database

<sup>3</sup> Cusumano, Michael A., Annabelle Gawer, and David B. Yoffie. 2019. *The Business of Platforms: Strategy in the Age of Digital Competition, Innovation, and Power*. New York: Harper Collins.

<sup>4</sup> These include online web-based platforms (microtask, freelance and competitive programming) and location-based platforms in the taxi and delivery sector. Globally, there were at least 777 active platforms operating in January 2021 (ILO (International Labour Organization). 2021. *World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.*).

Some of the prominent location-based platforms in G20 countries include: Uber (USA), Delivery Hero (Germany), 99, Easy Taxi (Brazil); Meituan, DiDi (China); Zomato, Ola (India); Yandex.Taxi, Delivery Club (Russia); and Lula, Picup (South Africa). Moreover, many international platforms operate across a number of countries, such as Uber, which operates in some of the G20 countries. Similarly, workers from G20 countries also access work on a number of online web-based platforms which operate globally, such as Upwork or Freelancer.

Estimating the number of workers on digital labour platforms is difficult due to paucity of data. There are two types of work relationships on digital labour platforms: workers are either directly hired by a platform or their work is mediated through a platform. Data on the number of workers hired by platforms are available either from annual reports or Crunchbase and Owler databases. The data shows that most of the digital labour platforms are micro and small enterprises employing either fewer than 10 employees or 11-50 employees. Only a few delivery and taxi platforms have more than 1000 employees.

Estimating the actual size of the platform-mediated work is a challenge owing to non-disclosure of data on the part of the platforms. Surveys by researchers and statistical agencies in Europe and North America between 2015 and 2019 provide very different estimates across countries and they suggest that the proportion of the adult population that has performed platform work ranges between 0.3 and 22% depending upon the different survey methods (e.g. definitions, reference periods, income vs. jobs-based approach).<sup>5</sup>

## 2.2 Financing the rise of digital labour platforms

Venture capital has played a key role in the rise of digital platforms, including digital labour platforms, over the past decade. The stock market value of the major technology companies and of digital labour platforms have continued to rise and have attracted investment, despite some of them continuing to have operating losses.<sup>6</sup>

The global distribution of investment<sup>7</sup> in digital labour platforms is quite skewed, with 96% of the investments concentrated in Asia (US\$57 billion), North America (US\$46 billion) and Europe (US\$12 billion), compared to 4% of the investments in Latin America, Africa and the Arab States.<sup>8</sup> About 87% of the global investments (US\$120 billion) are concentrated in the G20 countries,<sup>9</sup> from which 44% (US\$46 billion) are concentrated in the USA, followed by 27% (US\$28 billion) in China, 9% (US\$9 billion) in the European Union and about 20% for the remaining G20 countries (see figure 2a).

5 ILO. 2021. World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.

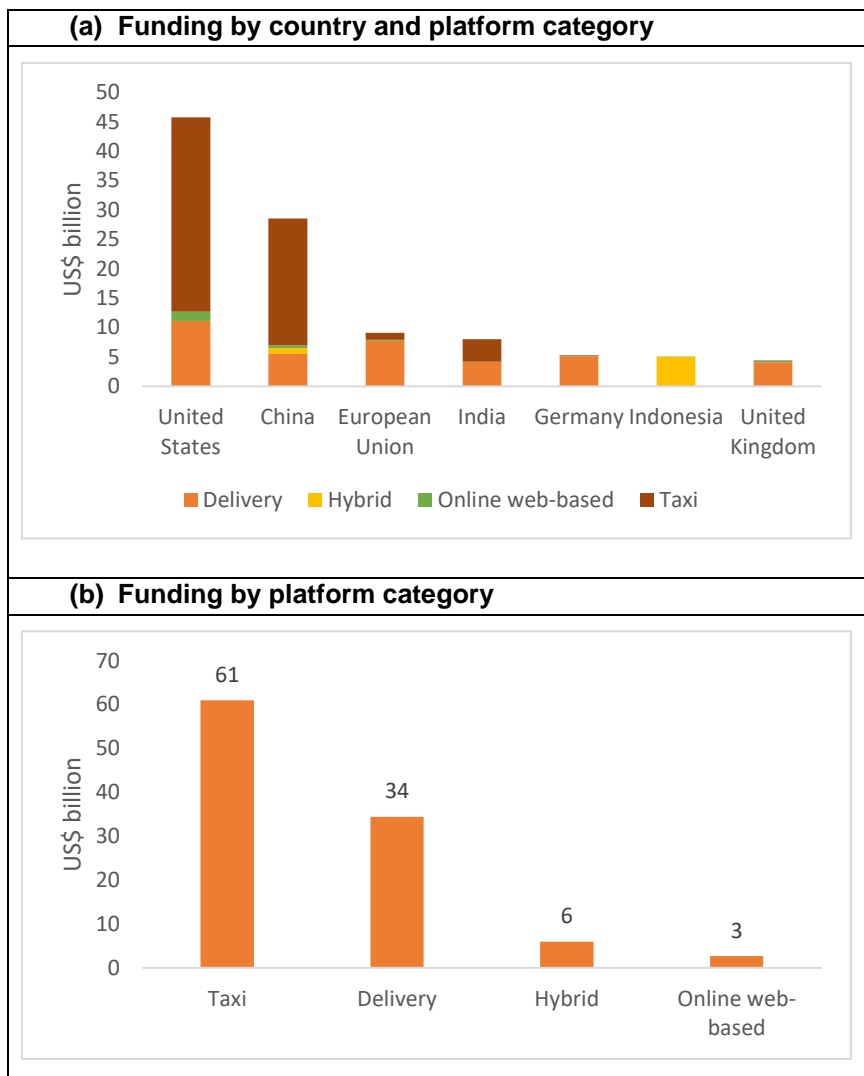
6 Kenney, Martin, and John Zysman. 2019. "Unicorns, Cheshire Cats, and the New Dilemmas of Entrepreneurial Finance". *Venture Capital* 21 (1): 35-50.

7 The information on investments is available only for 47% of the 777 digital labour platforms.

8 ILO. 2021. World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.

9 The information on investments is available only for 55% of the 611 digital labour platforms in the G20 countries from Crunchbase. Crunchbase is a database that contains business information about private and public companies and start-ups. It obtains its data in four ways: the venture program, machine learning, an in-house data team, and the Crunchbase community. The venture program allows investors to keep their firm's Crunchbase profile up to date and provides members with free access to company data on Crunchbase and other discounts. Members of the public can submit information to the Crunchbase database. The list of companies and start-ups in the database provides data on their location, funding history, investment activities, acquisition trends and number of employees. It covers platforms from 98 countries around the globe. As it is self-reporting, it is likely that some active platforms, especially from developing countries, are not listed in the database.

► **Figure 2: Total investments from venture capital and other investors in G20 countries, by country and platform category**



Note: Number of platforms and period for which data on total funding was available in G20 countries: online web-based: 139 (1998–20); taxi: 46 (2007–20); delivery: 147 (1999–20); and hybrid: 3 (2010–20).

Source: Crunchbase database.

There are substantial differences in investments between platforms offering taxi or delivery services and those providing online web-based services. The highest investments are in taxi platforms (US\$61 billion), followed by delivery platforms (US\$34 billion), while investments in online web-based services are the lowest at about US\$3 billion. In the G20 countries, three hybrid platforms were identified which provide a range of services from payment to taxi or delivery services and e-commerce; and these platforms have received US\$6 billion between 2010 and 2020 (see figure 2b).

While these investments have led to a rapid proliferation of digital labour platforms in G20 countries, the growth of these platforms has been uneven across countries. At the country level, the rise of the digital economy is contingent upon the availability of digital infrastructure, which remains uneven. Even a country such as India, which has a stronghold in IT-enabled and software services, lags “behind in terms of internet bandwidth, connection speed and network readiness”.<sup>10</sup>

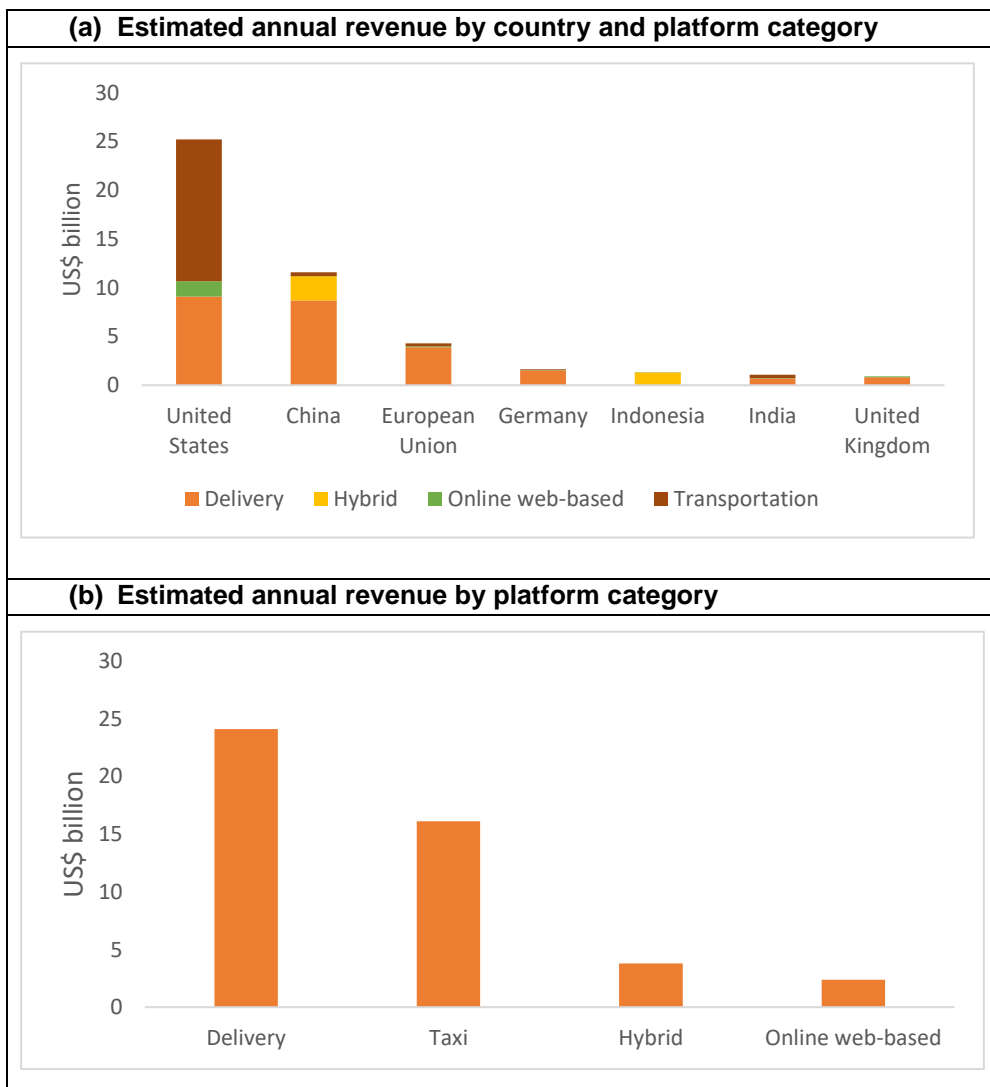
<sup>10</sup> See page VIII in UNCTAD (United Nations Conference on Trade and Development). 2018. Trade and Development Report 2018: Power, Platforms and the Free Trade Delusion.



Such an uneven growth of the digital economy could lead to a digital divide and risks exacerbating inequalities, particularly between countries.

The revenues<sup>11</sup> generated through digital labour platforms show a geographical concentration of wealth. About 90% of the estimated global revenues (US\$46 billion) are concentrated in G20 countries and about 79% of these revenues are concentrated in just two countries, the USA (US\$25 billion; 54%) and China (US\$12 billion; 25%). About 9% of the estimated revenues are concentrated in the European Union (US\$4 billion), while other regions in the G20 countries together account for 13% of the revenues (see figure 3a).

► **Figure 3: Estimated annual revenue of digital labour platforms in G20 countries, by country and platform category, 2019**



Note: Number of platforms for which data on revenue was available in G20 countries: online web-based: 101; taxi: 24; delivery: 82; and hybrid: 3.

Source: Owler database, annual reports and filings by platform companies to the Securities and Exchange Commission of the United States.

<sup>11</sup> The information on revenue is available only for 34% of the 611 digital labour platforms in the G20 countries.

Across platform categories, the revenue generated by online web-based platforms is smaller than that of taxi and delivery platforms. For instance, in 2019, Uber generated a revenue of US\$10.7 billion, which is about 36 times that generated by Upwork (US\$301 million), and a similar comparison can be drawn with delivery platforms. Likewise, with regard to funding, Uber (US\$25.2 billion) received 150 times more funding compared to Upwork (US\$169 million) and their valuation at the Initial Public Offering (IPO) was US\$82.4 billion, while Upwork's valuation was at US\$1.5 billion.

Why such large differences in funding and valuations of these platforms across different sectors? A key element could be that the taxi or delivery sector allows these companies to gather vast amounts of data on users (workers, clients and customers), which has intrinsic commercial value as it is linked to specific localities and infrastructure, and it also allows these companies to expand their services. In addition to this, the use of such data to train algorithms for pricing, allocating tasks, or for forecasting could be some of the potential reasons for such high valuation.<sup>12</sup>

Further, within these sectors, there is also concentration of wealth among a few companies who have easy access to venture capital financing that enables them to reach new markets, diversify into a wide range of services and enhance their competitiveness. At the same time, while several platform companies are profitable, the access to venture capital funding has also allowed many platforms to operate at a loss for particularly long periods. For instance Uber, which has incurred "significant losses since its inception",<sup>13</sup> has nevertheless been able to attract investment from a range of investors. Venture capital funding allows many platform companies to remain private and function for long periods even when incurring losses and avoid the scrutiny of public markets or traditional investors.<sup>14</sup>

While venture capitalists and investors are increasingly playing an enabling role in financing digital platforms, the current model raises concerns with regard to its sustainability and particularly to the over-valuation of companies. The market power exercised by these companies is not necessarily based on inherent competitive advantage, as they are often loss-making and propped up by venture capital funds. This may distort competition and have disruptive effects on the traditional sectors, challenge the traditional understanding of monopoly and oligopoly power and blur the boundaries of the organization, not just in the sense of the employment relationship, but also in terms of finance, which is obviously fundamental for the survival of the company.

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<sup>12</sup> ILO. 2021. World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.

<sup>13</sup> See page 12 in Uber. 2020. 2019 Annual Report.

<sup>14</sup> Kenney, Martin, and John Zysman. 2019. "Unicorns, Cheshire Cats, and the New Dilemmas of Entrepreneurial Finance". *Venture Capital* 21 (1): 35–50.  
Schleifer, Theodore. 2019. "SoftBank, the Most Powerful – and Controversial – Tech Investor in Silicon Valley, Explained". *Vox*, 10 May.

### 3. Digital labour platforms: Challenges and opportunities

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The digital labour platforms are transforming the world of work in a number of ways. Platforms have introduced algorithmic management of work processes and performance, which allows them to allocate and evaluate work based on metrics and ratings, and to monitor work using digital tools. This mode of management is a fundamental departure from traditional human resource management practices. Further, these algorithmic management practices are penetrating and increasingly being adopted in traditional work places, which has implications in the world of work.

They are also changing the organisation of work by shifting the responsibility of investing in capital assets and operation costs to the workers, which makes platforms asset-light. For instance, capital equipment such as computers on online web-based platforms or vehicles on location-based platforms are provided by the workers who also bear the costs related to fuel, maintenance, purchase of licenses or internet charges.

Finally, and most importantly, platforms have created a dual labour market with a small core workforce directly employed by the platform and a large outsourced workforce whose work is mediated through the platform. Workers in the first category have a dependent employment relationship, while those in the latter are often categorized as self-employed or independent contractors by the platforms and a vast majority of them do not have an employment relationship but often have to pay various types of fees for accessing tasks. Those working under an employment relationship tend to be responsible for the functioning of the platform and comprise a relatively small fraction of the platform workforce. For instance, the freelance platform PeoplePerHour has about 50 employees, while it mediates work for 2.4 million skilled workers. The working conditions of these workers are regulated by terms of service agreements of the platforms, which determines workplace protections and entitlements.

Digital labour platforms have in the process opened up new means of outsourcing work, which enables businesses to access a global workforce with a wide range of skills and expertise. This has facilitated diverse types of businesses, from start-ups to Fortune 500 companies, to increasingly rely on online web-based platforms to reduce costs and improve efficiency. For instance, on one of the major online web-based platforms, the demand for work largely originates from Australia, Canada, Germany, New Zealand, the United Kingdom and the United States. A large proportion of this work is performed by workers in developing and emerging countries, particularly from India, which accounts for almost 20% of the total market, followed by the Philippines and Ukraine.<sup>15</sup>

Location-based platforms have also enabled businesses in restaurant and retail sectors to expand their customer base and improve efficiency. Since the outbreak of the COVID-19 pandemic, many such businesses have also relied on delivery platforms to continue their operations.

Nevertheless, digital platforms also face some challenges and risks. These include, among others, a risk of losing internal human resources capacity, high commission fees on delivery platforms that impact profits, as well as competition issues and an uneven playing field.<sup>16</sup> In addition, poor digital infrastructure in some countries can also limit the smooth running of the business,

There are also a number of challenges for platform workers. The ILO conducted several surveys<sup>17</sup> across a number of sectors between 2017 and 2020 covering about 12,000 workers in 100 countries to understand the opportunities and challenges on digital labour platforms. About 6,680 workers surveyed were in the G20 countries in both location-based and online web-based platforms. The workers in the location-based platforms were only surveyed in developing and emerging countries (Argentina, China, India, Indonesia and Mexico). The analysis in this section is based on this ILO survey data.

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<sup>15</sup> ILO. 2021. World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.

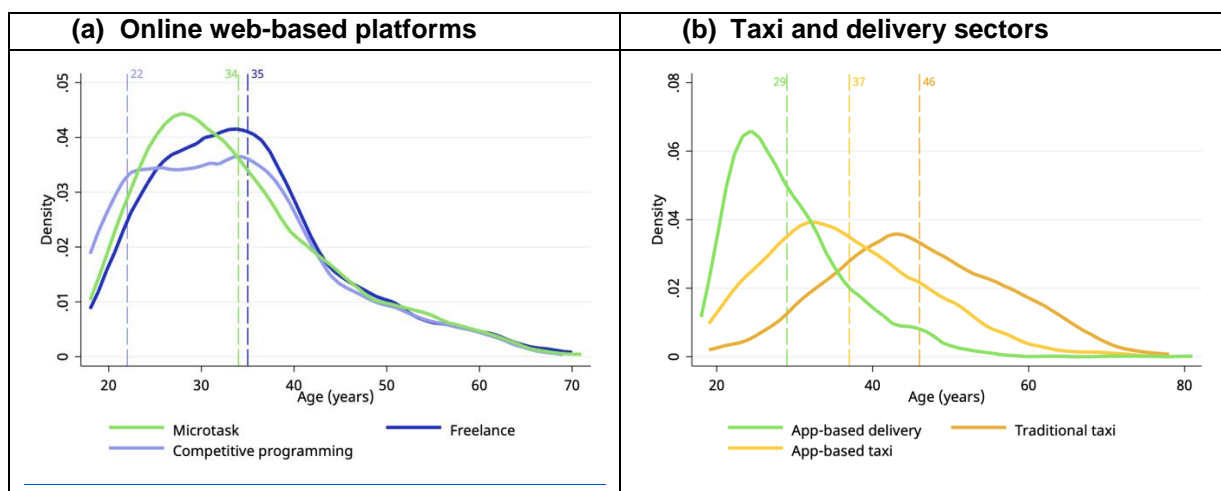
<sup>16</sup> For more information, see: ILO. 2021. World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.

<sup>17</sup> See Appendix Chapter 4 for details about the survey, sampling strategy and methods adopted.

### 3.1. Who are the platform workers?

The majority of the workers on online web-based platforms are below the age of 35 years, varying from 27 years (China) to 37 years (Canada, Germany, United Kingdom and USA). On location-based platforms, on average app-based delivery workers are younger (29 years) than taxi drivers (37 years) (see figure 4). The average age of the workers varied between 27 years (India) and 35 years (Indonesia) in the delivery sector; and between 33 years (India) and 42 years (Mexico) in the taxi sector. In some countries, platforms are an important source of employment opportunities for migrants and this was especially so in Argentina where migrants represent 74% of the workers surveyed in the delivery sector. On online freelance platforms, about 24% of the surveyed workers were migrants among the G20 countries, and this was higher among women (29%) than men (20%).

► **Figure 4: Age distribution of platform workers in the G20 countries, by occupation**



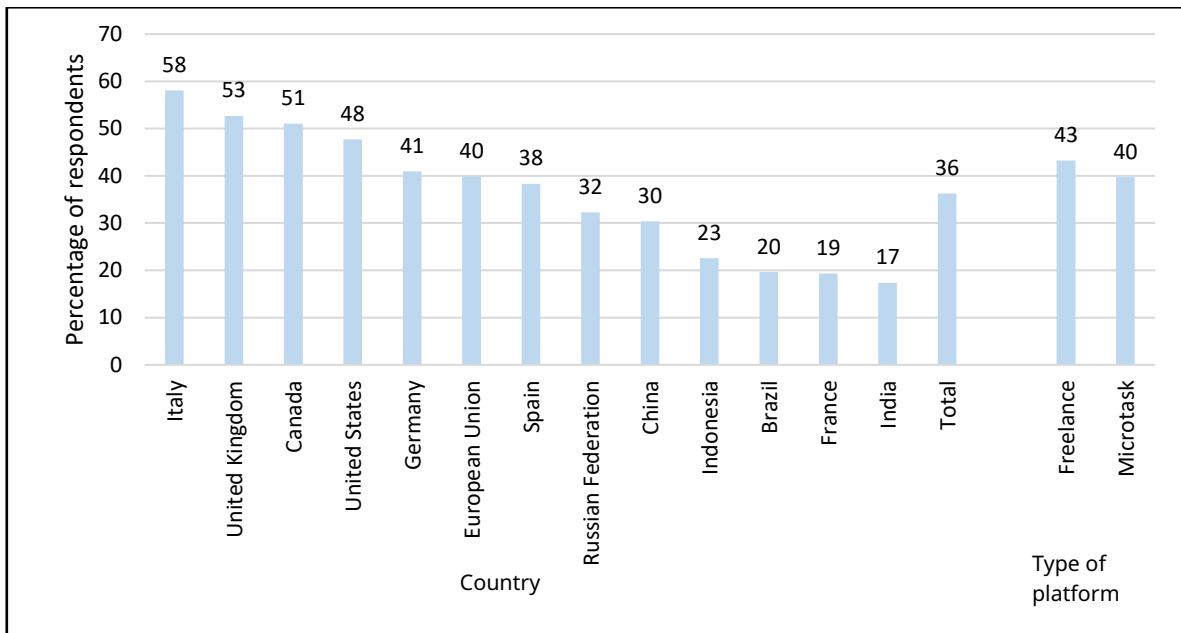
Note: The figure reports the age distribution of workers in online web-based platforms (panel A) and taxi and delivery sectors (panel B). The dashed vertical line represents the mean for each distribution.

Source: ILO global survey of crowdworkers (2017) and workers on freelance and competitive programming platforms (2019-20); ILO surveys of platform workers in China (2019); and ILO selected country surveys of taxi drivers and delivery workers (2019-20).

The location-based taxi and delivery platforms are largely male-dominated and in some countries, such as India, there was no participation of women. In other countries, such as Argentina, China, Indonesia and Mexico, the participation of women in the delivery sector varied between 8% and 25%.

On online web-based platforms, about four in ten workers were women in G20 countries and it varied between 17% (India) and 58% (Italy). However, in G20 developing and emerging countries only about three in ten workers were women compared to 50% in developed countries (see figure 5). These figures are very similar to those observed in the offline or traditional labour market, posing similar challenges for women to access work through the online labour market.

► **Figure 5: Share of female respondents on online web-based platforms, by G20 countries**

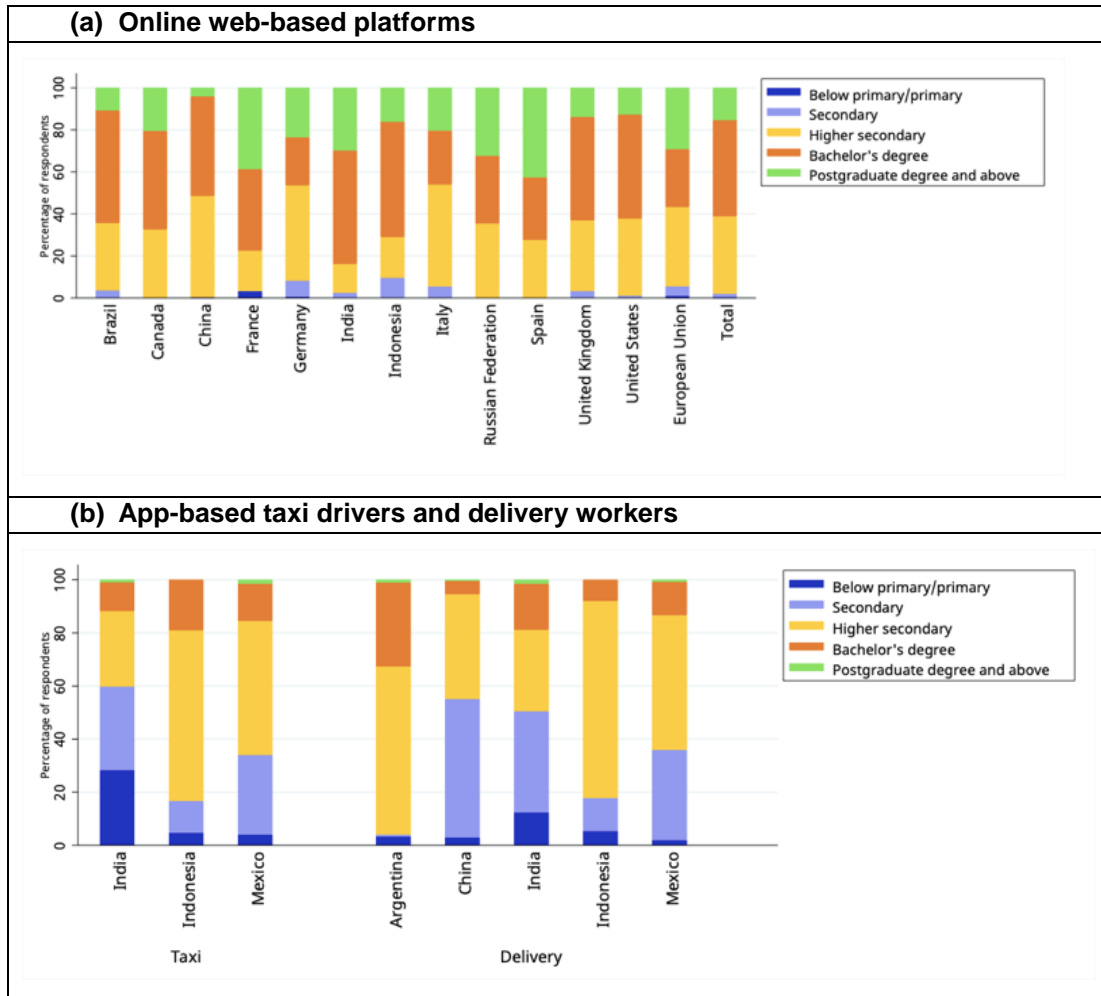


Source: ILO global survey of crowdworkers (2017) and workers on freelance and competitive programming platforms (2019-20); ILO surveys of platform workers in China (2019).

Workers on online web-based platforms are highly educated and this is especially so in developing countries, where more than 65% of the workers have attained a university degree compared to around 58% in developed countries (see figure 6a). This proportion is even higher for women in developing countries, which could be due to lack of opportunities in the offline labour market as well as additional barriers that women face that prevents them from accessing work outside their home, including care responsibilities and prevailing gender norms. Across different types of platforms, a higher proportion of workers engaged on freelance platforms (80%) were highly educated (having a university degree) compared to those on microtask (60%) and competitive programming platforms (50%).

In comparison to workers on online web-based platforms, the education levels of workers on location-based taxi and delivery platforms are lower, which is not surprising as these sectors are considered to be low-skilled. About less than 20% of the workers had attained a university degree in both the taxi and delivery sector, a rate below the G20 average registered for the overall population. Additionally, this share varies widely between 5% (China) and 33% (Argentina). In Argentina, as mentioned before the proportion of migrant workers is quite high, with a majority of them having high educational levels. These workers face uncertain employment prospects due to lack of employment opportunities corresponding to their education, and platforms provide an option as it is easy to access this sector and there are low entry barriers. Even though there are fewer women engaged in platforms in these sectors, a higher proportion of them are highly educated compared to men. Similarly, younger workers tend to be highly educated or in education compared to older workers on these platforms. This could reflect that platforms provide an opportunity for these workers to earn some income while they are studying and it could also be that despite an increase in educational attainments within these societies, they are often confronted with poor employment opportunities and accept any alternative possibility to earn an income.

► **Figure 6: Education levels of workers, by occupation and G20 country**



Source: Same as Figure 4.

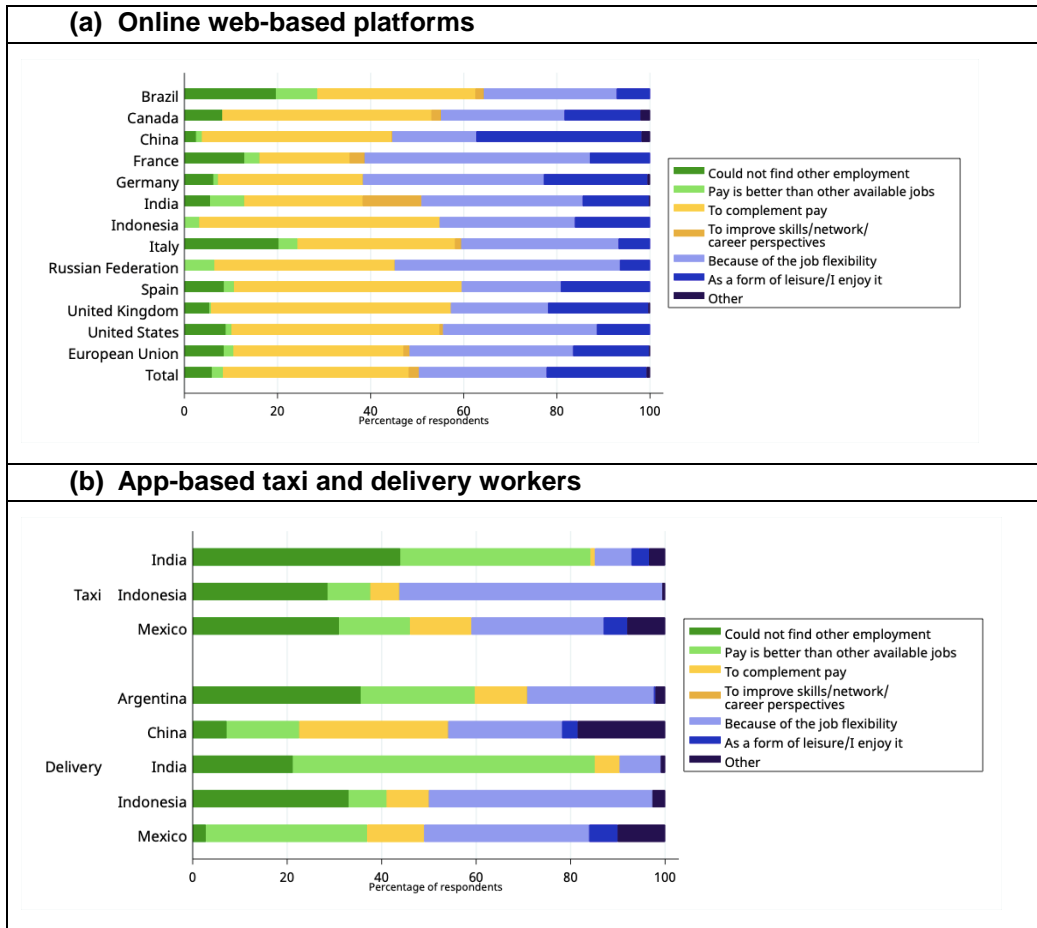
### 3.2. What motivates these workers to work on digital labour platforms?

The main motivation for workers to engage in platform work varied depending upon the type of platforms. On freelance platforms, flexibility (59%) was the main reason, complementing pay (43%) on microtask platforms and improving skills and career opportunities (85%) on competitive programming platforms. There are some differences in motivations and preference to work on platforms across G20 countries (see figure 7a). A major motivating factor was complementing pay among all age groups: 50% among young (aged 18-24 years); 37% among the age-group 25-34 years; and 36% among older workers (35 years and above) was complementing pay. Working from home or job flexibility were particularly important for women (32%) compared to men (25%) in G20 countries. About 23% of women who perform online work have children under the age of six. For these women, online web-based platforms provided them with opportunities to access work while managing care responsibilities.

The prime motivating factor for many workers on taxi platforms was lack of employment opportunities - 44% in India and 31% Mexico - while it was work flexibility in Indonesia (56%) (see figure 7b). On delivery platforms, the reasons varied depending upon the country: complementing pay was the main motivating factor in China (32%), while in India it was

better pay compared to other available jobs (64%); in Argentina it was lack of employment opportunities (36%) as a large proportion of workers were migrants; and work flexibility was the main factor in Indonesia (47%) and Mexico (35%).

► **Figure 7: Motivation for performing work on digital labour platforms, by type of platform and G20 country**



Source: Same as Figure 4.

It is not surprising that many workers reported work flexibility as one of the motivating factors to perform work on the platforms. Most digital labour platforms promise flexibility and freedom to work with regard to the work schedule and location, so as to recruit workers on the platforms. Further, these platforms classify such workers as “independent contractors” or “self-employed” or “partners”, which absolves them from the responsibility of providing labour and social protection to these workers.

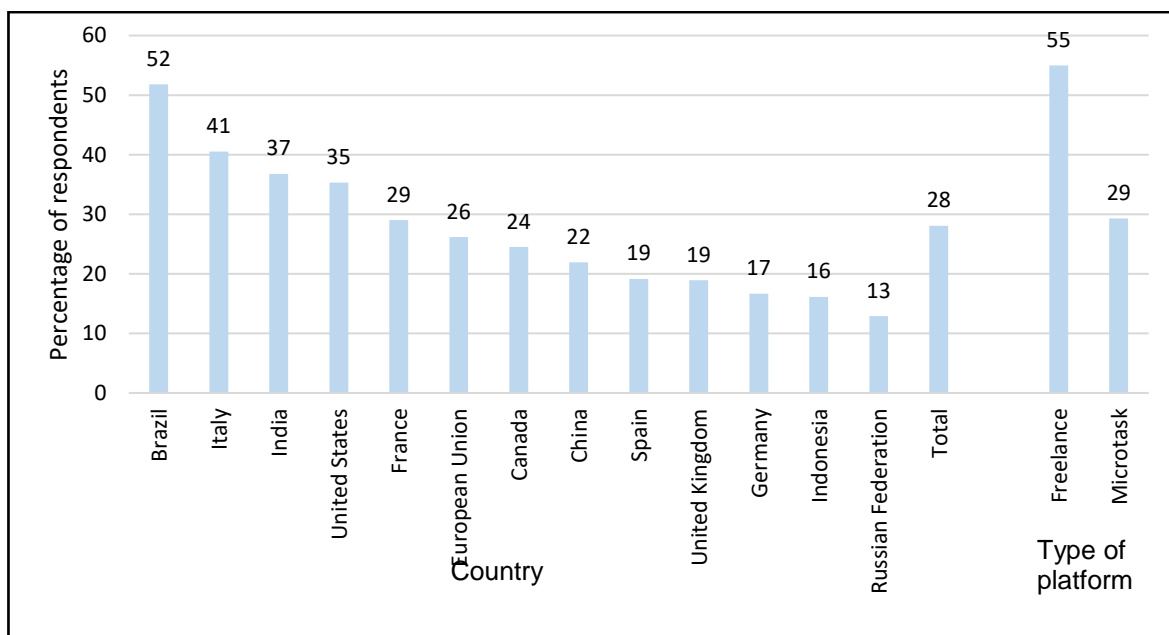
### 3.3. How do workers fare on these platforms?

This section looks into an array of aspects regarding working conditions such as earnings, working hours, regularity of work, social protection and occupational safety and health, as well as workers’ labour rights such as freedom of association and collective bargaining, to gain a better understanding of how workers fare on these platforms.

## Earnings

Platform work is the main source of income for about 28% of the G20 survey respondents on online web-based platforms and it varies between 13% (Russia) and 52% (Brazil) (see figure 8). These proportions vary also across platforms: a higher proportion of respondents on freelance (55%) compared to microtask (29%) platforms reported that online work was their main source of income. There was no major difference between gender and among workers from countries with different levels of development. In contrast, about 90% of the respondents on taxi and delivery platforms reported that work through platforms was their main source of income and these proportions were quite similar across countries.

► **Figure 8: Main source of income obtained through work on online web-based platforms, by G20 country**



Source: Same as Figure 5.

The average hourly earnings<sup>18</sup> in a typical week on online web-based platforms is about US\$3.60 (PPP adjusted) and about 50% of the workers earned less than US\$2.40 (PPP adjusted) in G20 countries. These average earnings vary across countries and range between US\$1.30 in Indonesia and US\$5.40 in the United States of America (see figure 9). Average earnings are higher on freelance platforms (US\$10.30) than on microtask platforms (US\$3.60). The median earnings are about US\$7.80 on freelance platforms and US\$2.50 on microtask platforms.

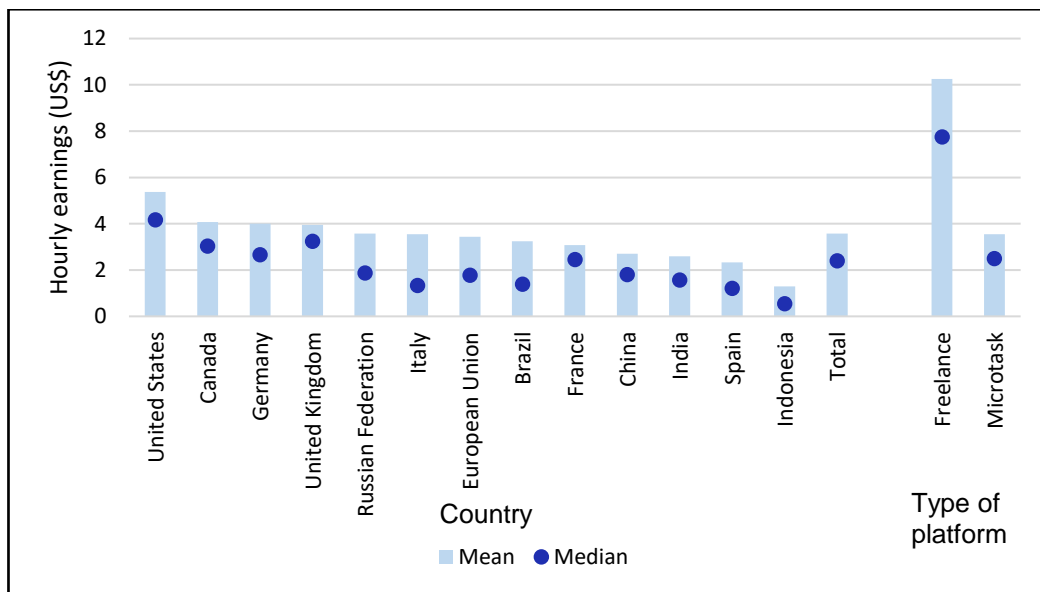
Overall, there are no differences in average earnings across gender, but gender gaps in earnings can be observed in some countries. For instance, female workers earned 26% and 32% less than male workers depending upon the platform and country.<sup>19</sup> However, there are differences in earnings between workers accessing work from developed and developing countries. Workers in developed countries earn more (US\$4.50) than those in developing countries (US\$2.70). On freelance platforms, the disparity is quite high as workers in developing countries earn almost 66% less than their counterparts in developed countries. There seems to be two reasons behind these pay differences: first workers in developed countries tend to earn more when they have regular clients than those with no regular clients; second, these workers perform higher paying tasks. The lower pay associated with workers from developing countries may be due to the perceptions of clients and platform design, which prevents these workers from accessing higher-paying tasks.

<sup>18</sup> The surveys captured both paid and unpaid time spent performing work on digital labour platforms, and the hourly earnings are calculated taking into consideration both paid and unpaid time spent on work.

<sup>19</sup> Controlling for basic characteristics such as gender, age, education and occupations.



► **Figure 9: Average hourly earnings on online web-based platforms, selected G20 countries**



Source: Same as Figure 5.

A comparison of the average hourly earnings of workers performing tasks on microtask platforms with similar tasks in the traditional labour markets shows a wide disparity in earnings, with workers on microtask platforms earning on average about 64% less in India and 81% less in the United States than in the traditional labour market.<sup>20</sup> This gap is wider for female workers compared to male workers in both countries.

The average hourly earnings on taxi platforms varied between US\$1.10 (India) and US\$5.30 (Mexico), and on the delivery platforms it ranged between US\$1.20 (India) and US\$3.20 (China). The average earnings of workers on taxi platforms are higher than that of workers in the traditional labour market in all the countries. Workers on taxi platforms earn about 45% to 80% more than those in the traditional sector depending upon the country. These pay differences between platform workers and traditional workers exist in addition to the gaps in the provision of social security benefits and other entitlements, which will be discussed below.

The low level of earnings of workers on digital labour platforms results from a number of factors, depending upon the type of platform, which include:

- *Payment of commission and other fees:* Workers pay different types of fees to platforms to access work, which include commission or service fees, subscription fees, fees for submitting proposals, withdrawal fees, among others. Workers on freelance platforms and taxi platforms are charged commission fees on their earnings on a particular task, which varies across platforms, ranging between 20% and 40%.
- *Non-payment for tasks:* Workers on microtask platforms are not paid for the tasks performed when the algorithm rejects their work, without providing reasons or feedback. About 84% of the workers on microtask platforms reported that their work was rejected at least once and they were not paid. This not only leads to reduced earnings, but also lowers their ratings, thereby limiting their ability to access more work.
- *Bonus or incentives:* Bonus or incentives comprise an important part of workers' incomes in both taxi and delivery platforms, which are often used by platform companies as a strategy to attract workers. About 93% of taxi drivers and 86% of delivery workers reported that platforms offer bonuses or other incentives. However, only about 83% of taxi drivers and 65% of delivery workers reported receiving any bonuses. This was largely because taxi drivers and delivery workers had to meet certain criteria to be able to receive bonuses, which differed across platforms

<sup>20</sup> Controlling for basic characteristics such as gender, age, education and occupations.

and the country they resided in. For taxi drivers, these criteria included reaching or exceeding a certain number of rides (84%), working during high-demand hours (21%), exceeding hourly thresholds (17%), among others. Taxi platforms, through gamification, have created opportunities for workers to access higher earnings through bonuses, which often leads to longer working hours and high intensity of work, as a sizable proportion of workers work for seven days in a week (47%). In addition, workers reported that due to changes introduced by the platform at a rapid pace, it often became harder to qualify for bonuses over time (53% of taxi drivers).

- *Working unpaid hours:* Workers on online web-based platforms spend a lot of time doing unpaid work,<sup>21</sup> which accounts for about 7 hours in a typical week. There are variations across different types of platforms: workers spend about 6 hours on microtask and 8 hours on freelance platforms performing unpaid work in a typical week. On location-based platforms, workers often have to wait between their rides or orders. On taxi platforms, workers on average wait for about 23 minutes and it varies across countries between 16 minutes (India and Mexico) and 33 minutes (Indonesia). Traditional drivers on average wait for about 67 minutes between the rides, as they are often competed out by app-based taxi drivers, and a significant proportion of traditional drivers (62%) reported that the number of rides reduced due to the introduction of app-based taxis. Workers on delivery platforms, on average wait for about 25 minutes, and it varies between 14 minutes (India) and 35 minutes (Mexico).
- *Underbidding:* Due to competition among workers on freelance platforms, workers often underbid to receive tasks in order to build up their reputation so that they can get access to more work. This is especially so among the new entrants and those from developing countries.

## Working hours

The ability and flexibility to set one's work schedules to be able to attain work-life balance is one of the reasons to work on platforms. However, the ILO survey findings show that there are considerable variations in working hours across different types of platforms and countries. On online web-based platforms, workers on average spend about 24 hours per week performing tasks. About half of them work for 20 hours a week or less, while one in five work for more than 40 hours per week. About 50% of the workers also have other jobs where they spend on average about 29 hours per week.

There are also differences across countries: workers based in developing countries tend to work longer (27 hours) than those in developed countries (20 hours). As work on these platforms is often outsourced by clients based in the global North, workers in the global South often face unpredictable work schedules as they adjust their working hours. On microtask platforms, about 90% of the workers based in developing countries reported that they worked during their evenings and night time to be able to access work, as the tasks were often posted by the clients during their own working hours. On freelance platforms, about 80% of the workers indicated that the clients requested them to be available outside normal hours either regularly or sometimes.

The workers on location-based platforms work very long hours, on average about 70 hours on taxi platforms and 61 hours on delivery platforms in the selected developing countries where the survey was conducted. On taxi platforms it ranged from 60 hours in Mexico and 82 hours in India, while on delivery platforms it varied between 51 hours in Mexico and 72 hours in India. The reasons for the long working hours among these workers was largely, as discussed earlier, to be able to earn more income through bonuses and incentives and also to be able to access work on a regular basis. The need to work long hours and during unsocial hours raises questions about the notion of flexibility, which is often promoted by the platforms as beneficial to improve work-life balance.

## Regularity of work

While digital labour platforms have been able to connect workers with work opportunities and address labour market inefficiencies, there are also some challenges relating to finding regular work. Survey respondents in G20 countries on online web-based platforms reported that they would like to do more work (86%), but are unable to do so because they

<sup>21</sup> Unpaid work includes time spent looking or searching for tasks, building profile in the platforms, communicating with reviewers and clients, bidding for projects, unpaid or rejected tasks, researching requesters through online forums among others).

do not find sufficient work to perform on platforms (45%), and this was much more so in developed (61%) than in developing countries (32%). There were marginal differences between sexes. Workers on microtask platforms reported that it was difficult to find well-paid tasks (18%), while on freelance platforms they reported that it was difficult to find clients (36%). To find sufficient work, workers often used multiple platforms, this was more likely among workers from developing countries (58%) than from developed countries (52%).

On delivery platforms, about 84% of the workers reported that they would like to do more delivery work, but most of them could not do so (89%) because of lack of availability of work due to increased competition and supply of labour in the market. This situation was exacerbated for many of these workers during COVID-19, wherein nine out of ten workers reported a decline in demand, which affected their incomes. This also had consequences for the financial situation of the household and many of them had to resort to borrowing, reducing consumption expenditures or moving from cities to towns or villages to reduce their expenditure and cope with the situation.

## Social protection

COVID-19 pandemic has also exposed the risks faced by platform workers as a large proportion of workers do not have access to basic social protection. About half of the workers on online web-based platforms have health insurance, which was either covered through the main job or through their spouse. These proportions are quite high in G20 developed countries (61%) compared to G20 emerging countries (37%) (see table 1), with a higher proportion of men compared to women receiving such benefits in developed countries. A higher proportion of workers on microtask platforms (64%) had access to health insurance compared to freelance platforms (19%). About one in five respondents on online web-based platforms had access to employment injury, unemployment insurance, disability, old-age pension or retirement benefits. This coverage was lower among workers engaged on freelance platforms than on microtask platforms.

► **Table 1: Proportion of respondents on online web-based platforms covered by social protection benefits, by G20 countries' development status, worker's sex and type of platform**

	Health insurance	Employment injury	Unemployment insurance	Disability insurance	Pension
<b>Total</b>	58	18	15	13	33
<b>Developed countries</b>	61	17	18	15	35
<b>Developing and emerging countries</b>	37	21	8	14	14
<b>Male</b>	48	20	16	14	24
<b>Female</b>	49	15	13	15	24
<b>Has other job</b>	54	21	18	16	33
<b>No other job</b>	43	14	11	13	16
<b>Freelance</b>	19	2	3	3	9
<b>Competitive programming</b>	10	6	2	2	6
<b>Microtask</b>	63	20	16	14	37

Source: Same as Figure 5.

Social protection coverage was quite low among taxi drivers and delivery workers on platforms. About half of the workers on taxi and delivery platforms have health insurance. A very small proportion of workers are covered by unemployment or disability insurance (less than 5%) and pension or retirement benefits (less than 15%). About 80% of the taxi drivers and delivery workers reported having concerns with regard to personal and physical safety related to their work. Despite their high exposure to potential work-related injury, only two in five respondents have access to such work-related injury benefits (see table 2). In the absence of such benefits from the company or public schemes, workers in a number of G20 emerging countries reported paying out of their pockets for medical care (24%) or taking private insurance to protect themselves (9% of delivery workers and 14% of taxi drivers).

► **Table 2: Proportion of respondents in the taxi and delivery sectors covered by social protection benefits in G20 countries (%)**

	Health insurance	Employment injury	Unemployment insurance	Disability insurance	Pension
<b>App-based taxi</b>	51	38	1	1	8
<b>Traditional taxi</b>	61	36	-	1	9
<b>App-based delivery</b>	56	33	4	4	14

Source: ILO selected country surveys of taxi drivers and delivery workers (2019-20).

## Occupational safety and health

On online web-based platforms, the need to work long hours to access work or meet the requests of their clients not only has an impact on work-life balance, but can also lead to social isolation and/or exhaustion. Workers also often reported that they were often stressed and worried about not having enough work in the future and low pay rates, which had implications on their health.

A high proportion of workers on taxi (80%) and delivery (75%) platforms reported being stressed by their work and working conditions. This largely related to insufficient payments, lack of regular demand, long working hours, pressure to reach the destination in a short time and the risk of work-related injury during driving. Workers on these platforms also reported safety concerns (74% and 88% for taxi and delivery platforms respectively), which often related to road safety, theft and physical assault. The outbreak of the COVID-19 pandemic increased the health risks for taxi and delivery workers, as many of them provided essential services during lockdowns. For instance, in the United Kingdom, the occupation of taxi or cab drivers was among those with the highest death rates due to COVID-19.<sup>22</sup>

## 3.4. What are the implications of algorithmic management practices at the workplace?

Platforms use algorithmic management practices for allocating, evaluating, monitoring and rewarding workers. The workers are matched with clients and consumers based on a number of indicators and worker’s ratings are critical and decisive for accessing work on all types of platforms. Worker’s ratings are influenced by both the clients’ reviews and also the platform’s algorithms. For instance, if the client rejects the work or gives a low rating, it will be factored into the algorithms and can affect a worker’s overall rating. Rejection of work is quite common on online web-based platform with 71% of workers reporting that their work was rejected: the proportions were 36% on freelance and 85% on microtask platforms. About 15% of the workers on microtask platforms reported that none of the rejections were justifiable. This has

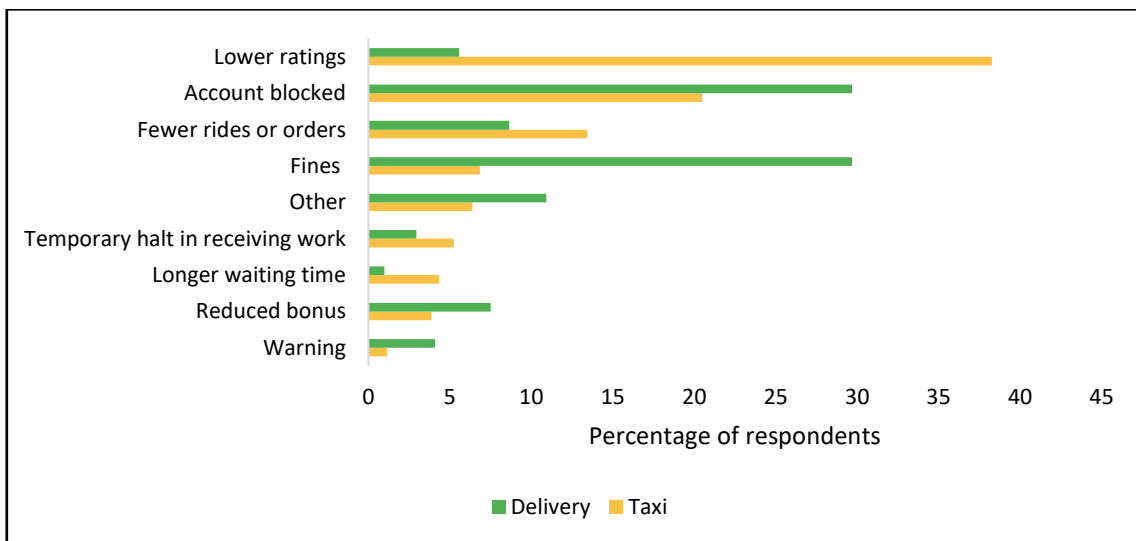
<sup>22</sup> United Kingdom, Office for National Statistics. 2021. “Coronavirus (COVID-19) Related Deaths by Occupation, England and Wales: Deaths registered between 9 March and 28 December 2020”.

important implications for workers as a high rating was reported by 82% of respondents on freelance platforms as a key factor in obtaining new work.

A majority of the workers on taxi (79%) and delivery (69%) platforms reported that their ratings had an impact on accessing work. Sometimes these ratings were influenced by factors beyond the worker’s control, such as delays in receiving a food order from a restaurant or traffic congestion. While higher ratings play a role in facilitating access to work, lower ratings can sometimes lead to deactivation of worker accounts or reduce their access to work.

Another important aspect of algorithm management is that it prevents workers from fully benefitting from the freedom and flexibility with regard to time, place and choosing the task, ride or order. On taxi and delivery platforms workers, cancellation of rides or orders has repercussions on their work. About half of the respondents in taxi platforms and about 60% in delivery platforms reported that they could not cancel rides or orders without any repercussions. In the taxi sector, workers reported that the repercussions that they faced were lower ratings (38%), their account being blocked or suspended (21%) and fewer rides (13%) (see figure 10). The other repercussions included penalty and fines, longer waiting time, and reduced bonuses. In the delivery sector, workers faced two major consequences, which included accounts being blocked (30%) and penalty and fines (30%). The other consequences of cancellations included fewer orders, reduced bonuses, and lower ratings.

► **Figure 10: Repercussions due to cancellation of rides or orders on taxi and delivery platforms in G20 developing and emerging countries**



Note: The figure reports the share of respondents having experienced one of the events at least once.

Source: Same as Table 2.

The work processes on these platforms are also monitored and tracked on a regular basis using digital tools and the Global Positioning System (GPS), which are used to monitor work progress and ratings. On freelance platforms, a substantial proportion of workers reported that they were required by platforms or clients to install specific software or to meet certain hardware and software requirements. About 41% of the workers reported that their working hours were regularly monitored by clients, 37% of them were regularly requested to be available during specific times by clients and 41% requested to submit screenshots of the work done on a regular basis. These raise important questions regarding the autonomy and control that the workers exercise in performing their tasks and whether this is accurately reflected in their employment relationship.

A major concern raised by workers on taxi and delivery platforms is the deactivation of their account on the platform, which was reported by about 20% of the workers. In the delivery sector, the proportion of workers whose accounts were deactivated varied between 9% (India) and 45% (Mexico). Moreover, about 10% and 17% of workers in taxi and delivery

platforms respectively reported that their accounts were permanently deactivated by the platforms, this was the case for those who operated on multiple platforms. In addition, about 4% and 5% of the workers in the taxi and delivery platforms respectively reported being temporarily deactivated for more than a month, thus having a major impact on their livelihoods.

The reasons for deactivation varied in the responses reported by the workers in the taxi sector and included: complaints from customers (28% of the deactivations), drivers canceling or not accepting the rides (27%) and for violating the rules of the platform's terms of service agreements (25%). In the delivery sector the reasons for deactivation included: workers canceling and not accepting the orders (28%), violating the rules of platform's terms of service agreement (22%), complaints from customer (15%) and being inactive for a long period of time (10%).

### 3.5. What are the mechanisms to address issues related to working conditions?

When the workers are given lower ratings, or if their work is rejected, or if they are deactivated, there is often no dispute resolution mechanisms that they can appeal to. On microtask platforms, there is no communication flow between the workers and the platform or clients and evaluation and reward for work is algorithmically determined. Although some freelance platforms provide dispute resolution mechanisms, about half of the workers on freelance platforms were not aware about the formal process available to file a complaint or seek help. Among respondents who were aware of such processes, 26% reported that they had contested or appealed a rating or evaluation.

In taxi and delivery platforms, the dispute resolution mechanism is a bit more complicated as often it is not in the local jurisdiction of the workers, as the platform companies are registered in another country, or at times the jurisdiction is in a third country. A sizable proportion of workers in the app-based taxi and delivery sectors are also unaware of any formal process for filing a complaint or seeking help. In the taxi sector, about 35% of the workers were not aware of such a formal process and it varied across countries between 7% (India) and 63% (Indonesia). In the delivery sector, about 24% of the workers were not aware of the formal process and it varied across countries between 14% (Argentina) and 55% (Indonesia).

Finally, platform workers are often unable to engage in collective bargaining. In many jurisdictions, competition law prohibits self-employed workers from engaging in collective bargaining on the basis that they constitute a cartel. However, the ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98) and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) provide that freedom of association and collective bargaining shall be available to all workers. Some countries, such as Canada, Ireland, Japan and Spain, have introduced exceptions for certain categories of dependent self-employed workers, which allow them to engage in collective bargaining.

Another challenge to the collective organization of digital labour platform workers is that they are geographically dispersed and as a result the levels of unionization among these workers are quite low. Nevertheless, some workers based in different regions have been able to organize, including through digital means, while on location-based platforms in particular they have also undertaken strike action, initiated litigation and a drive towards unionization.

## 4. Policy responses to improve working conditions of workers on platforms

Many countries have started to introduce regulatory responses to address some of the working conditions issues on digital labour platforms. Approaches to extend labour protections to platform workers vary and include:<sup>23</sup>

- *Employment relationship:* Employee status remains important, as most labour and social protections are associated with it. Countries have adopted various approaches to the classification of platform workers, often arising from litigation, which fall along a spectrum between very broad and very narrow approaches to employment status. These include:
  - (i) classifying them as employees, often based on the amount of control exercised by the platform, as was observed in the case of Uber taxi drivers in France<sup>24</sup> and Glovo delivery workers in Spain<sup>25</sup>;
  - (ii) adopting an intermediate category in order to extend labour protection, which was upheld in the UK where the majority of the Court held that the claimant drivers were “workers”, a category that entitled them to minimum wage and paid leave<sup>26</sup>;
  - (iii) creating a de facto intermediate category to ensure that they obtain certain benefits, as was observed in the case of China<sup>27</sup> wherein certain workplace injury compensation was provided to workers;
  - (iv) classifying them as independent contractors, often based on the degree of their flexibility and autonomy, as in the case of Australia,<sup>28</sup> Brazil<sup>29</sup> and California<sup>30</sup> (USA).
  
- *Working time and remuneration:* Some new approaches to labour standards have been specifically adapted to digitally based work. For instance, the labour code in France was amended in 2019 to extend certain working time provisions to self-employed platform workers in the transportation industry.<sup>31</sup> This law provides that a platform’s voluntary social charter should include the “right to disconnect” and enables a method to obtain a “decent price” for self-employed platform workers.<sup>32</sup>

23 For more information, see: ILO. 2021. World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work.

24 For more information, see: Arrêt no 374 du 4 mars 2020 (19-13.316) – Cour de cassation – Chambre sociale.

25 In Spain, the Judgment STS 2924/2020 of 25 September 2020, Tribunal Supremo (sala de lo social), which found that there was an employment relationship between a platform (Glovo) and its couriers.

26 For more information, see: Uber BV and others (Appellants) v Aslam and others (Respondents) [2021] UKSC 5 On appeal from: [2018] EWCA Civ 2748. Available at: <https://www.supremecourt.uk/press-summary/uksc-2019-0029.html>.

27 LI Xiangguo v Beijing Tongcheng Bijing Technology Company Ltd. Labour Dispute. First instance civil judgment, Beijing Haidian District People’s Court, Minshi Panjueshu (2017) Jing 0108, Minchu 53634 Hao. Translated from the Chinese text by the ILO: 李相國與北京同城必應科技有限公司勞動爭議一審民事判決書, 北京市海澱區人民法院, 民事判決書, (2017)京0108民初53634號.

28 For more information, see <https://www.fairwork.gov.au/about-us/news-and-media-releases/2019-media-releases/june-2019/20190607-uber-media-release>. See also Kaseris v Raiser Pacific [2017] FWC 6610; Amita Gupta v Portier Pacific Pty Ltd; Uber Australia Pty Ltd t/a Uber Eats [2020] FWCFB 1698; see also Uber Australia Pty Ltd t/a Uber Eats [2020] FWCFB 1698 at Paras 71–72; see also ACE Insurance Limited v Trifunovski [2013] FCAFC 3.

29 For more information, see: Superior Tribunal de Justiça, 28 de agosto de 2019, Case No. 164.544 – MG (2019/0079952-0) and Tribunal Superior do Trabalho, 5 de fevereiro de 2020, Processo No TST-ED-RR-1000123-89.2017.5.02.0038.

30 An increasingly influential approach is the “ABC” test which has been developed in particular in California: see *Dynamex Operations West, Inc. v. Superior Court of Los Angeles* (2018) 4 Cal.5th 903 (Dynamex), a case involving delivery drivers for a same-day delivery company (Dynamex). The Dynamex test now forms part of the California Labor Code. In November 2020, a majority of Californian voters supported “Proposition 22”, formulated by Uber, Lyft and other taxi platforms, which inserted Chapter 10.5 (App-based Drivers and Services) into the Business and Professions Code. That chapter prevails over the California Labor Code. It defines app-based drivers as independent contractors but specifies a number of benefits pertaining to minimum earnings, health benefits, accident insurance, anti-discrimination, public safety and rest periods. There is no specified right to organize or to bargain collectively.

31 The transportation industry includes transportation of passengers by car and delivery of goods using two- or three-wheeled vehicles.

32 For more information, see: Code du travail Art. L7342-9(1) and Code du travail Art. L7342-9(2).

- *Social security*: Several countries have introduced innovations to extend social security to platform workers. These include requiring that platforms cover the accident insurance costs of self-employed workers (France)<sup>33</sup>; extending social security for self-employed workers (many Latin American countries, including Argentina and Brazil)<sup>34</sup>; providing work injury and death benefits to workers on particular platforms (Indonesia and Malaysia)<sup>35</sup>; adopting a new code on social security which extends social security to all workers irrespective of their employment relationship, including platforms workers. In response to the COVID-19 pandemic, some countries have extended unemployment benefits to uninsured self-employed workers (Finland and the United States).<sup>36</sup>
- *Occupational safety and health*: Laws in Australia and New Zealand have adopted broader statutory language and extended occupational safety and health coverage to all workers.<sup>37</sup> In Brazil, a judicial decision has extended existing safety and health legal standards to platform workers.<sup>38</sup>
- *Dispute resolution*: Some platforms may restrict dispute resolution to a particular jurisdiction through arbitration clauses, which can be limiting for workers. This has been challenged in some jurisdictions; the Supreme Court of Canada, for example, invalidated a platform's arbitration clause on the ground that it "makes the substantive rights given by the contract unenforceable".<sup>39</sup>
- *Access to data and privacy*: Governments are increasingly adopting measures regarding data protection and privacy, including in Brazil, India and the European Union.<sup>40</sup> In France, a recent amendment to the Labour Code gives self-employed platform workers in the transportation industry the right to access data related to their platform activities.<sup>41</sup> Recently, a Dutch court ruled in favour of data transparency for drivers on a taxi platform, including with regard to automated decision-making processes for penalties.<sup>42</sup> In Spain, a royal decree-law was recently approved aimed at guaranteeing labour rights of delivery workers on digital labour platforms, which also specifies the right of information for the representatives of workers in the digitized work environment.<sup>43</sup>

With growing regulatory concerns, platform companies and worker organizations have also been addressing the issues raised. For instance, in Spain, an agreement reached by the Ministry of Labour and Social Economy, trade unions and business associations regarding the labour rights of delivery workers of digital labour platforms, served as the basis for a royal decree-law on the issue. In Denmark, a collective bargaining agreement between a trade union and a cleaning platform has allowed some platform workers to transition to employee status. Platform companies have also been developing codes of conduct either unilaterally or in collaboration with other platforms to address some of the challenges confronting workers. Six digital labour platforms have signed the World Economic Forum Charter of Principles for Good

33 For more information, see: Code du travail, Arts L7342-2 and 7342-4.

34 For more information, see: La Salle, Dominique, and Greta Cartoceti. 2019. "Social Security for the Digital Age: Addressing the New Challenges and Opportunities for Social Security Systems". Geneva: ISSA.

35 For more information see: <https://www.bpjsketenagakerjaan.go.id/>. Also see: Nguyen, Quynh Anh, and Nuno Cunha. 2019. Extension of Social Security to Workers in Informal Employment in the ASEAN Region. Bangkok: ILO. Also see: La Salle, Dominique, and Greta Cartoceti. 2019. "Social Security for the Digital Age: Addressing the New Challenges and Opportunities for Social Security Systems". Geneva: ISSA.

36 For more information, see: ILO (International Labour Organization). 2020. "Unemployment Protection in the COVID-19 Crisis: Country Responses and Policy Considerations."

37 For more information, see: In Australia, Work Health and Safety Act, 2011; and New Zealand, Health and Safety at Work Act, 2015.

38 For more information, see: Poder Judiciário ||| Justiça do Trabalho Tribunal Regional do Trabalho da 2ª Região 82ª Vara so Trabalho de São Paulo ||| TutAntAnt 1000396-28.2020.5.02.0082.

39 For more information, see: Heller litigation, Para. 95.

40 For more information, see: In Brazil, General Data Protection Law (Lei Geral de Proteção de Dados 2018); in India, Personal Data Protection Bill, 2019; and in the EU, General Data Protection Regulation (GDPR).

41 For more information, see: Code du travail Art. L7342-7.

42 For more information, see: Case number C/13/689705 / HA RK 20-258. Available at: <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBAMS:2021:1019>.

43 For more information, see: Royal Decree-Law 9/2021, available at: <https://www.boe.es/buscar/doc.php?id=BOE-A-2021-7840>.



Platform Work, which covers issues such as safety and well-being, flexibility, fair conditions, social protection, voice and participation, and data management.

## 5. Conclusions and recommendations

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Given that digital labour platforms operate across multiple jurisdictions, there is a need for some form of international policy dialogue and coordination. As described in the preceding section, governments and non-state actors have started regulating digital labour platforms, but these initiatives vary considerably and are still at an early stage. Countries face challenges in enforcing regulations, particularly with regard to online web-based platforms, where the platforms, clients and workers are located in different jurisdictions. In this regard, the ILO Maritime Labour Convention, 2006, sets an important precedent as it concerns an industry with multiple parties operating across different jurisdictions. Such an approach could also be considered for digital labour platforms. Another important point of departure is the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, 2017, which provides guidance to multinational enterprises on social policy and inclusive, responsible and sustainable workplace practices.

International policy dialogue and coordination are also vital to ensure regulatory certainty and the applicability of universal labour standards, given the diversity of responses by countries and platform companies. It is important that the ILO fundamental principles and rights at work are implemented for all platform workers, irrespective of their status and country of work. In addition, principles rooted in other ILO Conventions, such as those related to fair payment systems, fair termination and access to dispute resolution, should also be extended to platform workers.

A way forward would be to engage in a process of global social dialogue aimed at ensuring that the opportunities arising from digital labour platforms are leveraged and the challenges addressed, so that digital labour platforms are best positioned to provide decent work opportunities, foster the growth of sustainable enterprises and contribute towards the achievement of the Sustainable Development Goals. The ILO's independent Global Commission on the Future of Work<sup>44</sup> recommended the development of an international governance system that would set down certain minimum rights and protections and require platforms and their clients to respect them. It also called for a "human-in-command" approach to algorithmic management, surveillance and control in order to ensure that "final decisions affecting work are taken by human beings".

The ILO's Centenary Declaration for the Future of Work<sup>45</sup> calls for "policies and measures that ensure appropriate privacy and personal data protection and respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work" in order to promote inclusive and sustainable development, full and productive employment and decent work for all.

These objectives can best be achieved through social dialogue among the relevant stakeholders, most particularly the digital labour platforms, the platform workers, and their representatives and governments. A concerted effort across multiple international forums and organizations will be critical to ensuring that digital labour platforms develop further in a manner that strongly contributes to inclusive and sustainable development. Such a process of regulatory dialogue and coordination should have at its core an effort to ensure that domestic laws implementing the fundamental principles and rights at work as well as other key legal provisions regarding wages, working time, OSH and social security, apply to all workers, including digital labour platform workers. With the right engagement and preparation, this process could lead over time to a clearer understanding and a more effective and consistent approach at the enterprise, national and international levels, with a view to:

- ensuring fair competition and creating an enabling environment for sustainable enterprises;
- requiring and promoting clear and transparent terms of engagement and contractual arrangements for workers and businesses, including as reflected in labour and consumer laws;
- ensuring that workers' employment status is correctly classified and is in accordance with national classification systems;

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<sup>44</sup> Global Commission on the Future of Work (Global Commission). 2019. Work for a brighter future. Geneva: ILO.

<sup>45</sup> ILO. 2019. ILO Centenary Declaration for the Future of Work. International Labour Conference. 108th Session.

- ensuring transparency in ratings or rankings of workers and businesses using digital platforms, such as online web-based, location-based and e-commerce platforms;
- ensuring transparency and accountability of algorithms for workers and businesses;
- protecting workers' personal and work data as well as data relating to businesses and their activities on platforms;
- working towards ensuring that self-employed platform workers enjoy the right to bargain collectively, for example through greater harmonization of competition law with labour law;
- reaffirming that anti-discrimination and occupational safety and health laws apply to digital labour platforms and their workers;
- ensuring adequate social security benefits for all workers, including platform workers, by extending and adapting policy and legal frameworks where necessary;
- ensuring fair termination processes for platform workers;
- ensuring access to independent dispute resolution mechanisms;
- ensuring that platform workers are able to access the courts of the jurisdiction in which they are located if they so choose;
- providing for wage protection, fair payments and working time standards;
- allowing platform workers to move freely between platforms, including by facilitating portability of workers' data, for example regarding ratings; and
- aiming at effectively taxing the digital economy, including platforms, clients and workers, as well as the transactions thereof.