

Fairwork

A CALL FOR TRANSPARENCY

Fairwork UK Ratings 2023



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Executive Summary

This third Fairwork report for the United Kingdom continues our commitment to analysing digital labour platforms in an evolving policy and labour market context. The cost of living and tech financing crises have made this year a particularly challenging one for platform workers. Our Fairwork UK ratings – which cover 12 platforms across the ride hail, delivery, and domestic work sectors – show that many platform workers continue to face unfair working conditions and lack social protections. However, through dialogue with Fairwork, some platforms have made changes to their policies and practices that will dramatically improve conditions for workers.

In some areas, we have continued to see progress when compared to the Fairwork UK 2021 and 2022 reports.¹ Delivery and rides platform Pedal Me and quick commerce grocery delivery platform Getir were both able to demonstrate that their workers earn a living wage after costs. This is important because our research has found that workers on platforms not offering wage baselines have reported feeling the need to work longer, harder, and faster to maintain earnings as the number of tasks on offer, and the wages paid for those tasks, are decreasing. Some platforms using a self-employment model such as Stuart have begun offering more substantive benefits through private insurance and through the adoption of protections that support workers. Ongoing worker engagement through legislation and collective action has also continued to secure key improvements for Uber and Deliveroo drivers and riders. Logistics platform Pedal Me have accepted the principle of voluntary recognition and are now negotiating it's details with the Independent Workers' Union of Great Britain (IWGB).

This report assesses 12 of the UK's digital labour platforms against five principles – fair pay, fair conditions, fair contracts, fair management, and fair representation – giving each a rating out of ten.

ONGOING WORKER CONTESTATION THROUGH LEGISLATION AND COLLECTIVE ACTION HAS ALSO CONTINUED TO SECURE KEY IMPROVEMENTS FOR UBER AND DELIVEROO DRIVERS AND RIDERS.

Pedal Me leads the table with eight points, with Getir in second place with seven and Stuart in third. The most improved platform is Stuart, moving up from a score of three in 2022 to a score of five in 2023². Conversely, We hope to see every platform rated, improving their score over the coming year. As per our methodology, Fairwork awards a platform a point where there is clear evidence that they have fully achieved the threshold.

Key Findings



FAIR PAY

Two of the platforms – Pedal Me and Getir – were able to evidence that they ensure workers’ gross pay is at or above the minimum wage after costs, which was £9.50 per hour at the time of research (from June 2022 to April 2023).

When assessing minimum wage thresholds, our scores considered not only the amount paid to the worker for hours worked, but also the cost of providing task-specific equipment and paying for work-related costs out of pocket. The scores also factored in waiting times between jobs. When extending this net calculation to consider the real living wage (assessed by the Living Wage Foundation as £9.90/hour for the UK and £11.50/hour for London for the research period), both platforms were able to evidence that they met this principle of fair pay.



FAIR CONDITIONS

Out of 12 platforms, seven – Pedal Me, Getir, Stuart, Amazon Flex, Deliveroo, Uber and Gorillas – were able to evidence that they take meaningful action to mitigate task-specific risks.

Specifically, these platforms ensured safety equipment was provided without additional cost over the lifespan of the equipment, emergency response systems were offered, and insurance was free of charge. Increased numbers of platforms achieving 2.1 demonstrates movement toward a broader array of insurance and perks packages that protect workers’ wages and property in case of an accident.

Only one platform – Stuart – could evidence that they took the necessary steps to ensure a safety net that meets our criteria for the second threshold through their new insurance provisions.



FAIR CONTRACTS

Platforms in the UK have many ways of sharing contract information and terms with workers, with seven platforms all achieving principle 3.1.

Many platforms deployed dynamic pricing models without detailing their function to workers in the terms and conditions or other documents, meaning they were unable to achieve the second point for principle three. However, Pedal Me, Getir, Gorillas, and Amazon Flex's clarity and transparency toward riders regarding baseline payment structures, long-notice and lay-English summaries of contractual change updates meant they could achieve principle 3.2.



FAIR MANAGEMENT

Of the 12 platforms, three – Pedal Me, Getir and Stuart – were able to demonstrate effective due process when appealing ratings and terminations. One platform, Stuart, has stopped using courier performance score.

These three platforms were able to evidence that anti-discrimination policies were put into process in the workplace, achieving the second point for the Fair Management principle.



FAIR REPRESENTATION

2022 and 2023 have been exciting times for collective bargaining in the UK platform economy. Very few platforms currently have fair representation with their workforces globally, but this is becoming more common in the UK, a timely and important trend in the right direction for fair representation.

Uber and Deliveroo both have recognition agreements in place with the GMB trade union, whilst Pedal Me have accepted the principle of the voluntary recognition and are now negotiating it's details. Globally, platform workers are clearly articulating their desires for improvements at work, a trend that is also on display in the UK market.

Understanding the impacts of algorithmic opacity in platform work

The research for our 2023 report was, for the first time, carried out free from substantial pandemic restrictions. Whilst things may not have fully returned to ‘normal’ there has been a worrying drought in consumer demand for platform services, as the cost of living crisis has gripped the UK. Furthermore, a rise in interest rates sent shockwaves through the venture capital world, spurring a financing crisis in the platform economy ecosystem – with decreases of 53 percent in VC funding reported³. The financial instability has been compounded by the collapse of Silicon Valley Bank and problems with other institutions like Credit Suisse.

In the UK, Brexit, higher interest rates and private monopolies on energy and other essential services have led to much higher prices of goods and energy alike throughout entire supply chains, precipitating a decrease in consumer buying power. For many of the services provided in the UK platform economy – such as food delivery, ride hail, and domestic work – this has resulted in a simultaneous negative pressure impacting supply and demand. On the supply side, many people are turning to the platform economy as a primary income or to supplement the real-terms decrease in their wages from other jobs,

thus increasing the available labour force. On the demand side, the weakening of consumer purchasing power has meant less disposable income (exacerbated by people returning to in-place hospitality and the re-opening of public transport), and thus less available work. In sum, while the workforce is growing, the supply of work is drying up.

This year’s scores highlight the various approaches platforms have taken in responding these challenges. Some have provided financial security and other protection to workers, however, a significant proportion of workers

continue to experience uncertainty and precarity in the workplace, lacking access to protections, and having to navigate obscure platform systems through complex and opaque algorithmic decisionmaking structures, that affect their pay, conditions and standing on the platforms.

In interviews conducted by the Fairwork UK research team, workers have frequently expressed that algorithmic opacity has been a key driver in creating instability, stress, and vulnerability, leaving them unable to estimate how much they will earn for a day's work, know the value of jobs offered, negotiate on payment offered, or know how to even access jobs in the first place. If a worker makes a mistake, their actions may be reviewed without human intervention, with firing decisions dependent upon the outcome of this review. And when they appeal, they may not be sure whether their appeal will be dealt with at all.

WORKERS HAVE FREQUENTLY EXPRESSED THAT ALGORITHMIC OPACITY HAS BEEN A KEY DRIVER IN CREATING INSTABILITY, STRESS, AND VULNERABILITY, LEAVING THEM UNABLE TO ESTIMATE HOW MUCH THEY WILL EARN FOR A DAY'S WORK.

In this editorial we will explore how algorithmic opacity shapes the worker's experience in relation to pay, conditions and management, before concluding with a reflection on how worker representation may be a vital tool for easing this problem.

Algorithmic Opacity and Fair Pay

Our research demonstrates that the effects of opacity are exacerbated by a lack of pay floor, with workers being critically exposed to fluctuations in the market as platforms pass on risk from company to individual. For platforms we could not evidence that they meet the Fair Pay principle thresholds (10 of the 12 platforms represented in this year's report), it costs the platform nothing to have workers logged-in and ready to accept work. The worker only gets paid if they are undertaking a task. If there are no tasks available, workers earn nothing. As such, workers are left constantly needing to solve the labour distribution puzzle, trying to predict the rules of the algorithmic decision making in order to have the best chance of receiving work, and hoping that the cost of doing the work (fuel, insurance,

waiting time, etc.) won't outweigh the pay.

However, algorithmic opacity impacts pay in more insidious ways. It's not simply the piece work model that makes pay unpredictable, companies that use 'dynamic pricing' models add a further layer of unpredictability, since workers do not know how many jobs they will be offered, or how much they will get paid for each job they do, as prices rise and fall with demand. When we asked them, many workers across food delivery and ride-hailing platforms reported not being able to accurately determine how much they would get paid for a job, even if they knew the distance and time needed. Drew*⁴, a bike courier, told us:

“The problem with [the platform] is that they don't post how much you're gonna get before you accept it, which I think is really wrong... I think there's a reason why they don't tell you though – when you look at £3.30 for two and a half miles or something.”

Many workers informed us that to manage unpredictability in order volume and value, they set a daily or weekly earning target: “I try not to go home until I've earned £100 for the day”. Because of the algorithmic opacity surrounding pay, workers cannot plan ahead, and feel the need to make as much money as possible when work is available.

Because dynamic prices are not backed by a wage floor, platforms are able to gradually ratchet down wages over time to lower the cost of service provision. This degradation in wages means workers need to take more risks to achieve their earning targets, either by doing jobs quicker, or by working for longer to earn enough. As Ali*, a courier, told us:

“The most important thing is to be healthy and focused. And at the same time pushing yourself to make an income... That would be the main challenge.”

Workers report feeling increasingly at risk when they work quickly or when fatigued, but see no way out of this trend toward work intensification if improvements to payment are not enacted. In short, there is a direct link between algorithmic opacity, payment insecurity, and risk at work,

which forms the focus of the following section.

Algorithmic Opacity and Fair Conditions

Faced with a combination of algorithmic opacity and payment precarity, workers we spoke to felt the need to choose between two bad options:

1. Continue to work as normal and face the risk of not being able to meet costs for rent, food, utilities, etc.
2. Intensify their work by taking on more jobs to maintain or increase earnings at the risk of mental and physical harm.

In this context, many workers choose to take on more jobs, especially where they may have already sunk significant investment cost into their platform work (such as cars and insurance policies for ride hail, mopeds and bikes for couriers).

MANY WORKERS ACROSS FOOD DELIVERY AND RIDE-HAILING PLATFORMS REPORTED NOT BEING ABLE TO ACCURATELY DETERMINE HOW MUCH THEY WOULD GET PAID FOR A JOB, EVEN IF THEY KNEW THE DISTANCE AND TIME NEEDED.

When the risks of platform work are actualised and accidents happen, it is the bodies and equipment of individual workers that bear the brunt of the damage. Indeed, workers have to balance their ability to meet their increased costs with the rise in personal risks caused by work intensification, such as accidents. As Jeff*, reflected: “Every time [I get jobs in] dodgy areas... I have to think, ‘Well, why am I doing this for six pounds? I could literally be mugged.’” We were unable to evidence that the majority of the platforms studied this year provided sufficient insurance packages or safety nets to provide protections to workers when accidents did happen.

A well-received exception is Stuart’s new insurance package “StuProtect” that pays workers sickness when they have accidents at work and provides free physio, mental health and GP consultations. Similarly, Deliveroo

offers free income protection to all riders injured at work, and free public liability insurance in case an accident occurs that might result in a claim being lodged against the worker.

Algorithmic Opacity and Fair Management

Adding to the pressures caused by algorithmic opacity in relation to pay and job distribution, are the complexities presented by algorithmic opacity in relation to the management process.

Some workers believe that platforms algorithmically monitor their performance through data collected on location, speed and response times, and other Key Performance Indicators (KPIs), as well as through customer and merchant reviews. As Ashley*, a ride-hailing driver, reflects: “They collect everything: your driving stats, how quickly you complete jobs. It’s just the algorithm.”

Platforms may issue automated warnings to workers if there are performance management issues, and may ultimately discipline, fire, or off-board a worker if their systems report persistent problems. Whilst this may appear at first to be an impartial way to deal with disciplinary action and terminations that is somehow “rooted in data”, the automated elements of this system disguise what workers report as a mercurial system in which they feel compelled to “please the algorithmic gods”.

For example, a worker may be presented with an automatic warning if they reject too many jobs in the system, but women workers across our sample reflected that they often reject jobs because they do not feel safe working in the areas the job requires them to travel to or through. Yasmin*, told us how she has to be cautious about rejecting deliveries in neighbourhoods that she feels unsafe in, as the more deliveries she rejects the less likely she is to be offered work. As such, some women reported being inadvertently discriminated against because the algorithmic systems in place to monitor performance and assign ratings were insensitive to their experiences.

A further of discrimination has been reported to us by workers for platforms that require the customer to review the service. This inherently disadvantages workers from traditionally discriminated against groups. This discrimination by proxy is further exacerbated by the use of Artificial Intelligence (AI). Workers are particularly concerned by investigative publications that describe the

ways AI fails to verify brown and black workers and how the uptake of such technology would impact their ability to work (see the Worker Info Exchange's 2021 report⁵). Opaque algorithmic decision-making and AI tools, thus, leave already marginalised workers with diminished agency to earn a living through platform work, particularly when compared to their colleagues.

To combat this, and other management issues created through the deployment of opaque technical systems, workers need to be provided with clarity and transparency over what is happening to their work data and how it shapes their work prospects. This is especially important considering the power and information asymmetries that exist between the platform and the worker. Fairwork is working towards this through dialogue with platforms. If workers were able to meaningfully express their voice through a collective association, such as a union, or workers' association, then they could also raise these issues and concerns to platform management collectively.

In short, workers need to be given meaningful tools to understand how algorithmic decisions are made, how they impact the work they do, and shape the opportunities they have. In the UK, unions appear to present the most effective means for doing this, with a long tradition of working as the conduit between workers and those who contract their

labour, to improve conditions and increase fairness and dignity at work. For work to be truly equitable, platforms must grant organised labour agency in the development process of technical systems. The union agreements already in place at platforms we scored this year are a good start. We hope that in the future platforms will put union agreements in place and continue to working toward long-term transparency that will increase standards across platform economy.

WORKERS NEED TO BE GIVEN MEANINGFUL TOOLS TO UNDERSTAND HOW ALGORITHMIC DECISIONS ARE MADE, HOW THEY IMPACT THE WORK THEY DO, AND SHAPE THE OPPORTUNITIES THEY HAVE. IN THE UK, UNIONS AND POLICYMAKERS APPEAR TO PRESENT THE MOST EFFECTIVE MEANS FOR DOING THIS.



Towards Decent Labour Standards in the Platform Economy

Fairwork evaluates and ranks the working conditions of digital platforms. Our ratings are based on five principles that digital labour platforms should ensure in order to be considered to be offering basic minimum standards of fairness. We evaluate platforms annually against these principles to show not only what the platform economy is today, but also what it could be.

The Fairwork ratings provide an independent perspective on labour conditions of platform work for policymakers, platform companies, workers, and consumers. Our goal is to show that better, and fairer, jobs are possible in the platform economy.

The Fairwork project is coordinated from the Oxford Internet Institute and the WZB Berlin Social Science Center. Our growing network of researchers currently rates platforms in 38 countries across 5 continents. In every country, Fairwork collaborates closely with workers, platforms, advocates and policymakers to promote a fairer future of platform work.

Fairwork countries

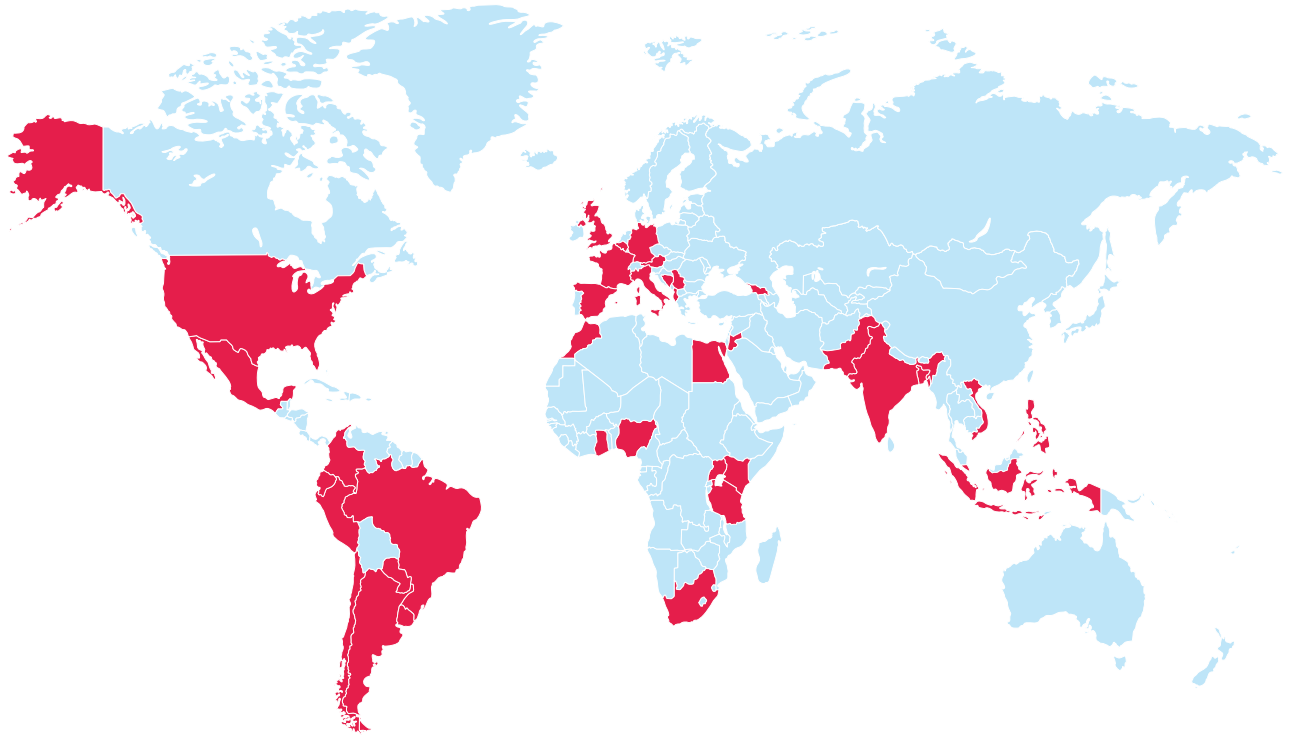


Figure 1. Map of Fairwork countries.

AFRICA

Egypt, Ghana, Kenya, Morocco, Nigeria, South Africa, Tanzania, Uganda

ASIA

Bangladesh, India, Indonesia, Jordan, Lebanon, Pakistan, Philippines, Singapore, Vietnam

EUROPE

Albania, Austria, Belgium, Bosnia and Herzegovina, France, Georgia, Germany, Italy, UK, Serbia, Spain

SOUTH AMERICA

Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay

NORTH AMERICA

Mexico, USA

The Fairwork Framework

Fairwork evaluates the working conditions of digital labour platforms and ranks them on how well they do. Ultimately, our goal is to show that better, and fairer, jobs are possible in the platform economy.

The five Fairwork principles were developed through multiple multi-stakeholder workshops at the International Labour Organisation. To ensure that these global principles were applicable in the UK context, we have subsequently revised and fine-tuned them in consultation with platform workers, platforms, trade unions, regulators, academics, and labour lawyers.

Further details on the thresholds for each principle, and the criteria used to score platforms can be found in the Appendix.



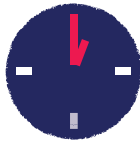
STEP 1

The five principles



Fair Pay

Workers, irrespective of their employment classification, should earn a decent income in their home jurisdiction after taking account of work-related costs. We assess earnings according to the mandated minimum wage in the home jurisdiction, as well as the current living wage.



Fair Conditions

Platforms should have policies in place to protect workers from foundational risks arising from the processes of work, and should take proactive measures to protect and promote the health and safety of workers.



Fair Contracts

Terms and conditions should be accessible, readable and comprehensible. The party contracting with the worker must be subject to local law and must be identified in the contract. Regardless of the workers' employment status, the contract is free of clauses which unreasonably exclude liability on the part of the service user and/or the platform.



Fair Management

There should be a documented process through which workers can be heard, can appeal decisions affecting them, and be informed of the reasons behind those decisions. There must be a clear channel of communication to workers involving the ability to appeal management decisions or deactivation. The use of algorithms is transparent and results in equitable outcomes for workers. There should be an identifiable and documented policy that ensures equity in the way workers are managed on a platform (for example, in the hiring, disciplining, or firing of workers).



Fair Representation

Platforms should provide a documented process through which worker voice can be expressed. Irrespective of their employment classification, workers should have the right to organise in collective bodies, and platforms should be prepared to cooperate and negotiate with them.

STEP 2

Methodology Overview

The Fairwork project uses three approaches to effectively measure fairness of working conditions at digital labour platforms: desk research, worker interviews and surveys, and interviews with platform management. Through these three methods, we seek evidence on whether platforms act in accordance with the five Fairwork Principles.

We recognise that not all platforms use a business model that allows them to impose certain contractual terms on service users and/or workers in such a way that meets the thresholds of the Fairwork principles. However, all platforms have the ability to influence the way in which users interact on the platform. Therefore, for platforms that do not set the terms on which workers are retained by service users, we look at a number of other factors including published policies and/or procedures, public statements, and website/app functionality to establish whether the platform has taken appropriate steps to ensure they meet the criteria for a point to be awarded against the relevant principle.

In the case of a location-based work platform, we seek evidence of compliance with our Fairwork principles for location-based platforms, and in the case of a cloudwork platform, with our Fairwork principles for cloudwork (or online work) platforms.

Desk research

Each annual Fairwork ratings cycle starts with desk research to map the range of platforms to be scored, identify points of contact with management, develop suitable interview guides and survey instruments, and design recruitment strategies to access workers. For each platform, we also gather and analyse a wide range of documents including contracts, terms and conditions, published policies and procedures, as well as digital interfaces and website/app functionality. Desk research also flags up any publicly available information that could assist us in scoring different platforms, for instance the provision of particular services to workers, or the existence of past or ongoing disputes.

The desk research is also used to identify points of contact or ways to access workers. Once the list of platforms has been finalised, each platform is contacted to alert them about their inclusion in the study and to provide them with information about the process. All platforms are asked to assist with evidence collection as well as with contacting workers for interviews.

Platform interviews

The second method involves approaching platforms for evidence. Platform managers are invited to participate in semi-structured interviews as well as to submit evidence for each of the Fairwork principles. This provides insights into the operation and business model of the platform, while also opening a dialogue through which the platform could agree to implement changes based on the principles. In cases where platform managers do not agree to interviews, we limit our scoring to evidence obtained through desk research and worker interviews.

Worker interviews

The third method is interviewing platform workers directly. A sample of 6–10 workers are interviewed for each platform. These interviews do not aim to build a representative sample. They instead seek to understand the processes of work and the ways it is carried out and managed. These interviews enable the Fairwork researchers to see copies of the contracts issued to workers and learn about platform policies that pertain to workers. The interviews also allow the team to confirm or refute that policies or practices are really in place on the platform.

Workers are approached using a range of different channels. For our 2023 ratings, this included, in addition to our tried and tested participant recruitment methods, targeted advertisements on social media, interaction in online worker forums, and snowballing from interview participants. In all these strategies informed consent was established, with interviews conducted both in person and online.

The interviews were semi-structured and made use of a series of questions relating to the 10 Fairwork (sub)principles. In order to qualify for the interviews, workers had to be over the age of 18 and have worked with the platform for more than two months. The majority of interviews were conducted in English, with some being conducted in Portuguese and translated by a Portuguese native speaker in the Fairwork team.

Putting it all together

This threefold approach provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect both positive and negative evidence from multiple sources. Final scores are collectively decided by the Fairwork team based on all three forms of evidence. Points are only awarded if clear evidence exists on each threshold.

How we score

Each of the five Fairwork principles is broken down into two points: a first point and second point that

can only be awarded if the first point has been fulfilled. Every platform receives a score out of 10. Platforms are only given a point when they can satisfactorily demonstrate their implementation of the principles. Failing to achieve a point does not necessarily mean that a platform does not comply with the principle in question. It simply means that we are not – for whatever reason – able to evidence its compliance.

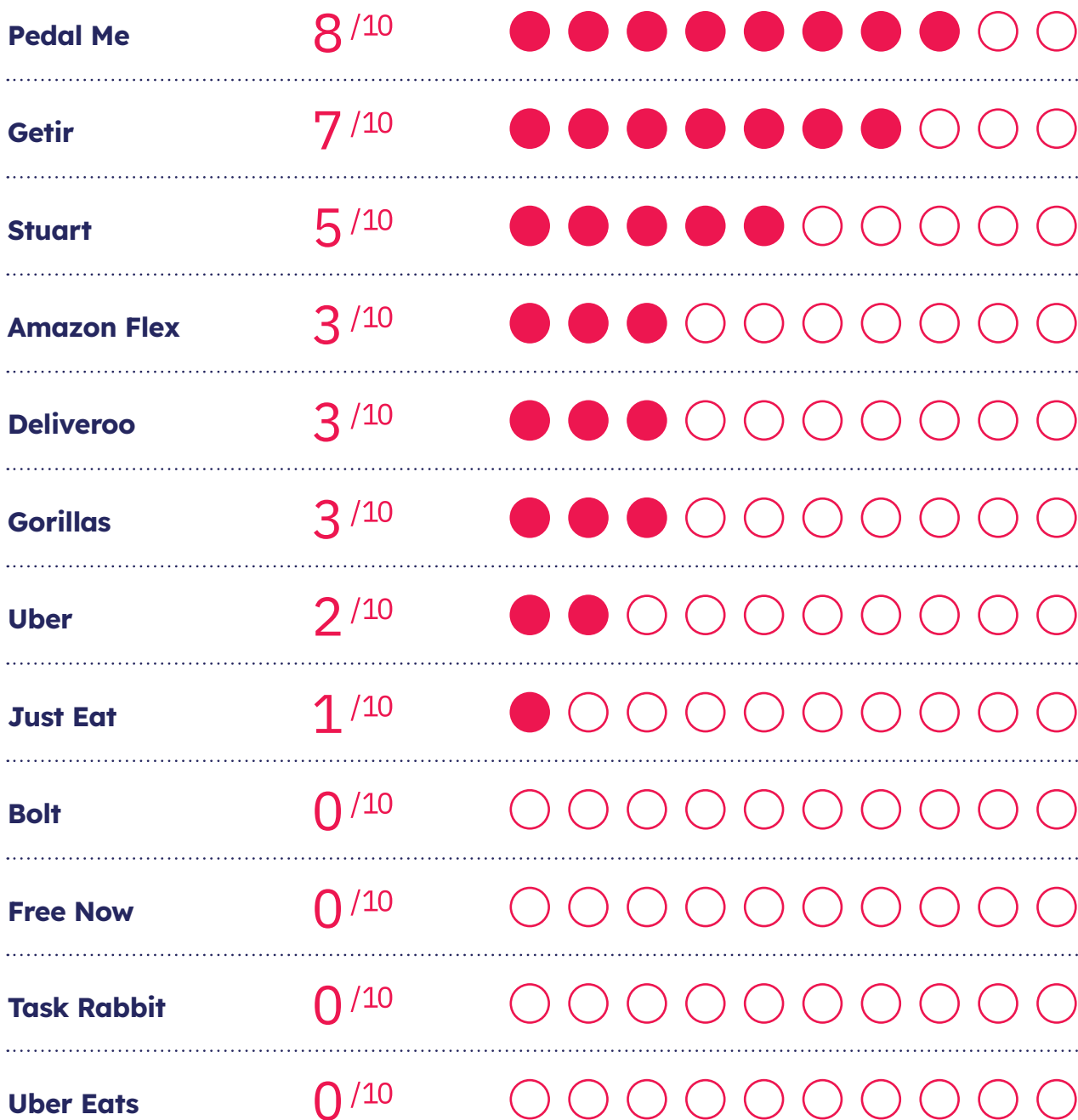
The scoring involves a series of stages. First, the in-country team collates the evidence and assigns preliminary scores. The collated evidence is then sent to external reviewers for independent scoring. These reviewers can be both members of the Fairwork teams in other countries, as well as members of the central Fairwork team. Then, all reviewers meet to discuss the scores and decide final scoring. These scores, as well as the justification for them being awarded or not, are then passed to the platforms for review. Platforms are then given the opportunity to submit further evidence to earn points that they were initially not awarded. These scores then form the final annual scoring that is published in the annual country Fairwork reports.

**FURTHER DETAILS
ON THE FAIRWORK
SCORING SYSTEM
ARE IN THE APPENDIX**



Fairwork UK Scores 2023

Minimum standards of fair work



THE BREAKDOWN OF SCORES FOR INDIVIDUAL PLATFORMS IS AVAILABLE AT

WWW.FAIR.WORK/UK

Explaining the scores



Fair Pay

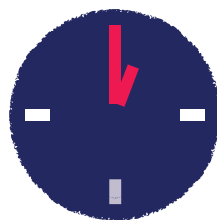
Platforms that ensure workers are paid at least the local minimum wage, after work-related expenses are subtracted from workers' earnings, can meet this threshold.

Only two – Pedal Me and Getir – out of 12 platforms could evidence that workers' gross pay was at least the minimum wage of £9.50. Both of these platforms use an employment contract that ensures a minimum wage after costs. Both of these platforms were also able to demonstrate that they paid at least the living wage after costs.

When assessing minimum wage, the scores considered the amount workers receive for hours worked, minus the cost of providing task-specific equipment and paying work-related costs out of pocket. Other costs included – but were not limited to – vehicle fuel and maintenance, insurance costs, and mobile data.

Inflation in the UK has continued to soar, putting many workers under immense pressure. The financial situation in the UK is leaving customers short of cash (meaning order volume is going down), whilst more people are looking to top-up their income (whilst fighting for a diminishing pool of work). Furthermore, there has been an increase in costs associated with doing the work. This has created enormous pressure on workers' earnings, with many workers reporting working longer, harder and faster than ever before, in order to make enough money to survive.

As such, platforms that were awarded a point in relation to principle one this year were able to ensure a baseline of wages set out in contractual terms, and kept costs to workers down because they provided equipment and insurance.



Fair Conditions

Platforms that show that they are aware of workers' risks and provide steps to mitigate them can meet this point.

This principle was met by seven out of twelve platforms, namely: Pedal Me, Getir, Stuart, Amazon Flex, Deliveroo, Gorillas, Uber. All of these platforms ensure that workers are provided with health and safety equipment and insurance against work-specific risks, free of charge. Stuart could evidence an additional safety net through an industry-leading insurance package that includes accident cover, sickness cover, and access to digital health services including an online GP, physiotherapist, and mental health support, and was thus offered the second point for the principle.

As the UK emerges from the COVID-19 pandemic, significant strain is still being placed on healthcare and welfare systems, particularly for the many migrants who work in the platform economy. This makes fairer conditions – especially in light of the dangerous conditions workers face – a real necessity for platform work.



Fair Contracts

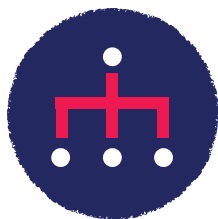
For platforms to meet this point, they must demonstrate that the contract or terms and conditions are clear and accessible to all workers.

Seven platforms – Pedal Me, Getir, Stuart, Deliveroo,

Amazon Flex, Gorillas and Just Eat – were awarded the first point for fair contracts. This means that they could evidence that the contracts or terms and conditions were accessible, adhered to the law of the place in which the workers worked, and that they notified workers of proposed contractual changes within reasonable timeframes.

The second point was awarded to Getir, Pedal Me, Amazon Flex and Gorillas which ensured that no unfair contract terms were imposed on workers and were able to demonstrate that they communicated contract changes to workers in a reasonable manner and with notice.

If contracts are subject to unilateral change by the platform, this offers workers very little agency in the process. Similarly, workers frequently expressed not feeling as though they could engage with the contract because of legalese and over complicated terms and conditions – a challenge exacerbated for workers who are not fluent in English. While we are witnessing a positive step in the right direction with 7 platforms being awarded a point for this principle this year, there must be more clarity and accessibility in contracts across all digital labour platforms for all workers in the UK.



Fair Management

To meet this point, platforms must demonstrate that workers are not arbitrarily deactivated, and that there is an avenue for workers to meaningfully appeal disciplinary actions through a documented process made available via contractual terms that are available to workers at the moment of deactivation.

Much of platform work is undertaken alone, either on the roads on a bike, in a car with a customer, or in a customer's house. This presents workers with a suite of potentially dangerous or risky scenarios where they may need managerial support.

As such, communication is crucial when lone working. However, we've found support to be applied by platforms

with mixed success. Some are taking important steps to decrease response times and implementing emergency buttons to respond to urgent requests. However, workers on some platforms report that they lack continued support for the full hours of operation, as the worker support lines are offered on a restricted hours basis; leaving them exposed and alone when they work out of hours.

Additionally, for the achievement of point 4.1, workers need to be able to access processes whereby they can appeal decisions that have resulted in penalties or disciplinary actions, even when a worker no longer works for the platform. Three platforms – Stuart, Getir and Pedal Me – could evidence systems of due process and effective communication channels.

For the additional point, the same three platforms demonstrated clear anti-discrimination policies, which remove barriers to access for disadvantaged groups, and took further measures to help ensure equality and diversity needs were met at work.

This is particularly significant in light of findings that platform companies can – if not vigilant – reproduce already existing discrimination within society, as women, BAME, and LGBTQIA+ workers run the risk of receiving poor reviews from customers. Platforms must be proactive against this, and support workers to have equal access to work. Similarly, platform work is often physical in nature. This excludes many workers who are dis- or differently abled especially in light of performance metrics that prioritise speed.



Fair Representation

For platforms to achieve this point, they must assure freedom of association and the expression of collective worker voice for all workers.

Three platforms showed evidence of a mechanism that facilitates the expression of workers' collective voice. Uber and Deliveroo currently have collective representation in place, with a formal agreement with the GMB union.

One platform, Pedal Me (the only platform to gain a point for principle 5.1 for the last three years in the UK), has accepted the principle of voluntary recognition and are now negotiating it's details.

Uber and Deliveroo have met this point this year by publicly recognising the GMB union to bargain and negotiate the terms and conditions of labour on the platform. However, the IWGB and the App Drivers and Couriers Union (ADCU) – whilst supportive of a move toward unionisation at each firm, have been critical of the agreements in place. In their views, it does not legitimately represent the interests of all workers. Uber and Deliveroo will therefore need to do more in recognising more worker collective voices in decisions affecting labour.





















Overall, it is a positive step to see recognition agreements in place, but we hope that future relationships with more unions will be considered, so that all workers can feel represented. The past year has seen significant improvements in union density, with many workers across the entire British economy have taken industrial action to improve conditions. This is particularly relevant as the cost-of-living crisis continues to bite, and the “key workers” who saved us in the pandemic continue to suffer from wage stagnation. This is similarly the case for platform workers who vitally delivered – and continue to deliver – food, medicine and people. We hope to see conditions improve as workers are brought further into decision making processes in organisations.



PLATFORM IN FOCUS

Stuart

Last-mile logistics platform Stuart is the most improved platform in our ratings for 2023, improving from three points in 2022 to five in this 2023 report. This change in score responds to some policy and practice developments undertaken by the platform.

Principle	First point	Second point	Total
 Principle 1: Fair Pay	 Ensures workers earn at least the local minimum wage after costs	 Ensures workers earn at least a local living wage after costs	
 Principle 2: Fair Conditions	 Mitigates task-specific risks	 Ensures safe working conditions and a safety net	
 Principle 3: Fair Contracts	 Provides clear and transparent terms and conditions	 Ensures that no unfair contract terms are imposed	
 Principle 4: Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	
 Principle 5: Fair Representation	 Assures freedom of association and the expression of worker voice	 Supports democratic governance	

Stuart's total score



New Kit Policy:

Through collaboration with Fairwork, Stuart has introduced a new policy regarding kit deposit and return. In the past, couriers had to pay a deposit when beginning work (taken from their earnings, not upfront as cash) which could be recouped when kit was returned. However, there was previously no guarantee that couriers would recoup the full deposit monies, particularly if the kit was damaged through the course of doing the work. Similarly, couriers could not apply for free kit to replenish worn out equipment such as delivery bags. Stuart has now introduced a system whereby couriers can replenish their kit free of charge if it is faulty, damaged, or worn-out within a year. Couriers involved in accidents are now also able to return any damaged kit for replacement for free.

New insurance and benefits scheme:

An important improvement made by Stuart in the past year has been the introduction of a new insurance policy for couriers. This includes injury and sickness pay, compassionate leave payment, new parental benefits (including in the tragic case of a stillbirth) and payments made in the result of violent assault or theft, in addition to legal expenses to support the courier. Furthermore, this insurance package provides free access to a digital GP and physiotherapist, 24/7 access to mental health support, and up to six free counselling sessions. Critically, the thresholds for being eligible are reasonable, with accident cover, digital physiotherapy, mental health support and family services all available to all couriers regardless of their transport type, region or activity on the platform. The Digital GP is available to anyone with at least one delivery on the platform in the last 30 days; sickness, new parent and compassionate leave are available to any courier with 30 deliveries in the past 8 weeks, and the new parent lumpsum is available to all couriers who have been active on the platform for at least 6 months, and have completed over 30 deliveries in the last 8 weeks (for the father) or 60 deliveries in the last 6 months (for the mother).

A NEW INSURANCE POLICY FOR COURIERS THIS INCLUDES INJURY AND SICKNESS PAY, COMPASSIONATE LEAVE PAYMENTS, NEW PARENTAL BENEFITS (INCLUDING IN THE TRAGIC CASE OF A STILLBIRTH) AND PAYMENTS MADE IN THE RESULT OF VIOLENT ASSAULT OR THEFT, IN ADDITION TO LEGAL EXPENSES TO SUPPORT THE COURIER.

Improvements to courier support:

Stuart has also reported an improvement in the support they have been able to offer couriers, with live chat response times decreasing by two thirds in the past twelve months. This is a marked improvement and one we hope will continue.

However, Fairwork is aware of a previous dispute at the firm raised by the IWGB who reported a 24% cut to base pay⁶. This became one of the longest-running strikes in the UK platform economy. We hope that productive dialogue can resolve these issues moving forward and that we will see a continued trajectory from Stuart in increasing their points again next year by implementing further improvements.



Workers' Stories

James* is a food delivery courier from London.

He has worked on a pushbike for the firm since 2018. He notes that a lot has changed in the company, some for the better and some for the worse. The job has always been risky. As he describes:

“Out of the 10 cyclists I know that have worked in my zone, I’m the only one who hasn’t been hit by a car at work... sometimes you don’t see a guy for ages and it’s like ‘where’s John’ and somebody’ll reply ‘yeah John had a real bad accident, smashed his knee.’”*

Apart from the road risk, there’s always the threat of theft and violence as well. James has had “lads come up to me in balaclavas trying to jump me on my bike.”

James says there’s no training offered by the platform to deal with all of this, apart from a few online videos and some Think 25 training: “it’s just like ‘go figure it out. It’s a real steep learning curve”. James says he must take a lot of risks at work, but because he is a skilled and experienced rider it feels less bad for him. He is constantly incentivised to keep working harder because of decreasing wages and the worry of performance reports on his account limiting his access to work on the platform. This fear is intensified when he receives automated messages from the platform incorrectly accusing him of not delivering a package when he has done. He reflects that he could “technically appeal, but the platform has all the data you need to appeal with, and they don’t share it with you. I feel like the platform tries to cut you off.”

The overall problem with this work for him is that it feels so needlessly complicated. James genuinely loves a lot of the work he does. He is highly skilled and finds immense satisfaction in knowing the city, its streets and its merchants like the back of his hand. If the conditions and pay did not decline, he would love to do it for as long as his

body would allow. But for James, the decline in conditions means he cannot make a living just working for the platform on a pushbike anymore. He has had to start multi-apping and is soon worried this will not be enough. If he cannot continue in the long term, James would like to “get a role in a union or something” to make working conditions in the industry he loves so much better.

Hyacinth* is a part time food courier for a food delivery platform.

She works for 20 hours a week on top of a full-time job in PR, so that she can financially support her mother, for whom she also acts as a carer. Hyacinth is leaving the platform economy soon due to the negative impacts it has had on her mental and physical health becoming unsustainable, and to focus on her career in PR.

Hyacinth does not think the platform provides good work, drawing attention to the decline of conditions in recent months. Specifically, she says:

“There’s a massive gap gap between what their PR machine puts out into the public domain, and what the work is actually like. There’s so much disenfranchisement... People can see that it was good back in the day, but it’s rubbish now”.

For her, this steep decline is represented by three distinct – but interlocking – elements that have combined to make the work particularly challenging: data security, physical safety, and the gendered experience of the work.

Hyacinth asserts that there are “specific challenges facing me working in this industry as a woman” and that “the platform needs to understand that the experience of doing this work as a female is inherently different to if I was doing it as a man.” This includes her sense of safety and

perception of risk in the city, as well tragic lived experiences of being threatened by customers, restaurant staff and members of the public.

Data security issues meant Hyacinth was also sexually harassed by customers who she needed to call when making deliveries, resulting in her receiving unsolicited messages later in the evening: “I’ve had customers contacting me on WhatsApp and when I ask who they are, they say I delivered to them earlier”. This failure to mask the phone number of workers is – for Hyacinth – putting her at continual risk of sexual harassment from people she delivers to.

Hyacinth is hoping to continue to pursue a career in PR and further her education. Her overall feeling about the platform is: “At least it’s been there... it was definitely there when I needed the job. And for that, I’m grateful for the opportunity, but it’s a madness”.

At 51 years old, Henry* is one of the older and most experienced of the bicycle couriers we interviewed.

Henry has been working for the last six years for a digital labour platform so that can fulfil the responsibilities of being a single father. He enjoys the flexibility and active lifestyle of being a bicycle courier.

Since the pandemic though, he has found fewer deliveries are available through his main platform. To make ends meet, Henry now works on two platforms, even though one pays significantly more than the other and has much better working conditions. Henry has also noted an increase in the risks he takes at work and the need to be alert on the road, after his colleagues have suffered life-changing accidents. Compounding the issue is the incentive to complete orders as fast as possible to maximise earnings. On balance, he takes risks where he can, but consciously slows down in traffic to reduce his exposure to risk, even though it hurts how much he earns”.

Henry’s main fear, however, is “other people.” He recounts an incident in which a gun was pulled on a fellow courier while making a delivery. The incident left Henry shaken but also angry at the platform, which took over 48 hours to respond to the police who were investigating the case. He increasingly believes that worker safety will only improve when platforms pay workers better and provide more support while they are out making deliveries. Henry’s not sure if he will be continuing his job for much longer as the pay is decreasing while the danger intensifies. He still loves the freedom to ride his bike and chose his hours.

*** All names have been changed to protect worker identity**

THEME IN FOCUS

Fair Conditions

Platform work is often – by its very nature – replete with risks. These risks vary from sector to sector (e.g. the risk of dealing with harmful chemicals in domestic work, or the risk of traffic collisions in food delivery and ride hail) with a common and unifying theme being the associated risks of lone working.

The risks associated with lone working differ across sectors. Ride hail drivers, for example, have the protection of their car when driving, but once a passenger enters, they are left alone with a total stranger sat in the seat behind them. Risks of lone working can be exacerbated during periods of highest demand, for example Friday and Saturday nights. We heard in our interviews reports of drunk and disorderly customers presenting greater risk to drivers, and a prevalence of physical and racial abuse. For cyclists and motorcycle riders delivering food and packages, workers face dangers from other road users, and we tragically see rider injuries and deaths as a result. Furthermore, these delivery drivers interact with customers who may also pose risks. This year we heard the sad case of a delivery cyclist being threatened with a gun on a customer's doorstep. Workers across-the-board reported that they felt compelled to take risks because low pay from platforms left them desperately in need of work.

In response to these challenges, we believe that no worker should face excessive risks at their workplace. When some risks are necessary elements of the work, the employer or contracting party should take measures to mitigate these. To protect workers, Getir, for example, provides couriers with high quality equipment to mitigate the risks of working on the road in all weather conditions. This year, Pedal Me achieved point 2.1 because they provide training that is extensive, tailored to the vehicle type workers use (large cargo bikes), and pay riders in full for all time spent in training.

In relation to providing a safety net, Stuart were able to demonstrate an industry-leading insurance package for riders that supports them in the event of a crisis (see Platform in Focus). Whilst relatively newly introduced, we hope that this suite of benefits will target specific job risks (accident, injury, physical/mental health etc.) whilst also giving workers additional security should illness or a family event arise.

Many of the risks of working in the platform economy can be amplified by low and ever decreasing pay and high levels of precarity. They are further compounded by a lack of guaranteed wages and the direct exposure of workers to market forces (i.e. when the platform experiences low demand, workers earn nothing too). We hope that these protections will begin to relieve some of the pressure for Stuart riders and that the risk of this work will be less impactful for riders. However, it is crucial to note that decreasing payment, and the associated experience of risk workers felt as a result was a central issue in the

WE HEARD IN OUR INTERVIEWS WITH WORKERS REPORTS OF DRUNK AND DISORDERLY CUSTOMERS PRESENTING GREATER RISK TO DRIVERS, AND A PREVALENCE OF PHYSICAL AND RACIAL ABUSE.

IWGB-led strike against Stuart in multiple UK cities during 2021/2022, the longest continuous platform workers' strike in the UK.

In sum, Principle 2 is being met in the UK with varying degrees of success. In some cases, platforms are beginning to recognise and address inherent work-related risks. In others, workers continue to remain unprotected against risks. Platforms that guarantee baseline wages, like Getir and Pedal Me, naturally reduce these risks as

riders have predictable incomes, which allows them to feel less pressure to rush, cut corners and take chances with their lives. The transfer of market risk from platform to worker without any protections in place for the worker can lead to workers' facing increased precarity and vulnerability at work. We hope to see continued improvements in the coming year in relation to Principle 2, and are always open to working with platforms, policymakers, and workers to conceptualise and support the implementation of ideas for change.



MOVING FORWARD

Platform Changes

Platforms have the ability to improve conditions for their workers, while continuing to provide income opportunities. In consultation with the Fairwork team, the following platforms agreed to implement changes to their policies or practices:

Fair Pay:

Pedal Me and **Getir** have continued to implement a policy that ensures workers earn at least the (London) Living Wage after costs.

Fair Conditions:

Stuart have greatly strengthened the insurance offering they make to riders – while still using self-employment contracts – to include a broad spectrum of support including access to an online GP, physiotherapy, and mental health support, in addition to sickness pay.

Deliveroo continue to offer new parents (including those adopting children) a lump sum payment of £1000 on the birth of a new child.

Stuart have announced that they will replace kit damaged during accidents free of charge, and have introduced a system whereby couriers can replenish their kit free of charge if it is faulty, damaged, or worn-out within a year.

Pedal Me removed the enforcement of a crash helmet ban for workers, now giving riders the choice over whether they wear a helmet at work.

Fair Contracts:

Stuart provide lay English summaries of contractual changes ahead of time to ensure riders are able to understand them.

Fair Management:

Stuart have implemented a new feature for rider support that has brought the median response completion time down by two thirds.

Getir have made changes to disciplinary policy to make it clearer to workers that they are able to engage in a disciplinary appeals process.

Fair Representation:

Deliveroo and **Uber** continue to work with the GMB through a formal recognition agreement.

Last year, **Pedal Me** issued a statement of willingness to negotiate with a trade union if one were to emerge. Workers organised by the IWGB have responded to this statement. The principle of the voluntary recognition has been accepted by **Pedal Me**, who are now negotiating its details.

Pathways of Change

Fairwork's theory of change relies on a humanist belief in the power of empathy and knowledge. If they have the economic means to choose, many consumers will be discerning about the platform services they use. Our yearly ratings give consumers the ability to choose the highest scoring platform operating in a sector, thus contributing to pressure on platforms to improve their working conditions and their scores. In this way, we leverage consumer solidarity with workers' allies in the fight for fairer working conditions. Beyond individual consumer choices, our scores can help inform the procurement, investment and partnership policies of large organisations. They can serve as a reference for institutions and companies who want to ensure they are supporting fair labour practices.

This is the third annual round of Fairwork ratings for the UK, and we are seeing increasing influence and impact. In this regard, we see four pathways to change (Figure 1).

Our first and most direct pathway to improving working conditions in digital labour platforms is by engaging directly with platforms operating in the UK. Many platforms are aware of our research, and eager

to improve their performance relative to last year, and relative to other platforms.

We also engage with policymakers and government to advocate for extending appropriate legal protections to all platform workers, irrespective of their legal classification. Over the past year, Fairwork has met with Members of Parliament, the civil service and the Greater London Authority to advise on the regulation of digital labour platforms in the UK.

Finally, and most importantly, workers and their organisations are at the core of Fairwork's model. Our principles have been developed and are continually refined in close consultation with workers and their representatives (Figure 2). Our fieldwork data, combined with feedback from workshops and consultations involving workers, informs how we systematically evolve the Fairwork principles to remain in line with their needs. We have consulted four of the major UK unions and labour organisations leading worker organising in digital labour platforms to ensure our scores reflect the priorities of workers.

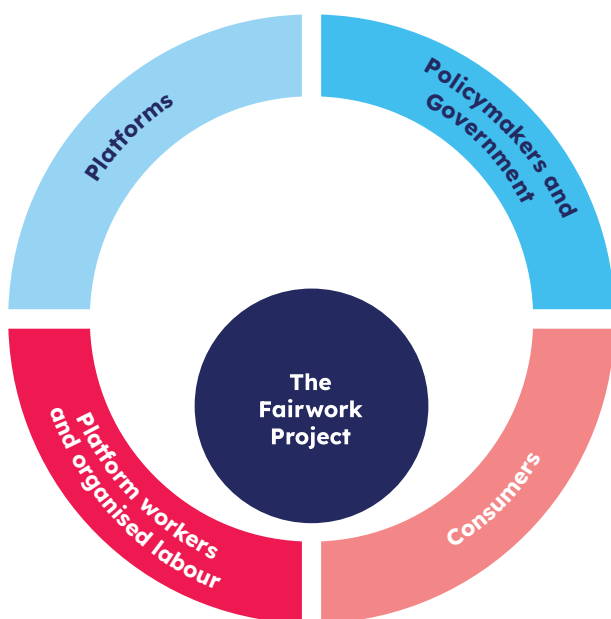


Figure 1: Fairwork's Pathways to Change

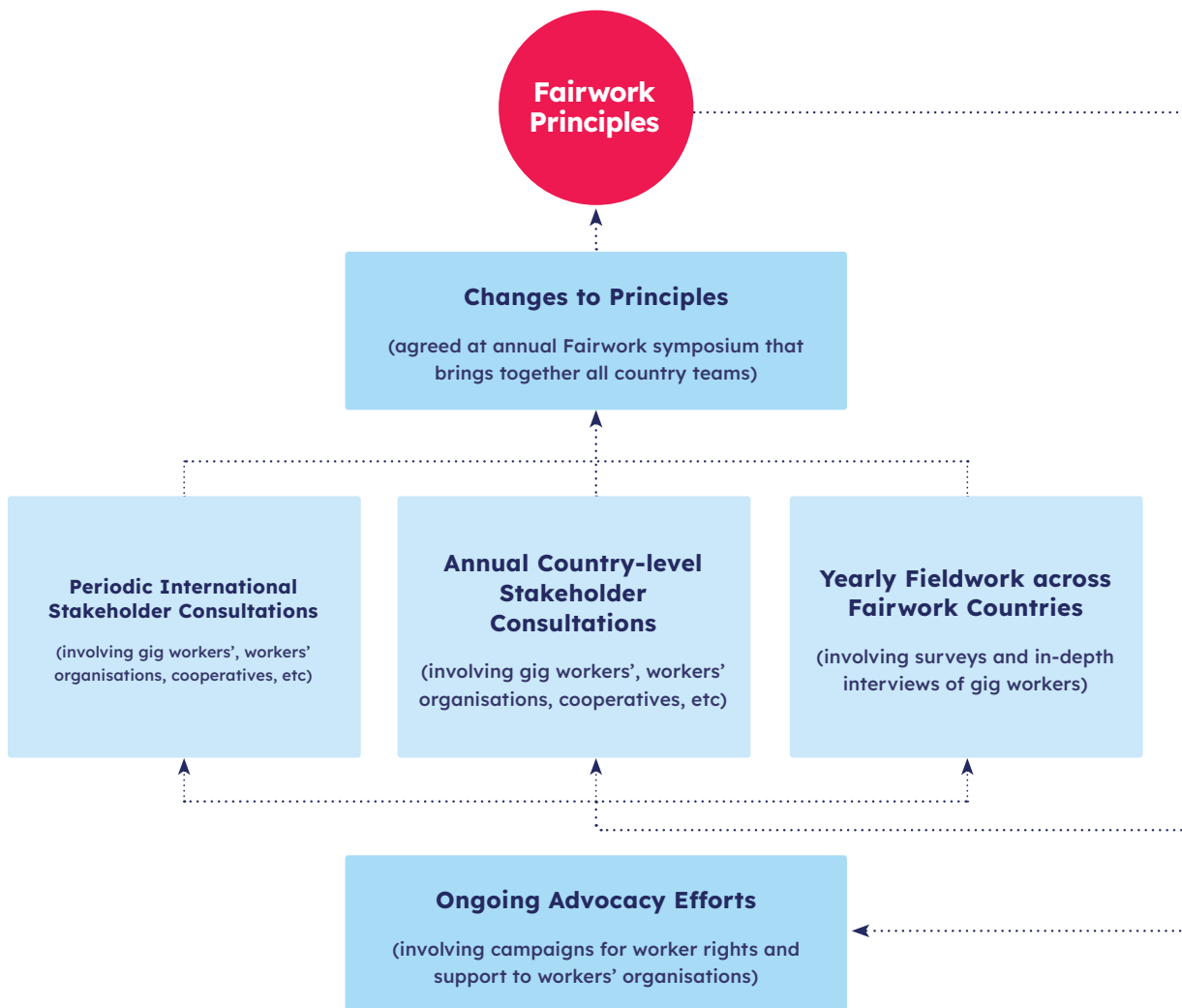
Fair By Design:

In collaboration with Resolution Foundation, we held an initial event to establish a network of early-stage digital labour platforms, investors, researchers, government officials and other stakeholders in the platform economy. We discussed how to implement our principles, combat challenges to providing fair and decent working conditions and beneficial regulatory requirements to encourage this. It is the beginning of a longer-term engagement with UK stakeholders in order to work together to build a better and fairer platform economy.

There is nothing inevitable about poor working conditions in the platform economy. Despite their claims to the contrary, platforms have substantial control over the nature of the jobs that they mediate. Workers who find their jobs through platforms are ultimately still workers, and there is no basis for denying them the key rights and protections that

their counterparts in the formal sector have long enjoyed. Our scores show that the platform economy, as we know it today, already takes many forms, with some platforms displaying greater concern for workers' needs than others. This means that we do not need to accept low pay, poor conditions, inequity, and a lack of agency and voice as the norm. We hope that our work – by highlighting the contours of today's platform economy – paints a picture of what it could become.

Figure 2: Fairwork Principles: Continuous Worker-guided Evolution



The Fairwork Pledge

As part of this process of change, we have introduced the Fairwork pledge. This pledge leverages the power of organisations' procurement, investment, and partnership policies to support fairer platform work. Organisations like universities, schools, businesses, and charities who make use of platform labour can make a difference by supporting the best labour practices, guided by our five principles of fair work. Organisations who sign the pledge get to display our badge on company materials.

The pledge constitutes two levels:

The first is as an official Fairwork Supporter, which entails publicly demonstrating support for fairer platform work, and making resources available to staff and members to help them in deciding which platforms to engage with. We are proud to announce that we have six official Fairwork Supporters in the UK: **The Oxford Internet Institute, The University of Oxford School of Geography and the Environment, The Church of England Diocese of Oxford, the Good Business Charter, The New Economics Foundation and Caribou Digital.**

A second level of the pledge entails organisations committing to concrete and meaningful changes in their own practices as official Fairwork Partners, for example by committing to using better-rated platforms where there is a choice. **Meatspace Press** have become official Fairwork Partners in the UK.

MORE INFORMATION ON THE PLEDGE, AND HOW TO SIGN UP, IS AVAILABLE AT

WWW.FAIR.WORK/PLEDGE



APPENDIX

Fairwork Scoring System

Which companies are covered by the Fairwork principles?

The International Labour Organisation (ILO) defines a “digital labour platform” as an enterprise that mediates and facilitates “labour exchange between different users, such as businesses, workers and consumers”⁷. That includes digital labour “marketplaces” where “businesses set up the tasks and requirements and the platforms match these to a global pool of workers who can complete the tasks within the specified time”⁸. Marketplaces that do not facilitate labour exchanges – for example, Airbnb (which matches owners of accommodation with those seeking to rent short term accommodation) and eBay (which matches buyers and sellers of goods) are obviously excluded from the definition. The ILO’s definition of “digital labour platform” is widely accepted and includes many different business models⁹.

Fairwork’s research covers digital labour platforms that fall within this definition that aim to connect individual service providers with consumers of the service through the platform interface. Fairwork’s research does not cover platforms that mediate offers of employment between individuals and employers (whether on a long-term or on a temporary basis).

Fairwork distinguishes between two types of these platforms. The first, is location-based or “geographically-tethered” platforms where the work is required to be done in a particular location such as

delivering food from a restaurant to an apartment, driving a person from one part of town to another or cleaning. The second is “cloudwork” or online work platforms where the work can, in theory, be performed from any location via the internet.

The thresholds for meeting each principle are different for location-based and cloudwork platforms because location-based work platforms can be benchmarked against local market factors, risks/harms, and regulations that apply in that country, whereas cloudwork platforms cannot because (by their nature) the work can be performed from anywhere and so different market factors, risks/harms, and regulations apply depending on where the work is performed.

The platforms covered by Fairwork’s research have different business, revenue and governance models including employment-based, subcontractor, commission-based, franchise, piece-rate, shift-based, subscription models. Some of those models involve the platforms making direct payments to workers (including through sub-contractors).

How does the scoring system work?

The five Principles of Fairwork were developed through an extensive literature review of published research on job quality, stakeholder meetings at UNCTAD and the ILO in Geneva (involving platform operators, policymakers, trade unions, and academics), and in-country meetings with local stakeholders.

Each Fairwork Principle is divided into two thresholds. Accordingly, for each Principle, the scoring system allows the first to be awarded corresponding to the first threshold, and an additional second point to be awarded corresponding to the second threshold (see Table 1). The second point under each Principle can only be awarded if the first point for that Principle has been awarded. The thresholds specify the evidence required for a platform to receive a given point. Where no verifiable evidence is available that meets a given threshold, the platform is not awarded that point.

A platform can therefore receive a maximum Fairwork score of ten points. Fairwork scores are updated on a yearly basis; the scores presented in this report were derived from data collected between June 2022 and April 2023.

Principle 1: Fair Pay

1.1 - Ensures workers earn at least the local minimum wage after costs (one point)

Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance, and maintenance on a vehicle¹⁰. Workers' costs

Table 1 Fairwork Scoring System

Principles	First point	Second point	Total
 Principle 1: Fair Pay	 Ensures workers earn at least the local minimum wage after costs	 Ensures workers earn at least a local living wage after costs	 2
 Principle 2: Fair Conditions	 Mitigates task-specific risks	 Provides a safety net	 2
 Principle 3: Fair Contracts	 Provides clear and transparent terms and conditions	 Ensures that no unfair contract terms are imposed	 2
 Principle 4: Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	 2
 Principle 5: Fair Representation	 Assures freedom of association and the expression of collective worker voice	 Supports democratic governance	 2

Maximum possible Fairwork Score



sometimes mean their take-home earnings may fall below the local minimum wage¹¹. Workers also absorb the costs of extra time commitment, when they spend time waiting or travelling between jobs, or other unpaid activities necessary for their work, such as mandatory training, which are also considered active hours¹². To achieve this point platforms must ensure that work-related costs do not push workers below local minimum wage.

The platform takes appropriate steps to ensure both of the following:

- Payment must be on time and in-full.
- Workers earn at least the local minimum wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs¹³.

1.2 – Ensures workers earn at least a local living wage after costs (one additional point)

In some places, the minimum wage is not enough to allow workers to afford a basic but decent standard of living. To achieve this point platforms must ensure that work-related costs do not push workers below local living wage.

The platform takes appropriate steps to ensure the following:

- Workers earn at least a local living wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs^{14,15}.

Principle 2: Fair Conditions

2.1 – Mitigates task-specific risks (one point)

Platform workers may encounter a number of risks in the course of their work, including accidents and injuries, harmful materials, and crime and violence. To achieve this point platforms must show that they are aware of these risks and take basic steps to mitigate them.

The platform must satisfy the following:

- Adequate equipment and training is provided to protect workers' health and safety from task-specific risks¹⁶. These should be implemented at no additional cost to the worker.

- The platform mitigates the risks of lone working by providing adequate support and designing processes with occupational safety and health in mind.

2.2 – Ensures safe working conditions and a safety net (one additional point)

Platform workers are vulnerable to the possibility of abruptly losing their income as the result of unexpected or external circumstances, such as sickness or injury. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control. However, platform workers usually don't qualify for protections such as sick pay, because of their independent contractor status. In recognition of the fact that most workers are dependent on income they earn from platform work, platforms should ensure that workers are compensated for loss of income due to inability to work. In addition, platforms must minimise the risk of sickness and injury even when all the basic steps have been taken.

The platform must satisfy ALL of the following:

- Platforms take meaningful steps to ensure that workers do not suffer significant costs as a result of accident, injury or disease resulting from work.
- Workers should be compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.
- Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.

- The platform implements policies or practices that protect workers' safety from task-specific risks¹⁷. In particular, the platform should ensure that pay is not structured in a way that incentivises workers to take excessive levels of risk.

Principle 3: Fair Contracts

3.1 – Provides clear and transparent terms and conditions (one point)

The terms and conditions governing platform work are not always clear and accessible to workers¹⁸. To achieve this point, the platform must demonstrate that workers are able to understand, agree to, and access the conditions of their work at all times, and that they have legal recourse if the other party breaches those conditions.

The platform must satisfy ALL of the following:

- The party contracting with the worker must be identified in the contract, and subject to the law of the place in which the worker works.
- The contract/terms & conditions are presented in full in clear and comprehensible language that all workers could be expected to understand.
- Workers have to sign a contract and/or give informed consent to terms of conditions upon signing up for the platform.
- The contracts/terms and conditions are easily accessible to workers in paper form, or via the app/platform interface at all times.
- Contracts/terms & conditions do not include clauses that revert prevailing legal frameworks in the respective countries.
- Platforms take adequate, responsible and ethical data protection and management measures, laid out in a documented policy.

3.2 – Ensures that no unfair contract terms are imposed (one additional point)

In some cases, especially under “independent contractor” classifications, workers carry a disproportionate amount of risk for engaging in a contract with the service user. They may be liable for any damage arising in the course of their work, and they may be prevented by unfair clauses from seeking legal redress for grievances. To achieve this

point, platforms must demonstrate that risks and liability of engaging in the work is shared between parties.

Regardless of how the contractual status of the worker is classified, the platform must satisfy ALL of the following:

- Every worker is notified of proposed changes in clear and understandable language within a reasonable timeframe before changes come into effect; and the changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.
- The contract/terms and conditions neither include clauses which exclude liability for negligence nor unreasonably exempt the platform from liability for working conditions. The platform takes appropriate steps to ensure that the contract does not include clauses which prevent workers from effectively seeking redress for grievances which arise from the working relationship.
- In case platform labour is mediated by subcontractors: The platform implements a reliable mechanism to monitor and ensure that the subcontractor is living up to the standards expected from the platform itself regarding working conditions.
- In cases where there is dynamic pricing used for services, the data collected and calculations used to allocate payment must be transparent and documented in a form available to workers.

Principle 4: Fair Management

4.1 – Provides due process for decisions affecting workers (one point)

Platform workers can experience arbitrary deactivation; being barred from accessing the platform without explanation, and potentially losing their income. Workers may be subject to other penalties or disciplinary decisions without the ability to contact the service user or the platform to challenge or appeal them if they believe they are unfair. To achieve this point, platforms must demonstrate an avenue for workers to meaningfully appeal disciplinary actions.

The platform must satisfy ALL of the following:

- There is an easily accessible channel for workers to communicate with a human representative of the platform and to effectively solve problems. This channel is documented in the contract and available on the

platform interface. Platforms should respond to workers within a reasonable timeframe. There is a process for workers to meaningfully and effectively appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. This process is documented in a contract and available on the platform interface¹⁹.

- In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.
- Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.

4.2 – Provides equity in the management process (one additional point)

The majority of platforms do not actively discriminate against particular groups of workers. However, they may inadvertently exacerbate already existing inequalities in their design and management. For example, there is a lot of gender segregation between different types of platform work. To achieve this point, platforms must show not only that they have policies against discrimination, but also that they seek to remove barriers for disadvantaged groups, and promote inclusion.

Platforms must satisfy ALL of the following:

- The platform has an effective anti-discrimination policy laying out a clear process for reporting, correcting and penalising discrimination of workers on the platform on grounds such as race, social origin, caste, ethnicity, nationality, gender, sex, gender identity and expression, sexual orientation, disability, religion or belief, age or any other status²⁰.
- The platform has measures in place to promote diversity, equality and inclusion on the platform. It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief.
- Where persons from a disadvantaged group (such as women) are significantly under-represented among a pool of workers, it seeks to identify and remove barriers to access by persons from that group.
- If algorithms are used to determine access to work or remuneration or the type of work and pay scales available

to workers seeking to use the platform, these are transparent and do not result in inequitable outcomes for workers from historically or currently disadvantaged groups.

- It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.

Principle 5: Fair Representation

5.1 – Assures freedom of association and the expression of worker voice (one point)

Freedom of association is a fundamental right for all workers, and enshrined in the constitution of the International Labour Organisation, and the Universal Declaration of Human Rights. The right for workers to organise, collectively express their wishes – and importantly – be listened to, is an important prerequisite for fair working conditions. However, rates of organisation amongst platform workers remain low. To achieve this point, platforms must ensure that the conditions are in place to encourage the expression of collective worker voice.

Platforms must satisfy ALL of the following:

- There is a documented mechanism²¹ for the expression of collective worker voice that allows ALL workers, regardless of employment status, to participate without risks.
- There is a formal, written statement of willingness to recognise, and bargain with, a collective, independent body of workers or trade union, that is clearly communicated to all workers, and available on the platform interface²².
- Freedom of association is not inhibited, and workers are not disadvantaged in any way for communicating their concerns, wishes and demands to the platform, or expressing willingness to form independent collective bodies of representation²³.

5.2 – Supports democratic governance (one additional point)

While rates of organisation remain low, platform workers' associations are emerging in many sectors and countries. We are also seeing a growing number of cooperative worker-owned platforms. To realise fair representation, workers must have a say in the conditions of their work. This could be through a democratically governed

cooperative model, a formally recognised union, or the ability to undertake collective bargaining with the platform.

The platform must satisfy at least ONE of the following:

1. Workers play a meaningful role in governing it.
2. In a written document available at all times on the platform interface, the platform publicly and formally recognises an independent collective body of workers, an elected works council, or trade union. This recognition is not exclusive and, when the legal framework allows, the platform should recognise any significant collective body seeking representation²⁴.

ENDNOTES

- 1** Fairwork (2021). *Fairwork UK Ratings 2021: Labour Standards in the Gig Economy*. Oxford, United Kingdom: Oxford Internet Institute. <https://fair.work/wp-content/uploads/sites/131/2021/06/Fairwork-UK-Report-2021.pdf>.
- 2** Butler, S. (2023) 'Just Eat plans to oust 1,700 couriers in the UK'. <https://www.theguardian.com/business/2023/mar/21/just-eat-planning-to-make-1700-couriers-redundant-in-the-uk>.
- 3** Garfinkle, A. (2023) 'VC funding was down 53% year-over-year in Q1 2023, data says', Yahoo Finance. <https://finance.yahoo.com/news/vc-funding-was-down-53-year-over-year-in-q1-2023-data-says-174715686.html>.
- 4** All names throughout this report are anonymised to protect the identity of the workers we spoke to.
- 5** Worker Info Exchange (2021) *Managed By Bots: Data-driven exploitation in the Gig Economy*. <https://www.workerinfoexchange.org/wie-report-managed-by-bots>.
- 6** IWGB (2022) 'Longest gig-economy strike hits day 100 as Stuart Delivery boss admits to pay cuts in meeting'. <https://iwgb.org.uk/en/post/longest-gig-economy-strike-hits-day-100-as-stuart-delivery-boss-admits-to-pay-cuts-in-meeting/>.
- 7** ILO (2021). *World Employment and Social Outlook: The role of digital labour platforms in transforming the world of work*. Geneva: International Labour Organisation. p. 31. https://www.ilo.org/global/research/global-reports/weso/2021/WCMS_771749/lang--en/index.htm.
- 8** ILO 2021 report, p.107.
- 9** De Stefano, V. (2016). *The rise of the 'just-in-time workforce': On-demand work, crowdwork and labour protection in the 'gig-economy'*. Geneva: International Labour Organisation. p. 1. https://www.ilo.org/travail/info/publications/WCMS_443267/lang--en/index.htm.
- 10** Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.
- 11** The ILO defines minimum wage as the "minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract." Minimum wage laws protect workers from unduly low pay and help them attain a minimum standard of living. The ILO's Minimum Wage Fixing Convention, 1970 C135 sets the conditions and requirements of establishing minimum wages and calls upon all ratifying countries to act in accordance. Minimum wage laws exist in more than 90 per cent of the ILO member states.
- 12** In addition to direct working hours where workers are completing tasks, workers also spend time performing unpaid activities necessary for their work, such as waiting for delivery orders at restaurants and travelling between jobs and undertaking mandatory training (i.e. training activities that must be completed for workers to continue accessing work on the platform). These indirect working hours are also considered part of active hours as workers are giving this time to the platform. Thus, "active hours" are defined as including both direct and indirect working hours.
- 13** In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local minimum wage after costs in their active hours; or (b) provide summary statistics of transaction and cost.
- 14** Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.
- 15** In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local living wage after costs in their active hours; or (b) provide summary statistics of transaction and cost data evidencing all workers earn a minimum wage after costs.
- 16** The ILO recognises health and safety at work as a fundamental right. Where the platform directly engages the worker, the starting point is the ILO's Occupational Safety and Health Convention, 1981 (C155). This stipulates that employers shall be required "so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health", and that "where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health."
- 17** The ILO recognises health and safety at work as a fundamental right. Where the platform directly engages the worker, the starting point is the ILO's Occupational Safety and Health Convention, 1981 (C155). This stipulates that employers shall be required "so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health", and that "where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health."
- 18** The ILO's Maritime Labour Convention, 2006 (MLC 2006), Reg. 2.1, and the Domestic Workers Convention, 2011 (C189), Articles 7 and 15, serve as helpful guiding examples of adequate provisions in workers' terms and conditions, as well as worker access to those terms and conditions.
- 19** Workers should have the option of escalating grievances that have not been satisfactorily addressed and, in the case of automated decisions, should have the option of escalating it for human mediation.
- 20** In accordance with the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and applicable national law.
- 21** A mechanism for the expression of collective worker voice will allow workers to participate in the setting of agendas so as to be able to table issue that most concern them. This mechanism can be in physical or virtual form (e.g. online meetings) and should involve meaningful interaction (e.g. not surveys). It should also allow for all workers to participate in regular meetings with the management.
- 22** For example, "[the platform] will support any effort by its workers to collectively organise or form a trade union. Collective bargaining through trade unions can often bring about more favourable working conditions."
- 23** See ILO (2021) *World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work* International Labour Office – Geneva.
- 24** If workers choose to seek representation from an independent collective body of workers or union that is not readily recognised by the platform, the platform should then be open to adopt multiple channels of representation, when the legal framework allows, or seek ways to implement workers' queries to its communication with the existing representative body.

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Conflict of interest statement

None of the researchers have any connection with any of the platforms and the work undertaken received no funding or support in kind from any platform or any other company, and we declare that there is no conflict of interest.

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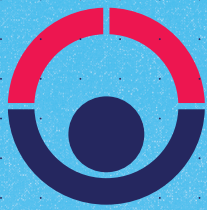
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