

Fairwork

**LABOUR STANDARDS AND NEW DEMANDS
FOR COLLECTIVE REPRESENTATION IN THE
ITALIAN PLATFORM ECONOMY**

Fairwork Italy Ratings 2024



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Executive Summary

Employment opportunities provided by digital platforms are growing steadily in Italy, reflecting the global shift towards the platform economy.

It is estimated that thousands of workers in Italy are engaged in various services and professions on these platforms.¹ The tasks performed on digital platforms in Italy are remarkably diverse, ranging from delivery services and ride-sharing to domestic and care services. This trend has a significant impact on the Italian economy, stimulating job creation and innovation in the services sector. However, concerns remain about job stability and the protection of workers' rights.

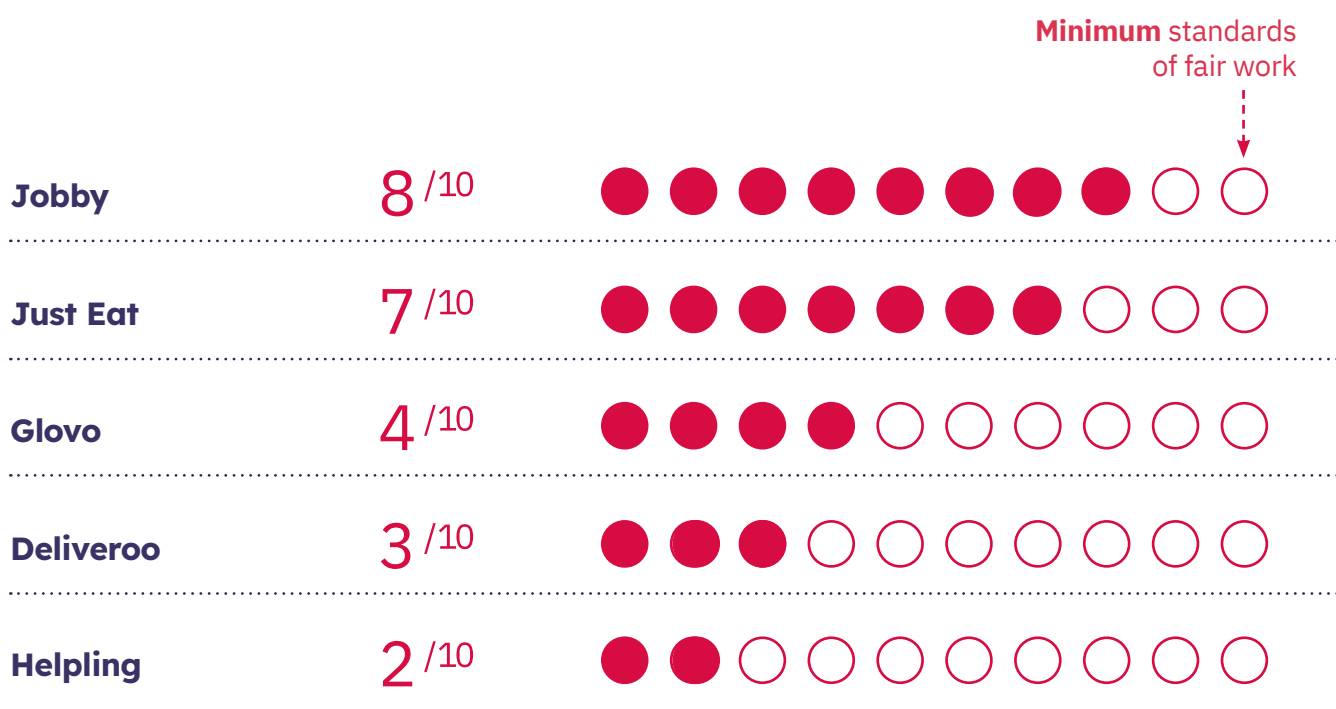
This report presents the first set of Fairwork ratings for Italy and establishes a baseline for the country's platform

economy. Five platforms in the food delivery and domestic service sector were assessed against five Fairwork principles and given a score out of ten. The scoring process included desk research, interviews with platform workers to gain insights into their work experiences and working conditions, and interviews with platform managers to gain knowledge of platform operations and evidence for each of the Fairwork principles. The final scores were collectively decided by the Italian Fairwork team, based on all three forms of evidence, and reviewed by Fairwork researchers from other country teams.



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Fairwork Italy Scores 2024

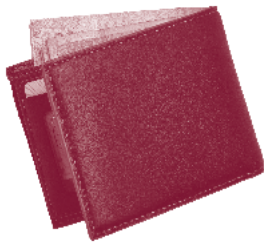


THE BREAKDOWN OF SCORES FOR INDIVIDUAL PLATFORMS IS AVAILABLE AT

WWW.FAIR.WORK/ITALY

Key Findings

The five platforms we evaluated received scores ranging from zero to eight out of ten, showing a wide variability in the fairness of work offered by digital platforms in Italy. Two platforms (Jobby and Just Eat) scored relatively highly, gaining 8 and 7 points respectively.



FAIR PAY

Only two platforms (Jobby and Just Eat) were able to demonstrate that they guarantee their workers a salary that is at or above the minimum set by national sectoral collective bargaining. Jobby hires its workers through on-demand contracts, which allows them to earn wages above those set by national industry agreements. Just Eat hires its couriers directly and therefore follows the minimum rates set by industry and company agreements. According to our findings, workers on other platforms take home less than the minimum hourly wage after costs.



FAIR CONDITIONS

All platforms except Helping were able to demonstrate that they offer protection against work-related risks and accidents, and that basic accident insurance is available. Deliveroo, Glovo, Jobby and Just Eat provide personal protective equipment free of charge and replace it promptly without a fee. Helping could not demonstrate that they provide an effective safety net (i.e. support for health and safety issues) for workers.



FAIR CONTRACTS

All platforms could demonstrate that they provide clear, transparent and accessible terms and conditions. Of these, only JustEat's terms and conditions were shown to truly reflect the nature of the relationship between the platform and its workers, due to the presence of an agreement at company level. This can be considered as a good practice. It can therefore be highlighted as a best practice in the Italian platform economy, as it clearly reflects the nature of the relationship between the platform and its workers.



Pexels / cottonbro studio

FAIR MANAGEMENT



All the platforms reviewed have communication channels allowing workers to interact with a human representative. Just Eat was the only platform to demonstrate an effective due process for decisions affecting workers. Glovo and Just Eat provided evidence of fair practices in the management process, including algorithmic management, although how algorithms are used to determine access to work remains unclear. More work is needed to improve fair governance on platforms. Finally, Jobby is the only platform that demonstrated a transparent and effective anti-discrimination policy.

FAIR REPRESENTATION



Only Just Eat fully met both thresholds for this principle. Deliveroo and Glovo have signed a collective agreement which is only recognised by one, non-representative union in Italy. For Jobby and Helping, evidence of solid relationships with national trade unions was not considered sufficient to award the point, because workers are not covered by collective agreements. The findings on this principle point to the fact that most Italian platform workers have little or no influence over the decisions that affect their jobs.

The Uncertain Boundaries of Platform Work in Italy

The rapid development of the platform economy in Italy has led to a growing debate, invoking sociological and juridical attention, around the nature and content of platform work. The atypical nature of digital work has had a significant impact on the labour market and the economy, leading to a new phase in the organisation and regulation of work.

However, the statistical dimensions of these phenomena remain controversial, given the often-invisible nature of these jobs. Also, the hybrid nature of this work, formally autonomous but in many cases dictated by algorithms and platforms, makes the workers' self-perception controversial due to the strong isolation they experience in the relationship between the platform and the final clients of the services.

This is particularly problematic in Italy, given the fragmented and occupational nature of social security and the limits of collective bargaining. In a welfare system such as the Italian one, which is characterised by strong differentiation on an occupational basis and huge dualism between insider and outsider,² the area of precarious and non-guaranteed work has grown over the years. In the more recent decades the combination of the increasing number of workers in atypical employment and the flexibilization of standard employment created a fertile ground for the spread of perceived precarity, especially among young.

The most established trade unions have found it increasingly difficult to represent and protect the interests

of these workers outside the perimeter of standard work, be it precarious workers, self-employed workers, or those employed in sectors that are weak in terms of collective representation. As in other mediterranean welfare states in Europe, benefits and coverage rates of workers in non-standard arrangements are lower than workers in standard employment. Non-standard employment has allowed more workers to enter the labour market, at the cost, however, of insecure jobs and low pay.

This report presents the inaugural Fairwork ratings for Italy. Five platforms in the food delivery, care, and domestic services sectors—Glovo, Just Eat, Deliveroo, Jobby, and Helping—were evaluated against five principles of Fairwork. The analysis involved desk research, interviews with platform workers, and interviews with platform managers. The scoring process aimed at underlining work experiences and working conditions, as well as platforms' operations and organisation of work. As with all our reports, we evaluate working conditions according to five principles of fair work: Fair Pay, Fair Conditions, Fair Contracts, Fair Management, and Fair Representation.

Towards Decent Labour Standards in the Platform Economy

Fairwork evaluates and ranks the working conditions of digital labour platforms. Our ratings are based on five principles that 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 39 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

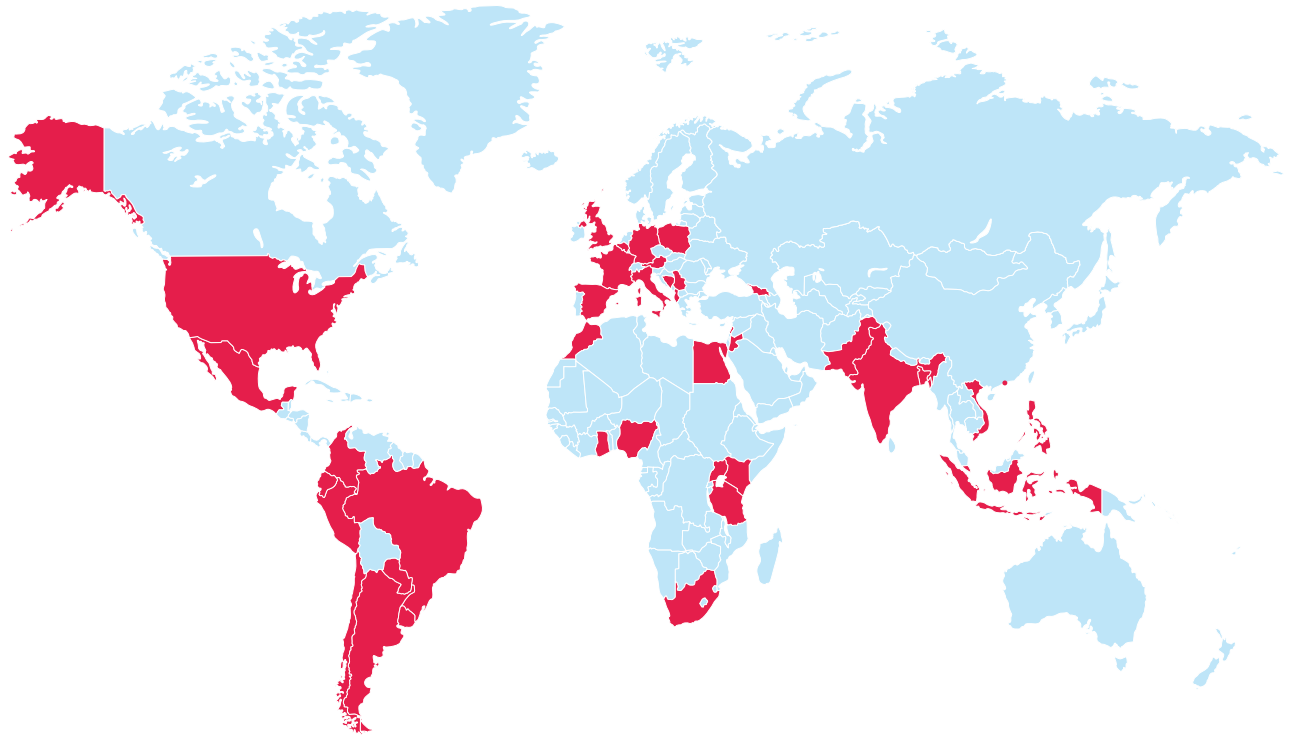


Figure 1. Map of Fairwork countries.

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, Poland, Serbia, Spain, UK

SOUTH AMERICA

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

NORTH AMERICA

Mexico, US

The Fairwork Framework

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 Italian context, we have subsequently revised and fine-tuned them in consultation with platform workers, trade unions, academics, and labour lawyers.

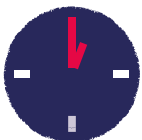
STEP 1

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.

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 annual ranking 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 up 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 were approached using a range of different channels. For our 2024 ratings, this included different recruiting methods such as direct contact on Facebook, snowballing from prior interviews and phone contact directly delivered by trade unions.

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. All interviews were conducted in Italian.

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 a 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 are both members of the Fairwork teams in other countries, as well as members of the central Fairwork team. Once the external reviewers have assigned their scoring, 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.**



06

07/10

08

09

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COUNTRY CONTEXT

Digitization and Deregulation

In Italy, the growth of the platform economy has been accompanied by an ongoing process of digitalisation of the economy and deregulation of the labour market. In line with this trend, the country has witnessed a significant increase in the activity of digital platforms in recent years.³

The Italian labour market has been heavily deregulated over the past decades, with an increase in precarious and atypical jobs, but this has not undermined traditional dualisation. In Italy, dualisation has traditionally taken place along deep age and gender divides, as well as significant regional differences.⁴ These disparities include: a generally lower level of female employment (compared to male employment), which is extremely low in certain Southern regions; high youth unemployment, especially in certain Southern regions; the concentration of 'atypical' employment among young people and a limited degree of transition from temporary to permanent employment; labour demand geared towards the need for medium- and low-skilled workers, combined with the increasingly well-educated youth; and the predominance of (involuntary) part-time employment among women.⁵ Italy is a country where the percentage of workers in involuntary part-time employment is one of the highest in the EU: 62% against an average of 23%.⁶ Many of these jobs come with a particularly low number of working hours per week, which is reflected in wages which, even if they are regulated by a national agreement signed by the social partners, cannot be considered adequate and sufficient for a satisfactory standard of living. In other words, the low number of hours worked, despite minimum wages set by collective bargaining, results in very low earnings.

In Italy, trade union membership and collective bargaining coverage are still high compared to the rest of

Europe.⁷ However, it is declining and challenged by new demands for collective representation from atypical and underrepresented workers, such as platform workers. The rise of platform work not only exacerbates inequalities in the labour market, but also widens rifts in the collective bargaining system between the represented and the unrepresented. At the same time, several institutional features of Italy, such as the absence of a statutory minimum wage and the high degree of fragmentation of collective bargaining and social security systems, reinforce dualisation, i.e. a widening of insider–outsider divides. In these terms, dualisation also implies divides not only in the labour market but also in terms of welfare protection and union representation.⁸ In recent years, several studies have been carried out on the quantitative dimensions and characteristics of platform work in Italy.⁹

The statistical dimensions of the platform economy remain controversial, given the partly invisible nature of many platform jobs. Various attempts at estimating the number of platform workers, moreover, represent a methodological challenge for several reasons: many platform workers do not always perceive themselves as such. Platform work is often not the only work done, and it does not have continuity.¹⁰ Moreover, platforms are expanding into different sectors. For example, there has been a significant growth in platforms that mediate between supply and demand in care services, domestic work and

professional services. In some cases, these platforms have developed a location-based model to provide services (for example, Just Eat), which organize work at a local level between team leader and couriers. In other cases, platforms have opted to manage the work organisation remotely (for example, Helpling and Jobby). In the latter case, the platforms work as intermediaries by matching requesters (employers and/or consumers) and providers (workers). Indeed, the distinct nature of this work, formally autonomous but in many cases under the control of algorithms and the platform, makes the workers' self-perception controversial. Some of the workers consider themselves as professionals who use the platform to connect with customers, while others perform micro-tasks

at home with no particular professional skills and a high turnover of customers.¹¹

One of the most comprehensive and recent surveys on platform work was carried out by INAPP, the National Institute for the Analysis of Public Policies. In particular, the INAPP Plus Survey¹² sheds light on the basic characteristics of digital workers, examines the formal/informal status of employment relationships, and the working conditions and legal status of workers. According to the survey, between 2020 and 2021, 2.2 million Italians reported having earned income through a digital platform (5.2% of the Italian population); of these, 570,521 had earned income from platform work. More

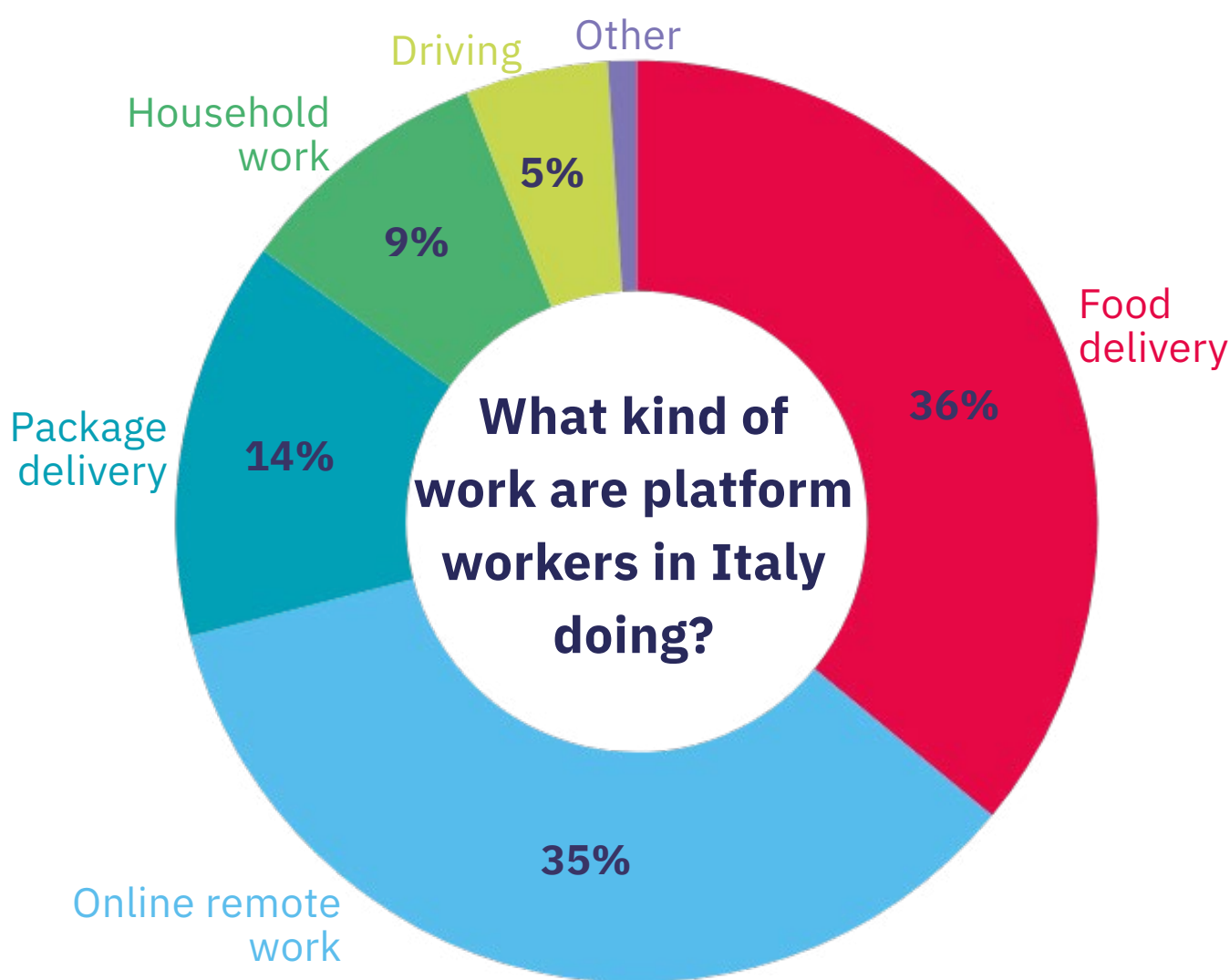


Figure 2. Platform work by economic sector in Italy (%). Source: Data taken from the INAPP-Plus 2021 survey.

than three quarters of platform workers in Italy are male and aged between 30 and 49. The majority of platform workers have completed secondary education (45%), while almost 20% have a university degree. As Figure 2 shows, 50% of platform workers' jobs are in logistics (36% deliver food, 14% deliver goods and parcels), a further 9% are in domestic services, while 5% are in passenger transportation.

In terms of labour relations, 25% of the total number of workers employed by a platform are on a temporary contract. The percentage is roughly the same for the two types of platforms (26% online work, 24.5% location-based), while 19.9% of digital workers engage in coordinated and continuous collaboration (a non-standard contract), and the percentage is higher for workers on location-based platforms (26% as opposed to only 9% on online platforms); 11.5% work under an employment contract, with a predominance of location-based workers; and finally, around 12% of platform workers have a VAT number. Further evidence from the INAPP-Plus 2021 data concerns the motivations of workers to use platforms to seek work. One of the key motivations is the importance of income. Platform work represents a significant source of income for a growing share of workers. 48% of respondents state that the income earned from performing tasks on platforms is an important part of the family budget, and for 32%, it is essential to meet their living and household needs. For only 20% of respondents, income from platform work is marginal. Another aspect relates to platforms' role as a bridge to the labour market. Many workers use platforms as a way to enter the labour market, given the scarce alternatives to get a job inside traditional organisations. 50% of respondents stressed the lack of alternatives to work, and only 12% said they used a platform simply to earn extra income. In terms of payment arrangements, workers are paid by the platform itself in 34% of cases, by the client in 53% of cases, and by a third party in 13% of cases.

To summarise, platform workers are experiencing the mounting risk of social exclusion, due to the potential lack of appropriate contractual status, social protection

and adequate income levels. They often belong to fragile households characterised by a stronger social fragility and a persistent gap in terms of social protection. Moreover, as digital platforms in many respects fall outside the regulatory criteria of labour law, it is difficult for the jobs created to fall within the scope of sectoral collective agreements. On the other hand, employers have long emphasised the autonomous nature of this work. This has obvious repercussions on working conditions, social protection and even access to collective voice mechanisms.

Legal Context

The employment status of platform workers in Italy is a controversial issue, as platforms often rely on a workforce of independent contractors and non-standard workers. The situation is made worse in the Italian context given the fragmented and occupational nature of social security and the system of collective bargaining. With the exception of food delivery companies, the hybrid nature of platform work escapes collective bargaining, leaving these workers in many cases subject to digital piecework. Initially, platforms in Italy refused to recognise the employment nature of platform work (especially in food delivery), while at the same time exercising control over the worker. This work was equated with self-employment, which comes without contractual guarantees or other forms of social protection. In recent years there have been many disputes that have led to significant changes in legislation.

At the regulatory level, the approval of Law No. 128/2019, known as the Rider Decree, extended the notion of quasi-employment to include platform workers in this category, but relied on national collective agreements to apply the norm. The law supported efforts to continue negotiations between platforms and unions, while introducing a first set of rights. However, due to the unclear wording of the law, many platforms refused to grant their workers the health and safety rights guaranteed to employees under these regulations.¹³ In addition, there have been contradictory effects. On the one hand, a collective agreement between Assodelivery (the employers' association of the Italian

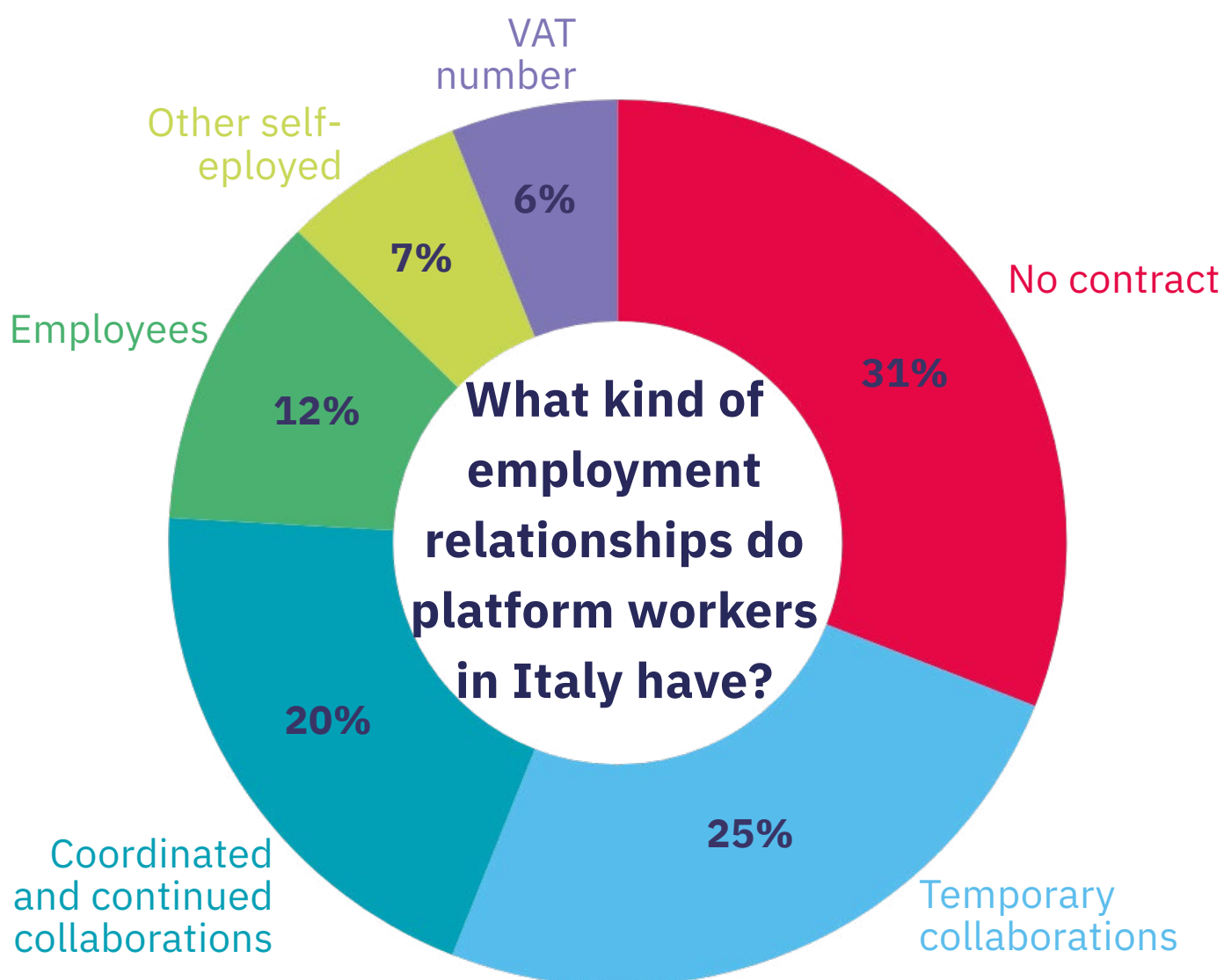


Figure 3. Employment relations of platform workers in Italy (%). Source: INAPP-Plus 2021 survey.

food delivery industry) and the UGL union (Unione Generale del Lavoro) in September 2020 classified drivers as self-employed and the platform as a simple technology provider. The main Italian trade unions, Confederazione Generale Italiana del Lavoro (CGIL), Confederazione Italiana Sindacati Lavoratori (CISL) and Unione Italiana del Lavoro (UIL) contested this agreement, deeming it invalid as it was signed by an unrepresentative union. In other words, it was denounced as a pirate contract. Following the debate, CGIL, CISL and UIL signed a company-level agreement with Just Eat.¹⁴

Furthermore, Law no. 128/2019 amended legislative

decree 81/2015 (*Jobs Act*, which deeply revised the Italian labour legislation). The new law established two different regimes for platform workers in the food delivery sector.¹⁵ Depending on the way the service is provided, they can be classified as employees, according to the model previously mentioned in the Just Eat case, or as self-employed workers, according to the model of article 47/bis of legislative decree 81/2015, with the application of the Assodelivery¹⁶ collective agreement concluded in September 2020 (and used, for instance, by Deliveroo). While the first model guarantees the labour protections granted by the “employment model”, the second model allows drivers to be paid with a minimum gross hourly

wage of €10 and minimum protections such as safety equipment, accident insurance and privacy protection. This second model lacks important instruments of social protection such as sick pay, maternity leave and unemployment incentives in case of job loss. Nevertheless, the second model is the one that has given rise to the greatest number of cases on the qualification of the employment relationship of couriers: as a rule, judges tend to consider couriers as subordinates and to apply to them some labour protections of employees (e.g. in 2020 the Court of Milan ordered platforms to recognise social protection schemes typical of employees to their workers). However, the platforms that signed the agreement with Assodelivery have persisted with the definition of delivery workers as self-employed, having filed an appeal.

As of March 2021, platforms such as Just Eat have decided to leave Assodelivery and negotiate a sectoral agreement that is different from the one signed with Assodelivery, as it recognizes workers as employees. In the private sector, the Italian industrial relations system lacks ad hoc legislation on trade union organisation and collective bargaining. It has traditionally relied on the self-regulatory capacity of the social partners themselves, who have always played an important role in regulating the labour market and negotiating minimum sectoral wages. The economic section of collective agreement is valid *erga omnes* (for everyone) and also applies to non-union members. Thanks to the company agreement of September 2021, 3,000 couriers have been hired by Just Eat on an employment contract, through the application of national sectoral collective agreement in the logistics sector and a company contract that introduces some exceptions for more flexible working hours. The stipulated gross wage is €9 per hour (including 13th and 14th month of pay) plus €0.25 per delivery. All legal and contractual arrangements are based on actual working hours. This means that an employee on a 10-hour contract earns

just over €300 per month. Over 65% of the restaurants that use Just Eat as an intermediary use their own drivers instead. These are usually employees of the restaurant itself, or workers who are hired on a casual or on-call basis. The platform charges these restaurants 15% of the sale price as a commission.

The coexistence of these two models for the same type of work should not come as a surprise. It confirms that the existing rigid fence between employment and self-employment in platform work has largely been overcome. For example, a rider can choose the contract according to their needs. If they prefer to be considered as self-employed, they can choose platforms that use the Assodelivery national collective agreement and obtain a minimum level of protection. If, on the other hand, they prefer to have an employment contract, they can apply to work for Just Eat and commit themselves to work during the hours allocated to them by the platform/employer for the agreed duration (10 to 25 hours per week) and during the hours unilaterally determined by the employer, without having the possibility of refusing to deliver for other platforms during the working hours. It is possible that the parties do not specify the duration and location of the service: this is often the case when concluding an on-call contract. However, under Directive 2019/1152, implemented in Italy by Legislative Decree No. 104/2022, if the duration and location of work are unpredictable, employers cannot prevent workers from engaging in parallel work, except if the work is predefined or notified in advance. Workers can refuse assignments or perform tasks outside agreed hours without repercussions if these conditions are not met. Many contracts fail to meet the minimum transparency requirements of this decree, particularly affecting vulnerable workers like migrants or those with limited labour protection knowledge.

PLATFORM IN FOCUS

Helping

Founded in Germany in 2014, Helping has grown to become the leading domestic cleaning platform in Europe, serving 10 countries.

The platform primarily targets major urban areas, catering to approximately 200,000 homeowners and tenants in Europe.¹⁷ It operates on a labour intermediary model, where workers are not directly employed by the platform itself. Instead, workers accept an offer through the platform interface or website coming from homeowners and tenants seeking their services. The primary method for matching workers with clients is through the service's price: workers set up their profiles and specify their desired hourly rate on the platform, and then homeowners and tenants reach

out to them to finalise the service request and iron out the specifics of the job.

The pricing structure is flexible, allowing workers the freedom to adjust their rates in response to varying needs or demands. Payment processing follows a triangular pattern: after the completion of the service, customers pay the total fee (which includes Helping's commission) directly to Helping. Subsequently, on a bi-weekly schedule, Helping

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	

Helping's Total Score



disburses payments to the workers. In this context, workers have reported during the interviews that “Payments are consistently timely, even when clients cancel at the last minute. Under such circumstances, I am still compensated for the cancellation, through no fault of my own,” and “Payments are always punctual.”

At present, comprehensive data regarding the demographic details of individuals employed via Helpling is unavailable. Specifically, in Italy, there are no official statistics, and the company has not disclosed any figures on the number of active workers. Over the past few years, Helpling has modified its operational model to align with the varying legal frameworks of different countries.¹⁸ For instance, in countries like Switzerland and Germany, the platform adopts a distinct approach by either directly employing workers under standard labour contracts (Switzerland) or by providing cleaners on a permanent basis through subcontracting arrangements (Germany), while in Italy it mainly operates as an intermediary between private households and self-employed cleaners. The self-employed status potentially could lead workers to face economic insecurity and low social protection, especially in case of illness and accident at work.

During interviews with workers, another favourable aspect of Helpling emerged concerning the potential for earnings. Specifically, workers can earn a salary that surpasses the minimum wage in Italy for a standard workday, although there is no minimum hourly wage set by the platform. Workers have the autonomy to set their wages using the platform interface, with the flexibility to adjust these rates as their needs (such as travel costs and/or personal expenses) change, even though there is often a race to the bottom in service pricing, which could lead to a compression of hourly wages in the medium term. Furthermore, the workers praised Helpling’s flexible working conditions,

which allow them to determine the number of hours they wish to work each day based on their availability, without facing any penalties for declining work offers.

Helpling provides multiple ways to get assistance. There is a specific form on the website, plus 24-hour phone assistance and a direct email to communicate with representatives of the platform. However, among the drawbacks identified, the issue of workplace safety, particularly the risk of harassment, stands out as a significant concern. Given that domestic work occurs within private spaces, such as homes, which are beyond the platform’s oversight, workers find themselves vulnerable to potential misconduct by clients. Moreover, we need further evidence to assess whether the platform has any policy in place to remove clients’ access to the platform even after workers raise concerns. Indeed, workers have to have their own waysto warn each other of predators using the platform (through social media and private chats). Implementing protective measures through the platform could provide workers with a means to address disputes and shield themselves from inappropriate behaviour by homeowners.

Furthermore, there has been considerable discussion around the lack of financial support for workers who are unable to work due to injuries or temporary incapacities, especially when these conditions persist for an extended duration, as the platform does not provide any support or a safety net. Moreover, workers do not receive any form of sick pay and this contributes to precarity and insecurity, especially given the already vulnerable nature of the job.

The low ratings for certain principles highlight a significant need for improvements in Helpling’s working conditions. Specifically, there’s a strong case to be made for bettering the insurance options available to employees, augmenting the training they receive, and ensuring they have access to essential health and safety equipment.

PLATFORM IN FOCUS

Jobby

Jobby is an Italian temporary employment platform. It serves as an intermediary between job seekers and employers requiring specific temporary professional skills.

Jobby was founded in November 2015 when it was presented by the founders at the Web Summit in Dublin, and the service was officially launched in Milan in 2016. In 2019, Jobby Easy was launched, which led to the company to grow by 500% annually.¹⁹ Within the platform, it is possible to apply for a diverse range of jobs, for example: waiter, kitchen helper, deliveryman, ticket clerk, in-store customer assistant, inventory clerk, receptionist, bellhop,

warehouse worker, furniture assembler, promoter, and bartender.

Unlike other platforms, the price of the service (often paid hourly) is already predetermined, giving the workers the opportunity to know from the outset how much they will earn for each specific task. Worker interviews and discussions with management underline that payments

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	 2
 Principle 2: Fair Conditions	 Mitigates task-specific risks	 Ensures safe working conditions and 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 worker voice	 Supports democratic governance	

Jobby's Total Score



are made on time and the pay is characterised by being above the established hourly minimum set by the various collective agreements.

It is pertinent to our assessment to highlight two important issues related to working through Jobby. On the one hand, as stated by the workers during the interviews, Jobby's reliability with regard to payments, coupled with the diversification of tasks, allows especially students to have a job to earn money without having to sacrifice much of their time for studies. On the other hand, as confirmed by management, it is not uncommon for workers to later receive a job offer directly from the companies that initially hired them through Jobby. The latter factor reinforces, according to management, Jobby's reputation in the market, since it is an indication of reliability related to the process of recruiting workers.

At present, in its responses to feedback from workers, the platform says it monitors partners to ensure they provide the necessary equipment and training to do the job safely. In addition, the platform covers accidents, injury or occupational disability through various insurances. Sickness allowance is also provided. This practice is not widespread in other platforms and can therefore be regarded as a best practice. Jobby provides subcontracted work but monitors the contracts applied to workers by subcontractors, making sure that the latest contracts under Italian law are applied. Moreover, the platform provides workers with an assistance channel where they can report at any moment any questions regarding contract, salary and problems faced during the working hours. As for worker protection, the platform has established a mechanism to disconnect an employer if misconduct toward workers is reported and, based on our interviews, that no actions are undertaken against workers who raise concerns.



Unsplash / Kate Townsend

Workers' Stories

Maria*, now 60, embarked on her journey with Helpling, a cleaning platform, three years ago. Thirteen years prior, she relocated to Italy from Argentina with her spouse and child. Following her husband's passing, she sought employment with various employers to support herself and her daughter.

Initially, she spent two years as a hotel housekeeper, then leveraged her Argentinean accounting degree, recognized in Italy, to secure a position at an accounting firm. However, she quit that role due to irregular salary payments and faced a series of unsuccessful job interviews thereafter. She decided to start working part-time for a cooperative providing elderly care, holding a permanent contract.

The necessity to augment her modest part-time salary of just over 900 euros a month, barely sufficient for a decent living for her and her daughter, led her to supplement her earnings with 500-700 euros monthly from Helpling. In the initial months following her start with Helpling, Maria received outstanding feedback from her clients, prompting her to raise her cleaning rate from 8 to 12 euros per hour to adequately cover her travel expenses to client locations. This adjustment has enabled her to net approximately 10 euros per hour. Gradually, she has built trustworthy relationships with several clients, securing steady engagements that facilitate her effective time management between her two occupations.

At the beginning, and occasionally even now, it was hard for Maria to balance her caretaking job with her Helpling tasks. She often got requests outside the hours she had set on the platform. For example, last year, it frequently happened that she would indicate her availability in the afternoon from 2 to 5, but some clients would send her requests from 6 to 9 in the evening, and she would explain that she could not manage at those times, although she sometimes accepted. It had become challenging because she would finish her elderly care job, have a quick bite, and then could only manage to serve a maximum of one client in the afternoon.

She is not currently a member of any trade union and does not believe there are any unions capable of tracking down and uniting these platform workers in the cleaning sector because, according to her, these types of workers seem to not be seen by institutions, including the trade unions. Despite not liking this job very much and wishing to do something different, like returning to accounting work, platform work currently represents the only viable path for her, as it ensures she has the financial means to keep going.

Before the outbreak of COVID-19, Emanuele* owned a shop in the suburbs of Milan. In 2020, he was abruptly forced to declare bankruptcy. To cope with his impending unemployment, he decided to seek employment opportunities in food delivery, signing up for Glovo, Deliveroo, and Uber Eats.

Emanuele works mainly doing deliveries with his scooter, a means of transport that he already owned. At first, he considered it an obligation but, with time and after the initial earnings, Emanuele learned to appreciate the opportunity to work amidst the lingering COVID-19 crisis.

Another advantage, according to him, was the freedom of being able to work in multiple cities in Italy. Emanuele emigrated from Southern Italy to Milan. His family lived far away. Through working on digital labour platforms, he found the opportunity to visit his family more often, while

still continuing to work. Nonetheless, he also recognised the limitations of platform work. On the one hand, to obtain earnings in line with his life needs he had to join multiple platforms at the same time, as no single platform could guarantee him enough earnings. At the beginning, this was not easy. He made many mistakes and received limited support from the platforms. Managing deliveries from multiple platforms required him to learn different delivery methods, which did not always work in tandem. This led Emanuele to make errors in deliveries and receive negative reviews from customers. In some cases, he found the platforms to be forgiving, especially during the first months of his activity. In other instances, the errors resulted in salary reductions. To earn enough to live on, he

had to work 50-60 hours each week.

In our interview, Emanuele underlined the ambiguity of defining platform workers as self-employed. He was always a self-employed worker, but the differences now were evident. Platform work left very little room for discretion and autonomy. He felt he had little decision-making power over his own work performance. This did not happen when he previously worked as a self-employed worker, when he could decide how best to carry out his activities. For the future, Emanuele hopes for a serious recognition of the rights of workers by food delivery platforms, starting from the recognition of protections granted to employed workers.

***Names changed to protect worker's identity**



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Minimum Wage in Italy: Projects and Debates

Italy is one of the few EU Member States, together with the Scandinavian countries and Austria, that do not have a national minimum wage, but where minimum wages are negotiated sectorally by social partners.

Italy is indeed a country with a very high level of collective bargaining coverage, between 95 and 100 per cent, according to data published by the ETUI (2023). Another feature of the Italian industrial relations system is the presence of a very high number of sectoral collective agreements. There are 211 national sectoral collective agreements signed by the most representative sectoral confederations, CGIL, CISL and UIL, that cover 96.6% of workers, out of a total of almost a thousand (977). Among the other unions with institutional recognition—such as Confsal, Cisl and UGL—the UGL, which together with the three largest organisations signs many national collective agreements, has the largest number of members, covering 35% of the workers not covered from contracts signed by CGIL, CISL and UIL, while Confsal and Cisl cover between 3.6% and 5.1%. 352 agreements were signed by small and very small unions with a total coverage of 0.4% (Leonardi 2023). It is worth mentioning UGL as it was the union that signed the separate contract with Assodelivery in September 2020, classifying the drivers as self-employed and the platform as a simple technology provider.

One of the main concerns of the Italian collective bargaining system is that, despite its high coverage, it does not seem to do enough in distributing the benefits among all the workers. In fact, the high rate of coverage does not take into account the differences between sectors. This high coverage is

certainly true for sectors that are highly unionised and have a low incidence of irregular work, such as financial or postal services, chemicals and energy, and engineering, as well as the public sector at large. But in other sectors, where labour relations are more precarious and unionisation is much lower and more difficult, the rate of evasion and non-compliance with the minimum wages set by the national agreement for the sector is quite high, for example, in tourism (hotels, catering and restaurants) or in the entertainment sector.

In principle, collective agreements perform the function of guaranteeing decent minimum wages for all workers. However, this is undermined by the proliferation of “pirate contracts”, which explicitly aim to set minimum wages lower than those in the main collective agreements. Furthermore, some sectoral collective agreements set very low minimum pay. And the risk of falling into the poverty trap is even greater when the number of hours worked is very low. Many platform jobs have a particularly low number of hours per week, which is reflected in wages which, even if they are regulated by a national agreement signed by genuinely representative organisations, can in no way be considered adequate and sufficient. Another problem which seriously affects the Italian collective bargaining system, and consequently the wages set and adjusted within it, is the delay in their renewal. According to the current inter-confederal rules, collective agreements should be renewed

every three (e.g., in the sectors and employers covered by Confindustria, the main employers' organisation) or four years, as is the case for small enterprises, crafts and cooperatives. Despite these already long periods, the average delay after expiry is 24 months at the time of renewal. This is particularly severe in the services sector, where the phenomenon of low pay is already more serious and widespread, and where 75.3% of workers have expired contracts.

According to the Italian National Institute of Statistics,²⁰ employment relationships with an hourly wage below 9 Euro gross (the level corresponding to the minimum wage proposal presented by the oppositions in parliament) are almost one fifth of the total (18.2%, about 3.6 million employment relationships) and involve about three million workers. Employment relationships with pay below 10 Euros account for 30.6% (a total of just over six million) and involve almost 5.2 million workers. Almost half of the low-paid employees are concentrated in three sectors: accommodation and food services, business support services (mainly temporary agencies and cleaning companies) and personal services (care, entertainment, education). Many platform workers fall into these sectors. It should be noted, however, that most self-employed workers are not covered under collective agreements.

The Italian social partners, and in particular the main trade unions, are in favour of a solution that respects and safeguards collective autonomy. Indeed, there is little to be gained by increasing the basic hourly wage if the employer remains free to make a contract last for a few hours a week or a few months a year. In the case of platform workers, the issue is even more controversial. Here the minimum wage debate revolves around two main issues: 1) whether and to what extent the work of platform workers is independent; 2) whether and to what extent the platform is merely a technological intermediary. In the previous legislature Italian governments supported efforts to promote negotiation between platforms and unions, while introducing a first set of rights for workers. However, many platforms refused to grant their workers the health and safety rights. In addition, as already discussed (see Legal Context, above) there have been contradictory effects. A collective agreement between Assodelivery (the employers' association of the Italian food

delivery industry) and the UGL union (Unione Generale del Lavoro) in September 2020 classified drivers as self-employed and the platform as a simple technology provider. The main Italian trade unions contested this agreement, denouncing it as a pirate contract. Against this background, CGIL, CISL and UIL signed a company-level agreement with Just Eat. The contract recognises riders as employees to whom the collective agreement for the Logistics, Transport, Freight and Forwarding sector is applied. The discussion on the minimum wage, either as a minimum pay set by law or by bargaining lies between these opposing poles and pushes. Currently, in 2024, the Italian Government is opposed to the introduction of a statutory minimum wage, citing the high level of contractual coverage. For platform workers, many questions remain, however, unsolved. Setting a legal minimum does not solve the problems of those on low pay because they have involuntary part-time work or work only a few months a year. However, it is one of the tools to provide protection and more power in the relationship with the employer where collective bargaining is lacking. In general terms, the minimum wage offers a guarantee of universalism in coverage and gives certainty to wages, tends to reduce differentials between sectors and may drive up the whole wage dynamic, but it is not enough to bring workers out of the working poor. The advantages of collective bargaining are reversed: it sets comparatively higher minimum levels; it preserves the role of the social partners and the union as wage authority and is relatively less exposed to political-economic contingency, with or without pro-labour governments. But it offers fewer guarantees of universality, certainty and enforceability and suffers from greater dispersion of differentials between strong and weak sectors. At the same time, the minimum wage would not apply to self-employment, a form of work that is very diffuse in the platform sector. The introduction of the minimum wage, therefore, would still leave a large proportion of platform workers uncovered.

In summary, a minimum wage can be seen as a significant social advancement in terms of worker protection. However, it is essential that this is complemented by targeted regulations for platforms, involving all relevant parties and stakeholders who have historically struggled to agree on a solution.

Pathways of Change

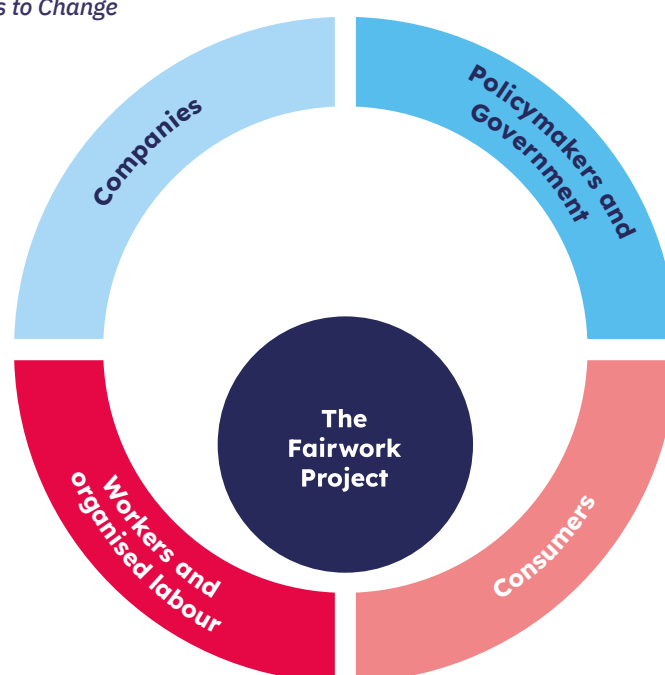
Fairwork's theory of change relies on a humanist belief in the power of empathy and knowledge. If they have the economic means to choose, many consumers will be discerning about the platform services they use. Our yearly ratings give consumers the ability to choose the highest scoring platform operating 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 first round of Fairwork ratings for Italy, but it has outlined four pathways to change (Fig. 3). First of all, we've directly engaged with platforms operating in

Italy. The international presence of many of the platforms analyzed facilitated a quicker recognition of the evaluation by these platforms, as they had already participated in the Fairwork methodology evaluation in other countries. Despite some initial difficulties, the platforms later showed a willingness to engage in dialogue and discussion, both by sending us the requested documents useful for the analysis and subsequently participating in the meetings scheduled to discuss the first round of scores assigned to them. We also engaged with trade unions to advocate for extending legal protection to all platform workers,

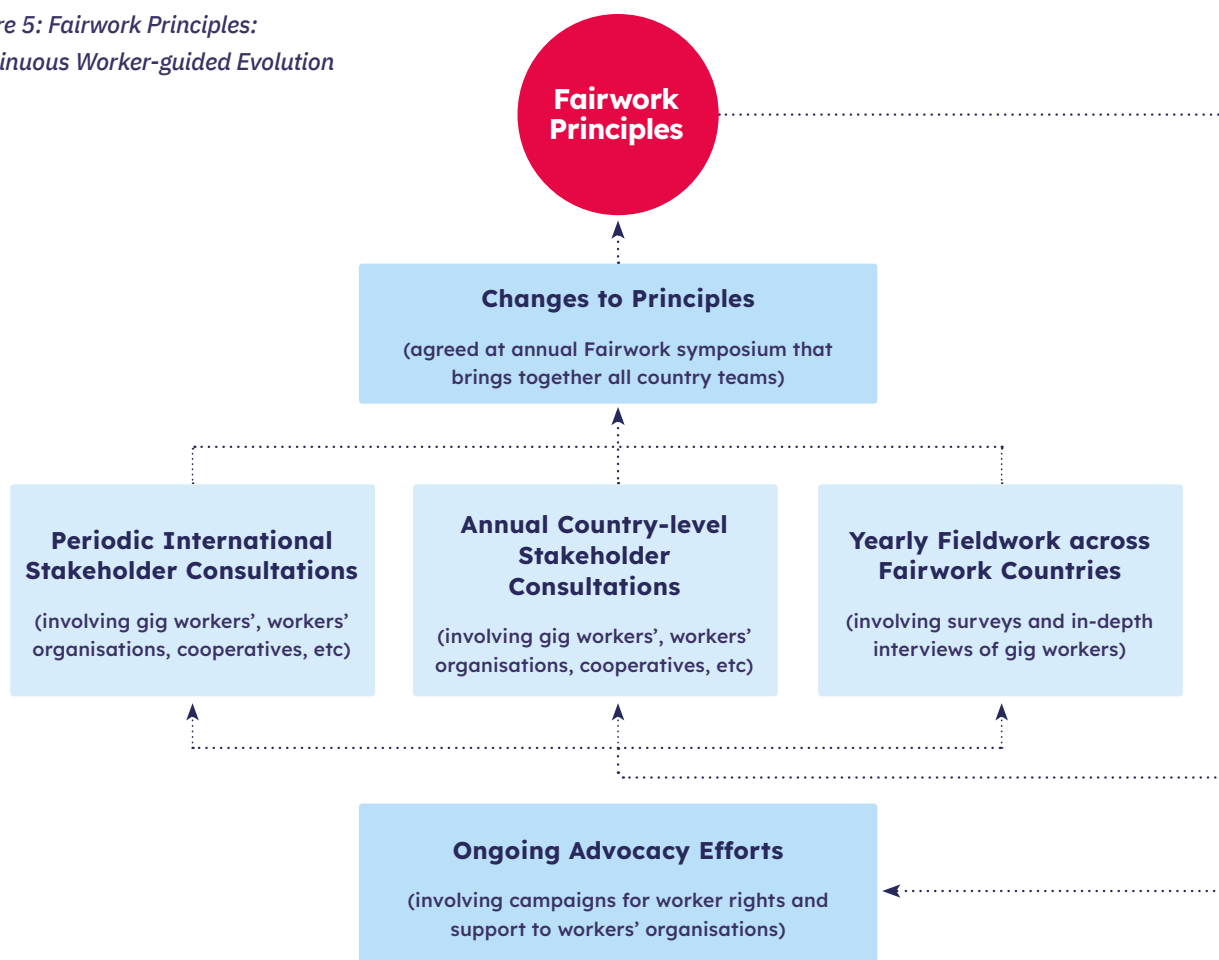
Figure 4: Fairwork's Pathways to Change



which has led to a greater focus on platform workers. This was also made possible thanks to a series of meetings organized to promote the Fairwork methodology and the results achieved from this first evaluation. In fact, several conferences have been organised with representatives of the platforms, trade unions and also institutions. A first meeting took place on 24 March 2022 at a conference on the future of work entitled: “New work cultures. Employability, corporate welfare, smart work and digital platforms”. The event was attended by representatives of the Italian Government. The discussion focused in particular on the hybrid nature of platform work in Italy, between pressures for individualisation and demands for the protections typical of dependent work. A second moment of discussion took place at the international conference on the platform economy organised at the Sapienza University of Rome (Il Lavoro su Piattaforma in

Italia), again in the presence of academics and institutional representatives. The conference, held in Rome on 24 May 2024, examined the challenges of the labour market in Italy and Europe in the light of the platform economy. In particular, speakers focused on algorithmic management and power asymmetries between workers and platforms. Our annual rating could empower consumers to select the highest-scoring platform within a sector, thereby applying pressure on platforms to enhance their working conditions and scores. This approach enables consumers to act as allies to workers in the pursuit of a fairer gig economy. Beyond individual consumer decisions, our ratings can guide the procurement, investment, and partnership policies of large organizations, serving as a reference for institutions and companies committed to supporting fair labour practices. Finally, our principles are developed and continuously refined through close collaboration with

*Figure 5: Fairwork Principles:
Continuous Worker-guided Evolution*



workers and their representatives. Insights from fieldwork, alongside feedback from workshops, seminars and consultations with workers, guide the systematic evolution of Fairwork principles to meet their needs. Furthermore, by maintaining ongoing engagement with workers' representatives and advocates, we aim to support workers in collectively asserting their rights and needs.

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.

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 better labour practices, guided by our five principles of fair work. Organisations who sign the pledge get to display our badge on organisational materials. The pledge constitutes two levels. This 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.

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.

MORE INFORMATION ON THE PLEDGE, AND HOW TO SIGN UP, IS AVAILABLE AT [FAIR.WORK/PLEDGE](https://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”²¹ 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”.²² 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 models.²³

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’ 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. These are often referred to as ‘gig work platforms’. The second is ‘cloudwork’ 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 pertaining to the months between November 2022 and April 2024, and are valid until April 2025.

Table 1 Fairwork: Scoring System

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	 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



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 vehicle.²⁴ Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.²⁵ 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.²⁶ 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 costs.²⁷

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.^{28, 29}

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 risks.³⁰

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 risks.³¹ In particular, the platform should ensure that pay is not structured in a way that incentivizes 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 workers.³² 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 interface.³³
- 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 status.³⁴
- 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 mechanism³⁵ 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 interface.³⁶
- 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 representation.³⁷

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 representation.³⁸

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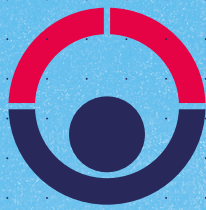
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- 24 Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.
- 25 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.
- 26 In addition to direct working hours where workers are completing tasks, workers also spend time per-

- forming 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.
- 27 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.
- 28 Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.
- 29 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.
- 30 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."
- 31 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."
- 32 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.
- 33 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.
- 34 In accordance with the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and applicable national law.
- 35 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 issues 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.
- 36 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."
- 37 See the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (C087), which stipulates that "workers and employers, without distinction, shall have the right to establish and join organisations of their own choosing without previous authorisation" (Article 2); "the public authorities shall refrain from any interference which would restrict the right or impede the lawful exercise thereof" (Article 3) and that "workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority" (Article 4). Similarly the ILO's Right to Organise and Collective Bargaining Convention, 1949 (C098) protects the workers against acts of anti-union discrimination in respect of their employment, explaining that not joining a union or relinquishing trade union membership cannot be made a condition of employment or cause for dismissal. Out of the 185 ILO member states, currently 155 ratified C087 and 167 ratified C098.
- 38 If workers choose to seek representation from an independent collective body of workers or union that is not readily recognized 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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