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Fair work is possible

Insecure or precarious work is not inevitable. It was created intentionally, by dismantling or circumventing employment law regulations

What do the plumber who repairs your broken drainpipe, your babysitter, your cleaner and the young man who delivers your dinner have in common? You are increasingly likely to hire them via a platform. Construction workers, beauticians, designers, and even teachers, engineers and architects are increasingly engaged via digital employment platforms. For you as a customer or employer this is both cheap and convenient — but for workers, it is quite a different story.

These jobs are often isolated, risky and insecure. Income is not guaranteed, unpaid work is widespread, and workers do not have access to social security, maternity leave, occupational safety and union representation. In addition, they often have to deal with prejudice and discrimination on the part of the platforms. Most of those performing services for you are subject to such work conditions. The gender-specific dimension is particularly problematic. Feminised platform work – such as housework, care and beauty services, as well as microtasking – tends to be invisible and takes place in private spaces and is therefore exposed to additional risks such as discrimination, violence and harassment. They also encounter higher barriers when it comes to accessing social protection and being formalised as proper employment.

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The number of platform workers continues to grow. A World Bank report from 2023 estimates that the global online gig workforce alone has increased to about 435 million, with demand increasing by 41 per cent between 2016 and the start of 2023. This is hardly surprising – both online and location-bound platform work is growing for these very reasons – they offer cheap and unprotected labour.

Insecure or precarious work is not, however, inevitable. It was created intentionally, by dismantling or circumventing employment law

regulations. Conversely, this means that work can also be designed differently, more fairly and more safely. Now that the European Union has tackled a series of problems with its Platform Work Directive, a new global initiative is in the making. The International Labour Organization (ILO) – a UN organisation composed of governments, employers and employees – will discuss an instrument to protect platform workers at its International Labour Conference in the coming two weeks. An agreement at the ILO would be hugely important — its instruments offer Member States a framework with binding principles for the development of national legislation. They serve as guidance but do not prescribe in detail how national laws should be designed. It is therefore to be expected that many countries will enact new or adapted legislation based on them.

For the trade union movement, this is a historical opportunity — and it should not be missed. It concerns a core characteristic of what is often described as the 'Future of Work'. Will we be working primarily on an informal and precarious basis in the future? Can international labour standards actually be applied in the digital economy?

A rare chance

The unions' answer is unequivocal and contains concrete requirements for a future ILO instrument. Firstly, it should cover all types of platform work and workers on digital platforms. It needs to apply to all workers on digital platforms, regardless of whether they have an employment contract or are classified as self-employed. Secondly, the misclassification as self-employed applied in many places must cease. All platform workers must have access to labour and social protection, including health and safety measures in the workplace. These also include precautions to take account of gender-specific burdens and risks. Thirdly, the entire working time must be remunerated and the income predictable. Particularly in intensively competitive environments, workers invest large amounts of unpaid time to build a reputation or execute tasks free of charge or for a low fee. Fourthly, there is a fundamental recognition that all platform workers have the right to freedom of association and collective bargaining, yet these fundamental rights are often not respected. The ILO instrument must contribute to the law becoming reality.

Ultimately, the ILO mechanism should tackle several currently unregulated issues, including the use and governance of algorithm management, the protection of the workers' data and privacy and the portability of digital reputation. It is also important to create a binding framework for surveillance, monitoring, ratings and assessments by third parties and for disciplinary measures. Clear guidelines are required to effectively combat discrimination, based, for example, on gender or

ethnicity, which is reinforced by algorithms.

The increasing exploitation of platform workers and growing imbalance of power between capital and labour represent a serious threat to social and economic stability — particularly if they are not tackled at a political and a regulatory level. Without effective international measures, these injustices will become more acute. Labour and living conditions will continue to worsen, social inequality and gender-specific injustice will increase, and fundamental labour rights are at an increased risk of erosion.

Platform employees are often confronted with excessive working hours, a low and uncertain income, gender-specific violence and considerable barriers to unionisation.

Governments and social partners therefore have a historic responsibility to work together to create robust and enforceable protection measures to guarantee workers' rights. There are encouraging signs that awareness of the urgency has grown. A record number of 195 unions throughout the world have answered the preparatory ILO questionnaire and emphasised that only an agreement in the form of a convention can guarantee humane work. The participation of governments and employers is also higher than ever before.

But at the same time, employer associations – under pressure from the leading platform providers – are advocating a reduction of protection to a minimum. They argue that the platform economy is not a one size fits all and that a single, legally-binding framework cannot do justice to the sector's complexity. Yet, it is precisely this argument that fails to recognise that existing gaps in legislation have serious consequences. Platform workers are often confronted with excessive working hours, a low and uncertain income, gender-specific violence and considerable barriers to unionisation. These conditions are not isolated cases but reflect systematic violations of core labour rights.

All those that are interested in a fair digital economy now have the chance to make a difference. It is vital that all available channels are used to convince governments to actively support an ILO convention. A great deal is at stake — and in these turbulent times, it would send out a strong signal if multilateralism were to provide a fair solution for employees in the platform economy.



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