

## IMPROVING WORKING CONDITIONS IN THE DIGITAL ECONOMY: THE FAIRWORK PROJECT

### 1 Introduction

Digital innovations are rapidly changing the world of work. The combined effect of AI, big data, mobile internet connectivity and platformisation are transforming the way people access, perform and are rewarded for their labour, while organisations are experimenting with new organisational and business models, with new forms of management and control of the workforce. New forms of work are emerging. They can foster job opportunities for many, including traditionally disadvantaged groups, and have the potential to increase flexibility and autonomy in the labour market, but they have also been shown to present important drawbacks, including low pay, insecurity, lack of rights and protections, discrimination, isolation and lack of collective voice (Woodcock and Graham, 2020). The added risks of algorithmic management<sup>1</sup> and control, digital surveillance and worker data protection increasingly common to a number of the emerging new forms of work have also been a major concern (Woodcock, 2021; Wood, 2021). Many of these challenges have important implications in terms of occupational safety and health (OSH), including OSH regulation.

Many countries have been slow in reforming legislation to mitigate many of the risks and challenges associated with these digitally mediated forms of work, and the ILO is still far from providing an international regulatory framework to guarantee minimal labour standards for these new forms of work (Thomas, 2022). The Fairwork project has stepped in by setting up a framework for the evaluation of fair work standards in the digital economy against which different actors in the digital economy are scored. Thanks to its commitment to impact, the project has been able to foster positive change in labour standards in the global digital economy, including in mitigating many OSH-related risks.

### 2 What is Fairwork?

Fairwork is an **international action research project** based at the Oxford Internet Institute, University of Oxford, United Kingdom (UK), and at the Berlin Social Science Centre, Germany, with collaborators in over 39 countries on five continents. Since its inception in 2018, the project has aimed to foster positive change in working conditions in the digital economy, first starting with location-based digital labour platforms and later expanding to online work platforms, sex work platforms and AI work.<sup>2</sup>

The project's core mission is to **bring fairness to digital work** by establishing basic labour standards and evaluating digital labour platforms and AI companies against those standards. Building on the model of fair trade and the Living Wage Foundation, Fairwork uses a rating system to determine to what extent these companies meet certain labour standards. The evaluation is made through a rigorous methodology (see Section 4). The project leverages reputation and consumer power to push companies to change their work practices and introduce policies and measures to improve working conditions. In doing so, Fairwork collaborates with the rated companies to help them improve their standards.

While a central coordinating team is headquartered in Oxford and Berlin, a local team is always present in each of the countries where the project is operating. Local partners are selected based on their expertise and experience and comprise a range of organisations, including universities, research centres, think-tanks and NGOs working on digital rights. For a complete list of Fairwork partners, see Fairwork (2024d). The project has been operating in the following countries:

- **Africa:** Egypt, Ghana, Kenya, Morocco, Nigeria, South Africa, Tanzania, Uganda.
- **Asia:** Bangladesh, India, Indonesia, Jordan, Lebanon, Pakistan, Philippines, Singapore, Vietnam.

<sup>1</sup> Algorithmic management is defined as 'oversight, governance and control practices conducted by software algorithms over many remote workers' (Möhlmann and Zalmanson, 2017, p. 4, in EU-OSHA, 2021).

<sup>2</sup> By AI work is meant work that is related to the development and deployment of AI systems.

- **North America:** Mexico, United States.
- **South America:** Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay.
- **Europe:** Albania, Austria, Belgium, Bosnia and Herzegovina, France, Germany, Georgia, Italy, Poland, Serbia, Spain, UK.

The project receives funding from a number of institutions, including the German International Cooperation Agency (GIZ), The Ford Foundation, the European Research Council, a number of trade union confederations, and smaller public or non-for profit organisations.

### 3 Fairwork principles

In order to evaluate working conditions in the digital economy, the project has established a set of fair work principles upon which companies are gauged. The principles were established in consultation with relevant stakeholders, including platforms and business associations, unions and workers' organisations, through a series of workshops in Johannesburg, Bengaluru, Berlin and Geneva as well as through the analysis of existing findings on working conditions in the digital economy. The five Fairwork principles are explained in Table 1. These five principles are applicable to all types of work, regardless of whether platform workers are classified as employees or independent contractors, and regardless of where and how they work.

**Table 1: Fairwork principles**

Principle	Description
1. Fair Pay	Workers, irrespective of their employment classification, should earn a decent income in their home jurisdiction after taking account of work-related costs and active hours worked. They should be paid on time and for all work completed.
2. 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 workers' OSH.
3. Fair Contracts	Terms and conditions should be transparent, concise and always accessible to workers. The party contracting with the worker must be subject to local law and must be identified in the contract. Workers are notified of proposed changes in a reasonable time frame before changes come into effect. The contract is free of clauses that unreasonably exclude liability on the part of the platform, and that prevent workers from seeking redress for grievances. Contracts should be consistent with the terms of workers' engagement on the platform.
4. Fair Management	There should be a documented due process for decisions affecting workers. Workers must have the ability to appeal decisions affecting them, such as disciplinary actions and deactivation, and be informed of the reasons behind those decisions. 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).
5. Fair Representation	Platforms should provide a documented process through which workers can voice their ideas and concerns. Irrespective of their employment classification, workers have the right to organise in collective bodies, and platforms should be prepared to cooperate and negotiate with them.

Source: Fairwork (2024)

Although the principles remain the same for each type of digital work, the specificities of the principles are adapted to the type of digital work evaluated. So far, Fairwork has evaluated labour standards in three types of digital work (Fairwork, 2024a):

1. **Location-based platform work:** platform-mediated work that is performed in person, requiring geographical proximity between worker and customer (e.g. ride-hailing, food delivery, logistics, cleaning, care, house repairs).
2. **Cloudwork (online platform work):** platform-mediated work that can be performed online from anywhere in the world (e.g. translation, design, filling in surveys, transcription).
3. **AI work:** work related to the development and deployment of AI systems (e.g. data collection, data annotation, data organisation).

Given the different characteristics of the three types of work, Fairwork has created a set of standards based on the five Fairwork principles, for each of the three types of work. The example of location-based platform work standards can be found in Table 2 and the other two can be found in Appendix A.

**Table 2: Fairwork principles for location-based platforms**

Principle	Threshold
1. Fair Pay	1.1 Ensures workers earn at least the local minimum wage after costs. 1.2 Ensures workers earn at least a local living wage after costs.
2. Fair Conditions	2.1 Mitigates task-specific risks. 2.2 Ensures safe working conditions and a safety net.
3. Fair Contracts	3.1 Provides clear and transparent terms and conditions. 3.2 Ensures that no unfair contract terms are imposed.
4. Fair Management	4.1 Provides due process for decisions affecting workers. 4.2 Provides equity in the management process.
5. Fair Representation	5.1 Assures freedom of association and the expression of worker voice. 5.2 Supports democratic governance.

Source: Fairwork (2024j)

NB: A detailed description of each threshold can be found in Appendix B.

As can be seen in Table 2, for each principle, two thresholds are established, with the second one always to be considered a higher standard than the first. A score of 1 is awarded for each threshold for which there is enough evidence that the principle has been met, otherwise a null score is given. A null score can mean either that there is evidence that the principle is not met or that there is not enough evidence that the principle is met. This double meaning of the null score is key, in that it creates an incentive for rated companies to collaborate and provide evidence. A score can be given to the second threshold only if the first threshold has been met. As there are a total of 10 thresholds, and each threshold has equal weight, each company can be awarded a score from a minimum of null to a maximum of 10 (see Figure 1).

Figure 1: Fairwork scoring system

Scoring System	First point		Second point		Sum
 Principle 1. Fair Pay		+		=	
 Principle 2. Fair conditions		+		=	
 Principle 3. Fair contracts		+		=	
 Principle 4. Fair Management		+		=	
 Principle 5. Fair Representation		+		=	

Maximum total  **10/10**

Source: Fairwork (2024)

The principles and specific thresholds are updated regularly every few years based on the evidence and feedback gathered from different stakeholders in the countries where Fairwork operates. All partners that have completed at least one rating cycle are involved in the amendments of the principles and thresholds.

All of the principles are related to **specific OSH-related challenges**:

- **Fair Pay** – Ensuring people receive a minimum and especially a living pay means reducing stress and anxiety in relation to earnings, while at the same time it means reducing fatigue and the risk of overwork resulting from taking on too much work to make ends meet. Further, it reduces the risk of accidents due to, for example, over-speeding and lack of respect of road rules in order to perform tasks faster.
- **Fair Conditions** – This principle directly refers to measures to prevent task-specific risks, including OSH training as well as the provision of personal protective equipment (PPE) (e.g. helmets, lights, waterproof jacket). It also includes social protection (such as insurance and social security) from work-related accidents, vehicle damages and sickness. It also ensures companies have an adequate data protection policy. Finally, it includes measures to mitigate the risk of lone working, a recognised psychosocial risk factor.
- **Fair Contracts** – Being able to clearly understand the contractual terms are fundamental in order to understand your rights and the company's obligations and if needed to seek legal redress if they are not respected, including in relation to occupational health and safety. Furthermore, this principle includes a specific requirement to monitor the use of subcontracting, which has been found to be a common way for companies to reduce their liabilities and obligations towards workers (EU-OSHA, 2024). Finally, this principle includes transparency in the use of algorithms and other AI tools, which have been found to constitute an important OSH-related risk (EU-OSHA, 2024).
- **Fair Management** – This principle includes clear communication between the company and the worker, including in relation to accidents, physical and psychological safety, or other

problems at work. It further includes measures in relation to inclusivity and protection against discrimination, including harassment, bullying and violence.

- **Fair Representation** – As workers' organisations are an important vehicle through which rights and protections can be enforced and working conditions, including OSH-specific ones, can be ameliorated, this principle ensures workers have a collective voice and adequate collective representation.

## 4 Methodology

Fairwork uses three research methods to evaluate the fairness of working conditions in the digital economy: desk research, worker interviews and surveys, and management interviews. The evidence from these three approaches is triangulated and measured against the Fairwork principles. This threefold methodology allows to cross-check for claims made by the management and to collect evidence from multiple sources.

- **Desk research:** Through desk research the platforms/companies to be evaluated in a specific location are identified, initial contact with management is established, and contracts and/or terms and conditions are analysed, as well as all available written evidence, including published policies and codes of practice, website and app pages, public statements and, where available, already published research.
- **Worker interviews and surveys:** A purposive sample of workers is interviewed for each company (in the case of location-based platforms, sex work platforms and AI companies) or surveyed (in the case of online work platforms) to better understand how policies and measures are applied in practice and how they are experienced by the workers.
- **Manager interviews:** Managers are interviewed to understand the working model of the platform, the policies in place and to ask for any additional evidence relevant for the scoring. Multiple rounds of interviews and requests for evidence can be carried out to gather all the available evidence. If the management is not available to collaborate, the scoring relies only on the previous two approaches.

Once all evidence is gathered and analysed, the scores are decided through a rigorous peer review process, involving the local team, the central team and reviewers from other country teams. This allows to make sure scores are consistent and standardised across different locations and years (Fairwork, 2024k).

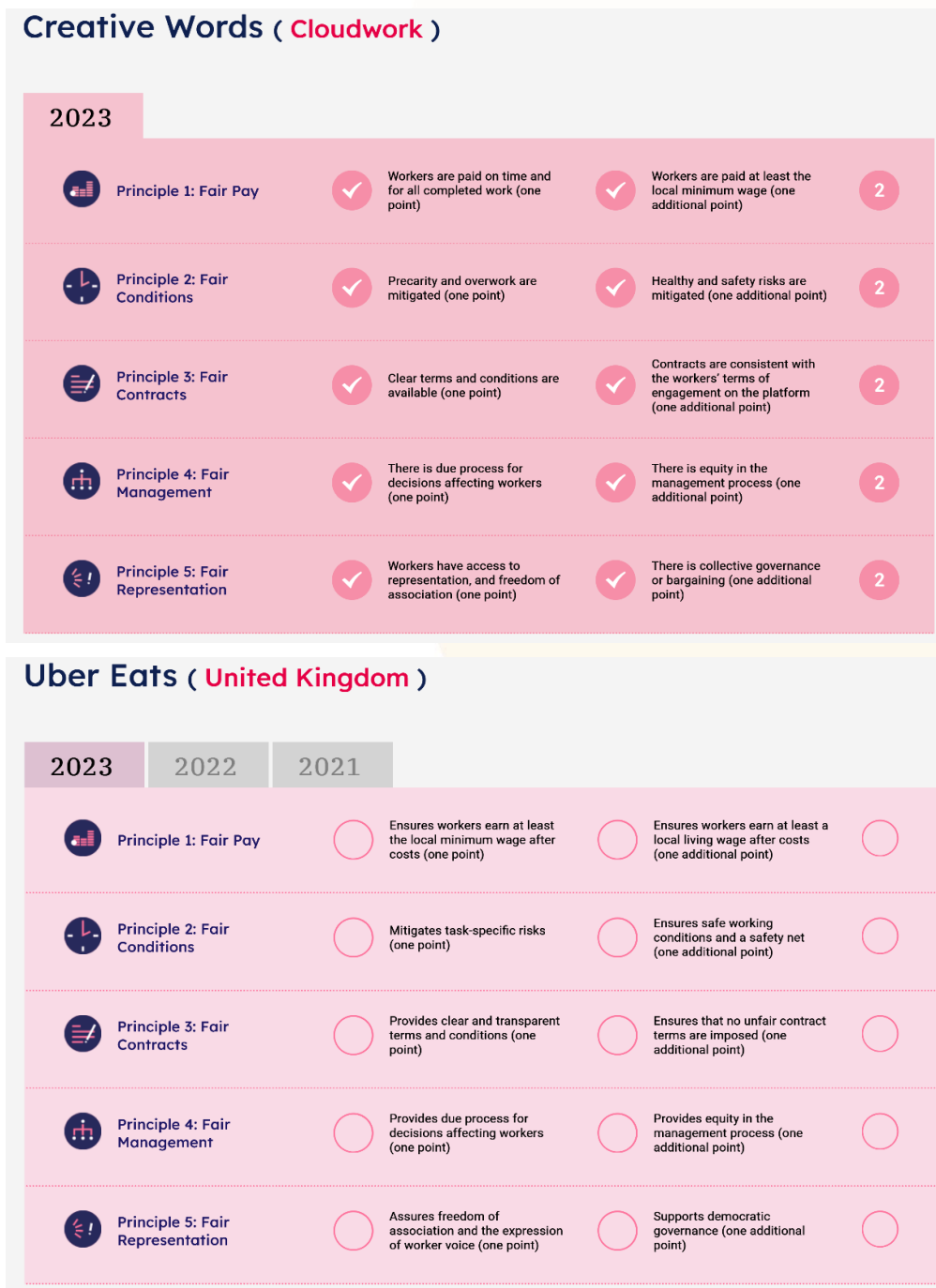
## 5 Results from around the world

Since its inception, Fairwork has produced 673 platform ratings in 39 countries<sup>3</sup> on five continents. In doing so, it has interviewed or surveyed over 5,000 workers and talked with dozens of platform managers, making it the largest project worldwide on the platform economy. For each platform rated, Fairwork publishes a scorecard, similar to the ones in Figure 2.

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<sup>3</sup> Online work platforms, given that they have a scattered workforce around many countries, are evaluated at the global level.

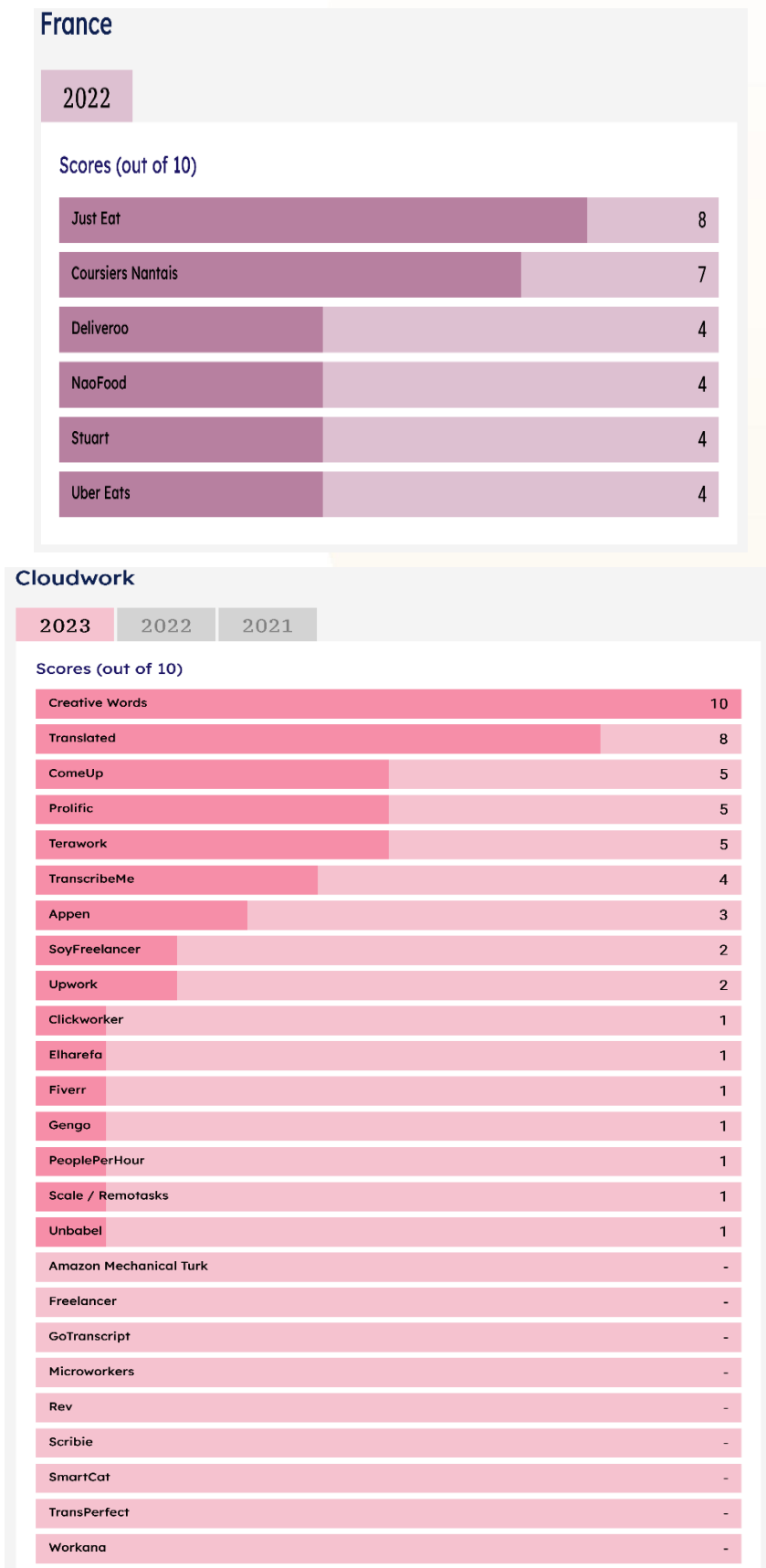
Figure 2: Examples of scorecards



Source: Fairwork (2024e, 2024m)

Individual scores are then grouped into country league tables (or in the case of online work, in a global league table). Examples of league tables can be found in Figure 3.

Figure 3: Examples of league tables



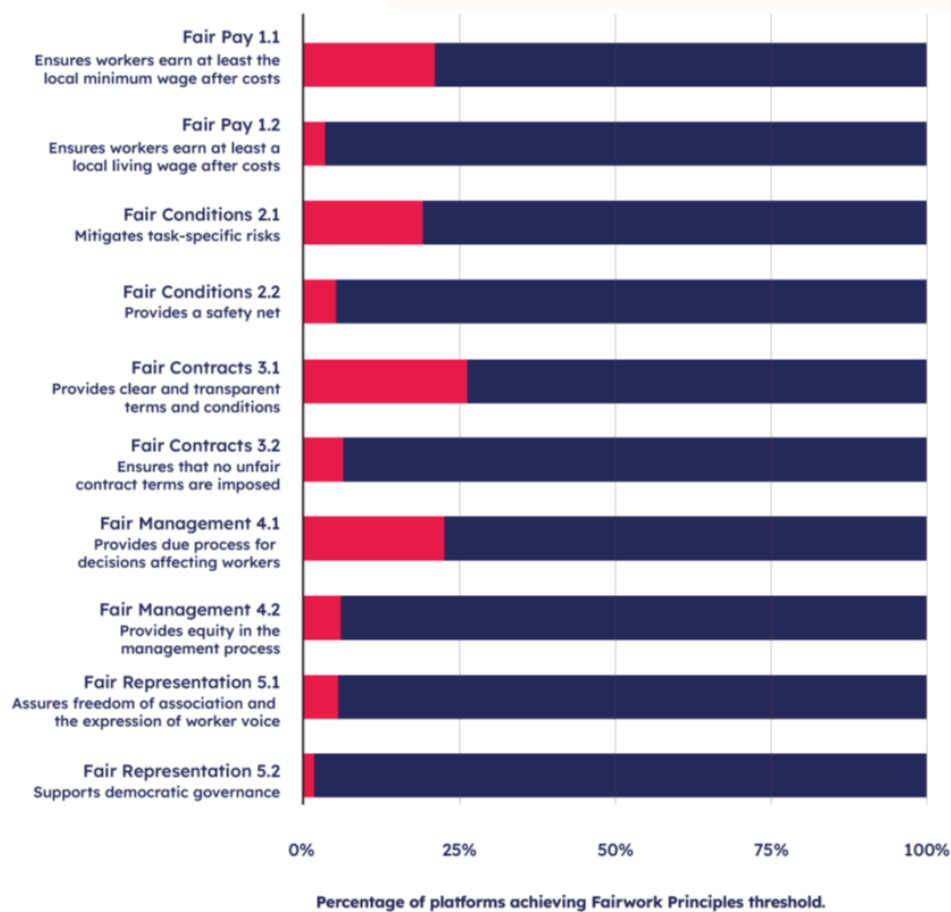
Source: Fairwork (2024h, 2024b)

While individual scorecards allow different stakeholders (including policymakers, managers, unions, journalists, consumers and investors) to identify examples of good practice and see where platforms have room for improvement, league tables allow stakeholders to compare different platforms operating in the same country (and also globally, in the case of cloudwork/online work).

Overall, scores show that even minimum standards of fairness in the digital economy are not met. The average score of the 270 platforms rated in 2023 was 1.2 out of 10, meaning that the average platform met just a bit more than one Fairwork threshold (Fairwork, 2024g).

As shown in Figure 4, platforms are more likely to meet the Fairwork threshold for Fair Contracts, while they are the least likely to meet the threshold for Fair Representation. However, even in the case of Fair Contracts (3.1) only a bit more than 25% of the platforms achieved the point.

Figure 4: Percentage of points per principle in 2023



Source: Fairwork (2024g)

In relation to OSH challenges, it can be seen how the vast majority of platforms worldwide do not do enough to prevent or mitigate OSH-specific risks. The vast majority of platforms (over 75%) could not evidence having a minimum wage policy let alone a living wage policy (over 90% of cases) in place, meaning workers might be subjected to low pay and earnings insecurity. Most platforms (over 80%) could not show they provide health and safety training and free PPE and a large number do not demonstrate to have an adequate data protection policy. The vast majority of platforms (over 90%) do not show how to protect workers in case of accidents or sickness. Contractual terms are often not clear or accessible (over 70% of cases), and only a tiny minority of platforms that use subcontractors have an adequate monitoring mechanism. In most cases, the use of algorithms could not be found to be transparent and communication between worker and digital platform is often slow and inadequate. The vast majority of platforms (over 90%) lack a clear anti-discrimination policy, only a tiny minority of platforms (less than 10%) are open to collective representation and an even smaller percentage (less than 5%) directly engages with trade unions.

## 6 Pathways for change

Through direct engagement with platforms and AI companies, Fairwork has been able to foster improvements in working conditions in the digital economy. As a result of collaboration with Fairwork, **64 companies have made over 300 changes** in their policies and practices, with improvements spanning across all Fairwork principles. These included:

- **Fair Pay:** 41 changes
- **Fair Conditions:** 60 changes
- **Fair Contracts:** 75 changes
- **Fair Management:** 98 changes
- **Fair Representation:** 26 changes

(Fairwork, 2024i)

Changes that are relevant for OSH include: implementation of a policy to pay workers at least the living wage; introduction of accident and/or sickness insurance; provision of free PPE, including helmets, lights or rain gear; provision of ergonomic equipment; implementation of health and safety courses; introduction of a GDPR<sup>4</sup>-compliant data management policy; implementation of an anti-discrimination policy; public commitment to the election of a workers' representative; and engagement with local unions.

But Fairwork's impact does not stop at companies. Over the years, Fairwork has regularly engaged with policymakers to push for regulatory and legislative changes in the regulation of platform work in the direction of fairer and more decent work. By way of example, in India, the Fairwork team provided evidence and advice to a Parliamentary Committee on the conditions of platform workers. Following this, the Fairwork team has collaborated with the Rajasthan government on the Rajasthan Platform Based Gig Workers (Registration and Welfare) Act, 2023, which is the first piece of legislation in India to grant platform workers a safety net. Further, the Fairwork team is now consulting with the Tamil Nadu Planning Commission to develop a policy framework for platform workers in the state of Tamil Nadu (Fairwork, 2024i). In Europe, Fairwork has engaged with the European Commission, the European Economic and Social Committee, and a number of members of the European Parliament in order to provide evidence in light of the proposal for an EU Directive on Platform Work, as well as publishing several policy briefs with specific policy recommendations in reference to different versions of the proposal (Fairwork, 2024i).

Finally, Fairwork also regularly collaborates with unions and workers' associations. For instance, in Kenya, in collaboration with the Assistant General Secretary of the Transport and Allied Workers Union (TAWU), Fairwork contributed to the formation of an informal group for platform worker unions and advocates. It further supported TAWU and the Automobile Association of Kenya in their submission to the Ministry of Transport regarding the pricing mechanism for ride-hailing platforms. Finally, it organised the first African meeting of platform workers' unions in Nairobi. In a number of countries, Fairwork is also co-organising with local unions' campaigns to sensitise workers to their rights (Fairwork, 2024i).

## 7 Conclusion

As shown throughout this case study, Fairwork is playing an important role in fostering fairer working conditions in the global digital economy. Through its ratings, the project shows that the digital economy is characterised by a wide range of labour standards, but the vast majority of platform work cannot be said to be fair, as most companies fail to meet even basic labour standards. At the same time, some companies have been able to achieve high scores, in some cases by directly collaborating with Fairwork to improve their policies and practices, showing that a fairer platform work is not only possible but achievable.

In specific reference to OSH matters, the Fairwork principles broadly cover many of the main OSH-related risks associated with digital platform work. Nevertheless, the broad focus on working conditions and the limit of five principles and 10 thresholds mean that the granularity and specificity of OSH matters

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<sup>4</sup> GDPR stands for General Data Protection Regulation. It is a regulation on information privacy at the EU level. It has become a model for several data protection regulations around the world, including Turkey, Chile, Japan, Brazil, Argentina, South Korea and South Africa. The UK also has its own data protection legislation that is nearly identical to the GDPR.

can be lost. Actors involved in OSH should therefore consider developing specific OSH metrics to complement the Fairwork ratings in specific areas, for instance when it comes to physical and mental health risks, algorithmic management and surveillance, and worker data management. These metrics can be used in association with the Fairwork principles to develop and implement specific policy recommendations in relation to OSH. At the same time, the Fairwork principles could inspire OSH actors to focus more specifically on the issues faced by digital platform workers, as these principles highlight that some (though not all) of digital platform work's specific OSH risks are not the same as in similar jobs in the traditional economy, and they therefore require tailored policy and regulatory initiatives to be tackled.

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## Appendices

### Appendix A — Fairwork principles for online work platforms and for AI work

Table A 1: Fairwork principles for online work platforms

Principle	Threshold
1. Fair Pay	1.1 Workers are paid on time and for all completed work. 1.2 Workers are paid at least the local minimum wage.
2. Fair Conditions	2.1 Precarity and overwork are mitigated. 2.2 Health and safety risks are mitigated.
3. Fair Contracts	3.1 Clear terms and conditions are available. 3.2 Contracts are consistent with the workers' terms of engagement on the platform.
4. Fair Management	4.1 There is due process for decisions affecting workers. 4.2 There is equity in the management process.
5. Fair Representation	5.1 Workers have access to representation and freedom of association. 5.2 There is collective governance or bargaining.

Source: Fairwork (2024c)

Table A 2: Fairwork principles for AI work

Principle	Threshold
1. Fair Pay	1.1 Pays at least the local minimum wage. 1.2 Pays at least the local living wage.
2. Fair Conditions	2.1 Ensures safe working conditions. 2.2 Ensures paid leave and a safety net.
3. Fair Contracts	3.1 Provides decent contracts. 3.2 Provides secure employment.
4. Fair Management	4.1 Treats workers fairly. 4.2 Creates clear and effective systems for data management, explanations and appeals.
5. Fair Representation	5.1 Assures freedom of association and the expression of worker voice. 5.2 Supports democratic governance.

Source: Fairwork (2024f)

## Appendix B — Detailed Fairwork principles for location-based platforms

Table B 1: Detailed Fairwork principles for location-based platforms

	Threshold	Explanation
1. Fair Play	1.1 Ensures workers earn at least the local minimum wage after costs	<p>Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance and maintenance on a vehicle. Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage. 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 hours. To achieve this point, platforms must ensure that work-related costs do not push workers below local minimum wage.</p> <p>The platform takes appropriate steps to ensure both of the following:</p> <ul style="list-style-type: none"> <li>▪ Payment must be on time and in full.</li> <li>▪ 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 costs.</li> </ul>
	1.2 Ensures workers earn at least a local living wage after costs	<p>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.</p> <p>The platform takes appropriate steps to ensure the following:</p> <ul style="list-style-type: none"> <li>▪ 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.</li> </ul>
2. Fair Conditions	2.1 Mitigates task-specific risks	<p>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.</p> <p>The platform must satisfy the following:</p> <ul style="list-style-type: none"> <li>▪ Adequate equipment and training is provided to protect workers' health and safety from task-specific risks. These should be implemented at no additional cost to the worker.</li> <li>▪ The platform mitigates the risks of lone working by providing adequate support and designing processes with occupational safety and health in mind.</li> </ul>
	2.2 Ensures safe working conditions and a safety net	<p>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.</p>

		<p>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.</p> <p>The platform must satisfy ALL of the following:</p> <ul style="list-style-type: none"><li>▪ Platforms take meaningful steps to ensure that workers do not suffer significant costs as a result of accident, injury or disease resulting from work.</li><li>▪ Workers should be compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.</li><li>▪ Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.</li><li>▪ The platform implements policies or practices that protect workers' safety from task-specific risks. In particular, the platform should ensure that pay is not structured in a way that incentivises workers to take excessive levels of risk.</li></ul>
3. Fair Contracts	3.1	<p>Provides clear and transparent terms and conditions</p> <p>The terms and conditions governing platform work are not always clear and accessible to workers. 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.</p> <p>The platform must satisfy ALL of the following:</p> <ul style="list-style-type: none"><li>▪ 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.</li><li>▪ The contracts/terms &amp; conditions are presented in full in clear and comprehensible language that all workers could be expected to understand.</li><li>▪ Workers have to sign a contract and/or give informed consent to terms of conditions upon signing up for the platform.</li><li>▪ The contracts/terms &amp; conditions are easily accessible to workers in paper form, or via the app/platform interface at all times.</li><li>▪ Contracts/terms &amp; conditions do not include clauses that go against prevailing legal frameworks in the respective countries.</li><li>▪ Platforms take adequate, responsible and ethical data protection and management measures, laid out in a documented policy.</li></ul>

	3.2	Ensures that no unfair contract terms are imposed	<p>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 are shared between parties.</p> <p>Regardless of how the contractual status of the worker is classified, the platform must satisfy ALL of the following:</p> <ul style="list-style-type: none"> <li>▪ Every worker is notified of proposed changes in clear and understandable language within a reasonable time frame before changes come into effect; and the changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.</li> <li>▪ The contracts/terms &amp; conditions neither include clauses that exclude liability for negligence nor unreasonably exempt the platform from liability for working conditions.</li> <li>▪ The platform takes appropriate steps to ensure that the contract does not include clauses that prevent workers from effectively seeking redress for grievances that arise from the working relationship.</li> <li>▪ 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.</li> <li>▪ 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.</li> </ul>
4. Fair Management	4.1	Provides due process for decisions affecting workers	<p>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.</p> <p>The platform must satisfy ALL of the following:</p> <ul style="list-style-type: none"> <li>▪ 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 time frame.</li> <li>▪ 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 interface.</li> </ul>

		<ul style="list-style-type: none"> <li>▪ In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.</li> <li>▪ Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.</li> </ul>
4.2	Provides equity in the management process	<p>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.</p> <p>Platforms must satisfy ALL of the following:</p> <p>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 status.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.</p>
5. Fair Representation	5.1	<p>Assures freedom of association and the expression of worker voice</p> <p>Freedom of association is a fundamental right for all workers and is enshrined in the constitution of the International Labour Organisation and the Universal Declaration of Human Rights. The right of workers to organise, collectively express their wishes – and importantly – be listened to is an important prerequisite for fair working conditions. However, rates of organisation among 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.</p> <p>Platforms must satisfy ALL of the following:</p> <ul style="list-style-type: none"> <li>▪ There is a documented mechanism for the expression of collective worker voice that allows ALL workers, regardless of employment status, to participate without risks.</li> </ul>

		<ul style="list-style-type: none"> <li>▪ 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 interface.</li> <li>▪ 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 for expressing willingness to form independent collective bodies of representation.</li> </ul>
5.2	Supports democratic governance	<p>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.</p> <p>The platform must satisfy at least ONE of the following:</p> <ul style="list-style-type: none"> <li>▪ Workers play a meaningful role in governing it.</li> <li>▪ 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 a trade union. This recognition is not exclusive and, when the legal framework allows, the platform should recognise any significant collective body seeking representation.</li> </ul>

Source: Fairwork (2024j)

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