Institution: University of Oxford
Unit of Assessment: 14 – Geography and Environmental Studies
Title of case study: Fairwork: Improving Working Conditions in the Digital Gig Economy
Period when the underpinning research was undertaken: 2014-Dec 2020
Details of staff conducting the underpinning research from the submitting unit:

Name(s): Mark Graham	**Role(s) (e.g. job title):** Professor of Internet Geography, Oxford Internet Institute	**Period(s) employed by submitting HEI:** 2009-onwards

Period when the claimed impact occurred: 2018-30 Nov 2020
Is this case study continued from a case study submitted in 2014? N

1. Summary of the impact (indicative maximum 100 words)

Research initiated and led by Graham has developed five principles for fair work organised by digital labour platforms. These cover pay, conditions, contracts, management and worker representation. To date, platforms offering many different services in 23 countries worldwide have been rated on a 10-point scale that evaluates their performance across all five principles. The research has directly improved the conditions of employment that popular platforms offer to workers in South Africa and helped to tighten the health and safety legislation for gig workers during the COVID-19 pandemic in the UK. The principles have also been embedded in policy in Germany at both state and federal government levels.

2. Underpinning research (indicative maximum 500 words)

Digital labour platforms represent a rapidly growing new economic model that provides income for at least 84,000,000 workers worldwide, in sectors such as taxi ride-hailing, domestic/cleaning work, delivery and logistics, and freelancing. This platform-organised 'gig work' often falls outside the purview of traditional employment protections, and many workers experience precarity, low pay, and unsafe working conditions [**R1**, **R2**]. Graham has analysed the geography of digital labour markets around the planet. **R1** draws on a multi-year study with digital workers in Sub-Saharan Africa and South East Asia and reveals four shared concerns: bargaining power, economic inclusion, intermediated value chains, and 'upgrading' of work. **R2** extends that analysis by highlighting the high degree of algorithmic control that digital labour platforms exert over workers, and how this can result in low pay, unsocial hours, offloading risk on to workers, and denial of due process. Graham and colleagues have proposed multiple strategies to improve working conditions in the gig economy, including regulation, organising workers, democratising platforms, and introducing certification schemes.

The idea of a certification scheme for decent work on digital labour platforms was elaborated further in **R3**. This led to the creation of the 'Fairwork Foundation' – a participatory action-research project that evaluates the work conditions of digital labour platforms across the globe, scoring individual platforms on how well, or how poorly, they perform. From inception, the Foundation's research activities have been undertaken in close collaboration with platforms, workers, trade unions, regulators, labour lawyers, and academics. This has resulted in the formulation of five "principles for fair work" (published in **R4**):

1) *Fair pay*: fair levels of pay and pay terms (including meeting of workers' costs);
2) *Fair conditions*: fair ways to carry out the work, including mitigating risks and actively improving health and safety;
3) *Fair contracts*: transparent, concise and accessible contractual documents that attribute employment status to the worker;

4) *Fair management*: fair operation of the platform with respect to the work process (including disciplinary practices), communication, accountability and transparency in decision-making, use of worker data, as well as equity and no discrimination;

5) *Fair representation*: the right to have a voice and be heard by the platform, the presence of clear processes for complaints and conflict resolution, and right to free association.

Each platform is scored on a three-point scale – 0, 1 or 2 – for each principle, resulting in a total score from 0 to 10, on the basis of interviews with a platform representative and a random sample of workers, as well as desk research by the Foundation [**R4**]. The Fairwork Principles serve as the first standardised method to evaluate the quality of digital platform labour. The criteria continue to be updated regularly through a process of active collaboration with platforms, workers, and unions, in order to respond to platform practices and the changing needs of digital workers.

In 2018 South Africa was the first country where the Principles were applied to examine the conditions of platform work [**R2**]. It offered an appropriate test because the combination of high unemployment, policies that encourage digital entrepreneurship and good digital infrastructures have led to a substantial gig economy that both offers much-needed livelihoods but also erodes labour standards. The same methodology has since been used to evaluate the quality of digital labour platform work in 23 countries worldwide including India and Germany (see Section 4 below) with others including Bangladesh, Brazil, Ecuador, Egypt, Ghana, Indonesia, Kenya, the UK, Ukraine, and the USA). Application of a standardised methodology offers opportunities for comparative analysis and understanding of the changing character of labour markets worldwide [e.g. **R5**].

Unease regarding the potential for digital labour platforms to undermine working conditions has intensified during the COVID-19 pandemic, with many gig workers seeing their incomes disappear, or facing unsafe working practices. Graham's team have surveyed the COVID-19 policies of 120 platforms in 23 countries worldwide [**R6**]. Scoring the platforms across the five principles of fair work [**R4**], they demonstrated a clear gap between what workers needed to stay safe, and what platforms provided. The report's recommendations include free provision of PPE for workers, including disinfectants, gloves and masks.

3. References to the research (indicative maximum of six references)

R1: Graham, M., Hjorth, I., Lehdonvirta, V. (2017) Digital labour and development: impacts of global digital labour platforms and the gig economy on worker livelihoods. *Transfer: European Review of Labour and Research* 23(2): 135-162. https://journals.sagepub.com/doi/10.1177/1024258916687250 [output type: D]

R2: Wood, A., Graham, M., Lehdonvirta, V., Hjorth, I. (2019) Good gig, bad big: autonomy and algorithmic control in the global gig economy. *Work, Employment and Society* 33(1): 56-75. http://doi.org/10.1177/0950017018785616 [output type: D]

R3: Graham, M., Woodcock, J. (2018) Towards a fairer platform economy: introducing the Fairwork Foundation. *Alternate Routes* 29: 242-253, available at: http://www.alternateroutes.ca/index.php/ar/article/view/22455/18249 [output type: D]

R4: Graham, M., Woodcock, J., Heeks, R., Mungai, P., Van Belle, J-P., du Toit, D., Fredman, S., Osiki, A., van der Spuy, A., Silberman, S. (2020) The Fairwork Foundation: strategies for improving platform work in a global context. *Geoforum* 112, 100-103. http://doi.org/10.1016/j.geoforum.2020.01.023 [output type: D]

R5: Graham, M., Anwar, M.A. (2019) The global gig economy: towards a planetary labour market? *First Monday* 24(4). http://doi.org/10.5210/fm.v24i4.9913 [output type: D]

R6: Fairwork (2020) *The Gig Economy and Covid-19: Fairwork Report on Platform Policies*. University of Oxford, available at: https://fair.work/wp-content/uploads/sites/97/2020/06/COVID19-Report-Final.pdf . [output type: U]

(2017-2020); *Building a Fairwork Foundation*, ERC Proof of Concept Grant, GBP119,820 (2019-21); *FAIRWORK: Towards Fair Work in the Platform Economy*, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GBP427,044 (2017-20) and *Sector Project Digital Development*, GIZ, GBP938,879 (2019-22); *GEONET: Changing connectivities and the potentials of Sub-Saharan Africa's knowledge economy*, European Commission, GBP1,134,741 (2014-20); *GCRF Decent Work: FAIRWORK in the Platform Economy in the Global South*, ESRC/GCRF, GBP603,733 (2018-21).

4. Details of the impact (indicative maximum 750 words)

The research above [**R1**-**R6**] has brought about positive change for gig workers and digital labour platforms in multiple countries and directly improved the conditions of employment that popular platforms offer to workers in South Africa, India and Germany. The examples below focus on three South African platforms where the improvements have been most developed. The research has also helped to tighten the health and safety legislation for gig workers during the COVID-19 pandemic in the UK. Finally, the Fairwork Principles have also been embedded in government policy in Germany at both state (Berlin) and federal (international development) levels.

Improving conditions for gig workers in South Africa

In March 2019 and again in 2020 Fairwork published scores using the Principles framework for 10 platforms operating in South Africa [**R4**]. The ranked platforms included global providers (e.g. Uber, Bolt) and local businesses. As part of this process, six platforms engaged in direct dialogue with Fairwork researchers, with three, NoSweat, SweepSouth and GetTOD, subsequently making changes to align their practices with the Fairwork Principles. These changes—concerning health and safety, grievance reporting, non-discrimination, living wages, and freedom of association—directly impact many thousands of South African workers, improving their security and job quality. Specifically:

- The online freelancing platform **NoSweat** (with over 13,000 registered freelancers in South Africa and the Netherlands) scored 8 out of 10 points in 2019 and 2020 [**E1**]). Active alignment with the Fairwork principles is stated on its website as "NoSweat fully supports the Fairwork Foundation's initiative" [**E2a**]. In 2019, NoSweat developed a confidential grievance reporting portal, and adopted a contractual requirement for clients to protect workers' health and safety [**E2b**]. This contract requirement covers working hours, management and payment of overtime, and protection from injury and disease in the workplace. Companies working with NoSweat must agree to the requirement before hiring gig workers. Wilfred Greyling, NoSweat's co-founder, attributed this change to the Fairwork Foundation: "Fairwork has helped us formalise those principles and incorporate them into our systems" [**E3a**, **E3b**]. As a result, the platform's score on the Fair Contracts principle has increased from 1 in 2019 to the maximum 2 in 2020 [**E1**]. In 2020, NoSweat stated that they observe the right to free association and accept collective worker representation [**E2b**], which increased their score for the Fair Representation principle from 1 in 2019 to 2 in 2020 [**E1**].

- South African domestic work platform **SweepSouth**, which provides work for approximately 3,000 cleaners in Cape Town and Johannesburg, approached Fairwork when their score was lower than they had hoped (7/10 points in 2019 [**E1**]; insufficient data for ranking in 2020). The Fairwork team indicated that it needed to meet the higher-level condition for the 'fair management' principle and put in place a formal policy of no discrimination against workers. Following discussions with the Fairwork team, SweepSouth committed in 2020 to develop a formal policy of non-discrimination against workers on the basis of race, gender, sexual orientation, disability, religion/belief, age or any other legally protected characteristic [**E4**]. This is an important step towards enabling workers to assert their rights and seek formal redress in an industry characterised by geographic, racial, and gender inequities.

- South African platform for tradespeople, **GetTOD**, made changes in early 2020 to align with Fairwork principles in order to receive a score of 8/10 in the 2020 rankings [**E1**]. GetTOD is active in South Africa's four largest cities – Cape Town, Durban, Johannesburg and Pretoria – and connects demand and supply for many different services (e.g. plumbing, pest control, flooring, cleaning). GetTOD committed to paying a living wage, stating that: "We ensure that

no service providers earn below the living wage (as defined by Fairwork), and our average compensation far exceeds this" [**E5**]. They also clarified the disciplinary processes in clause 4.6 of the 'partner terms' for workers [**E6**].

Legislative change to improve the wellbeing of UK gig workers during COVID-19

The Fairwork Principles [**R4**] also played a role in a legal judgment in the UK, relating to gig economy workers' rights in light of COVID-19. **R6,** on the COVID-19 response policies of 120 platforms in 23 countries, helped The Independent Workers Union of Great Britain (IWUGB) bring a case against the UK Department of Work and Pensions. Having contributed to **R6**, the IWUGB claimed that the UK had failed to provide gig workers with the health and safety protection to which they were entitled under EU health and safety law. The EU Directives conferred protections on 'workers' but in the UK this had only been applied to 'employees' – leaving millions of gig workers unprotected. The judgement was made in the IWUGB's favour, directly citing **R6**:

"A report by the Fairwork Project [i.e. **R6**] … to which the Claimant contributed, made a number of recommendations including: regular, adequate, free provision of PPE – disinfectant, gloves and masks; installation of physical barriers between driver and passengers in all ride-hailing cars; contact free supply chains (both collection and delivery) for delivery workers; daily sanitisation of vehicles and upstream locations – warehouses, hubs et cetera; and free COVID-19 check-ups for workers and their families." [**E7**]

As a result of this judgement, all UK workers now have the right to PPE and to refuse unsafe work. The judgment can be used in legal cases taken via the Health and Safety Executive, local authorities or employment tribunal claims. The IWUGB estimates that this will benefit at least 4,700,000 people working in the UK [**E8**].

Fairwork Principles embedded in German policy

The Berlin Senate Administration for Integration, Labour and Social Affairs – the state ministry and highest authority for integration, labour market and social policy – has shown strong interest in gig work conditions because of the rapid growth of digital labour platforms in the city. The Senate Administration have endorsed the Fairwork Principles. An article from January 2020 in the periodical of the Berliner MieterGemeinschaft (one of Berlin's largest tenant organisations) confirmed that "[t]he Senate Administration for Integration, Labour and Social Affairs has commissioned a number of studies on the situation of gig workers and supports an initiative by the Fairwork Foundation and the Oxford Internet Institute (OII) to develop a certification system for fair work in the digital platform economy" [**E9**]. The Senate support Berlin's Fairwork Secretariat because its "stated aim is to put pressure on platform operators to improve working conditions" [**E9**]. The Senate Administration for Integration, Labour and Social Affairs regularly organises international expert meetings and conferences. The September 2020 conference, at which the Fairwork Foundation's research and ratings were discussed, focused on decent work in the platform economy [**E10**]. The *12-Point Policy Paper* [**E10**] summarising the conference's main results urges policymakers to promote positive approaches to fair working conditions, including platforms adopting voluntary commitments to decent work as defined by various codes of conduct. These approaches are exemplified by the Fairwork Foundation's action-research with platforms.

The research by Graham and colleagues has also been taken up at the national level. In 2018, the Federal Government of Germany adopted the Fairwork Principles [**R5**] in its Digital Strategy, *Shaping Digitalization: Implementation strategy of the Federal Government* [**E11**], seeking to find practical ways to support individuals and society at large through changes led by digitalization. The Strategy document says: "[e]very challenge we identify in the implementation strategy is mapped into a specific actionable solution. And every actionable solution is accompanied by an implementation plan" [**E11**]. The document places a strong emphasis on how those actions enable Germany to support developing countries: "[w]e intend to specifically and responsibly promote the digital transformation in developing countries based on a partnership approach, to create a new outlook, and to thus lay the local foundation for a desirable future". One of these challenges is to "subsidize the digital sector in developing countries: Cooperate with the private sector in the tech field and leverage digital trade" [**E11**]. One of the five implementation steps in response is to "establish a certification system for fair work in the digital platform economy through the Oxford

Internet Institute (OII) and the Fairwork Foundation" [**E11**]. Having indicated Fairwork principles for platform work as one of its development priorities, in 2020 the German Government (via GIZ) provided more than EUR670,000 for the establishment of a Fairwork Secretariat to be based at Berlin Social Science Center (WBZ), the largest independent social science research institute that is not affiliated to a university in Europe [**E12**]. The Secretariat is co-directed by Graham and coordinates platform scoring, and policy and industry engagement across over 20 countries worldwide.

5. Sources to corroborate the impact (indicative maximum of 10 references)

E1: Webpage Fairwork Foundation: NoSweat (South Africa), available at **E1a**: https://fair.work/en/ratings/platforms/south-africa-nosweat/?tabfor2019 and **E1b**: https://fair.work/en/ratings/platforms/south-africa-nosweat/?tabfor2020 .

E2: Webpages NoSweat: **E2a**: Fairwork Foundation, available at https://nosweat.work/fairwork_foundation ; **E2b**: Health and Safety Employer Agreement, available at: https://nosweat.work/health_and_safety ; **E2c**: Freelancer Grievance, available at: https://nosweat.work/freelancer_grievance

E3a: Press release: Oxford Internet Institute (2019) New rating system highlights best and worst digital platforms for workers' conditions, 25 March, available at: https://www.oii.ox.ac.uk/news/releases/new-rating-system-highlights-best-and-worst-digital-platforms-for-workers-conditions/ . **E3b**: E-mail from NoSweat co-founder, confirming statement in **E2a**.

E4: Email from Supply Experience Manager, SweepSouth.

E5: Webpage GetTOD: Fair Pay, available at: https://www.gettod.com/hero/

E6: Terms and Conditions: GetTOD (2020) Partner Terms, clause 4.6.

E7: Approved judgment: Mr Justice Chamberlain (2020) IWUGB vs The Secretary of State for Work and Pensions, The Secretary of State for Business, Energy and Industrial Strategy, and The Health and Safety Executive, Case No: CO/1887/2020, 13 November.

E8: Press release: IWUGB (2020) Government admits defeat, health and safety protections to be extended to all 'gig economy' and frontline workers, 30 November, available at: https://iwgb.org.uk/post/government-admits-defeat-health-and-safety-protections-to-be-extended-to-all-gig-economy-and-frontline-workers .

E9: Article: Berliner MieterGemeinschaft (2020) Hauptstadt der Gig Economy. MieterEcho 407.

E10: Conference Report: Arbeit 4.0 (2020) Platform Economy – Decent Work in Times of Digital Transformation.

E11: Policy Document: German Federal Government of Germany (2018) Shaping Digitization: Implementation Strategy of the Federal Government.

E12: Technical Proposal: Establishing the Fairwork Secretariat at Berlin Social Science Center (WZB).