Introduction to work of ILO on digital labour platforms

In view of international normative instruments for decent work for platform workers – roadmap towards ILC of June 2025

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Decent Work in the Platform Economy

The platform economy had grown rapidly and spread to Industries such as transport, domestic care and education.



While the platform economy is indeed developing rapidly, having some positive impacts, transforming existing sectors and creating new ones, it has also created real and persistent decent work deficits.

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Which are the working conditions of platform workers?



Which are the working conditions of platform workers?

- Lack of guaranteed income and access to a living wage
- Unpaid working time
- No protective equipment provided
- None protection against violence and harassment at work
- Employment status misclassification
- No access to dispute settlement and grievance mechanisms
- Insufficient rights to freedom of association and collective bargaining
- Lack of access to sanitation and rest facilities

Extensive evidence of decent work deficits, which required immediate ILO attention through a new standard

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It is the right time to discuss the false dichotomy between flexibility and basic employment rights.

There is no need to choose between the two.

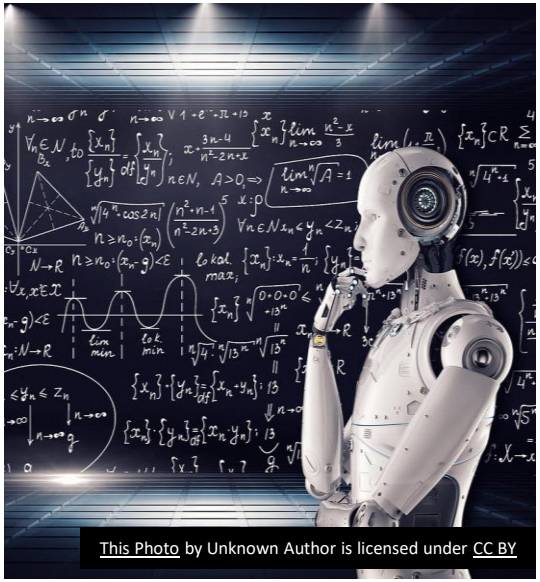


Platform workers can have both!!!

Platform workers may absolutely like a degree of time sovereignty and control over their working lives. But they also want basic employment protections.

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The So-called flexibility in the platform economy



The so-called flexibility in the platform economy is determined by surge pricing, pick-up bonuses and other incentive schemes.

Pay rates are usually unclear and fixed without consultation with the workers

Most of the platform workers, like riders and food delivery workers do not get paid for the entire time they are logged on to the app, until they are logged off. In some online platform work, for example, crowd worker need to spend time doing other things like looking or waiting for tasks, waiting for replies from clients or the platform, work done when preparing to participate in a contest

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This does not demonstrate true scheduling flexibility, right?

There is a way to answer that



Working hours are monitored by algorithm. A significant amount of time "waiting" for a task are not considered working time for wage and social protection purposes

The lack of transparency of algorithms had created a power imbalance between workers and platforms and genuine collective bargaining is necessary to redress it

The ILO report of the Commission on the Future of Work

The ILO report of the Commission on the Future of Work highlighted the link between privacy risks, the generation of "large amounts of data on workers" as well as "algorithmic accountability in the world of work".

The Commission recognized also that no limits on collection of data could lead to discrimination, such as on union membership.

Workers need to know how their personal data is collected, retained, processed, disseminated and possibly sold, and how data related to their behavior at work can be used

The amount of data collected on work performance and personal characteristics of workers needs also to be regulated..



Data sovereignty and portability is necessary to promote the rights and autonomy of workers

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The ILO approach

The Centenary Declaration 2019, adopted by the tripartite constituents, recognized the need to "respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work

The Global Call to Action (2020) affirmed the commitment to protect all workers, as part of the urgent action to advance a human-centred recovery that is inclusive, sustainable and resilient.

The ILC conclusions (2021) on Inequalities and the World of Work, assert that "Digitalization and the rise of digital labour platforms can create new drivers of inequality, but also provide workers with income-generating opportunities. On the downside, earnings are often low, employment volatile and social protection is usually lacking

The ILC recurrent discussion conclusions on employment from 2022 stress that as part of the employment policies "While harnessing the opportunities of technological change, it should be ensured that workers, including platform workers, are adequately protected, have access to social protection and have decent working conditions.

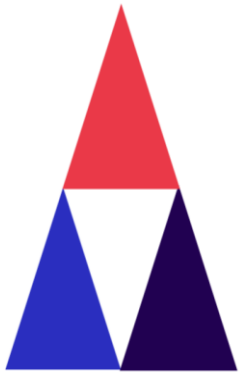
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ILO Meeting of experts on decent work in the platform economy

- **The conclusions concerning the second recurrent discussion on social dialogue and tripartism, adopted by the International Labour Conference at its 107th Session (2018), expressed the commitment to "continue research regarding the access to freedom of association and the effective recognition of the right to collective bargaining of digital platform and gig economy workers and, on that basis … decide whether convening a tripartite meeting would be appropriate or not".**

- **At its 341st Session (March 2021), the Governing Body decided "to request the Office to convene a tripartite meeting of experts on the issue of 'decent work in the platform economy' in the course of 2022".**

Reference document for the Meeting of experts on decent work in the platform economy
(Geneva, 10-14 October 2022)



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Roadmap towards ILC of June 2025

- GB.346/POL/2/Decision. 2022
- **Decision concerning the report of the Meeting of Experts on decent work in the platform economy (Geneva, 10–14 October 2022)**

The Governing Body

(a) took note that the Meeting of Experts on decent work in the platform economy did not adopt any conclusions;

(b) requested the Office to take into consideration the different views expressed at the Meeting of Experts on decent work in the platform economy (Geneva, 10–14 October 2022) within the context of the preparation of the recurrent discussion on social protection (labour protection) to be held at the 111th Session of the International Labour Conference (2023); and

(c) requested the Director-General to take account of its guidance regarding future ILO activities on decent work in the platform economy.

- GB.347/POL/1/Decision, 2023
- **Decision concerning a normative gap analysis on decent work in the platform economy**

The Governing Body, having taken note of the normative gap analysis contained in document GB.347/POL/1, decided that the item placed on the agenda of the 113th Session (June 2025) of the Conference on decent work in the platform economy will be devoted to standard-setting with a double-discussion procedure.

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HOW ARE INTERNATIONAL LABOUR STANDARDS CREATED?
Standard-setting with a double-discussion procedure

1st Report
- on law and practice including a questionnaire

2nd Report
- including proposed conclusions based on constituents' replies

3rd Report
- containing the proposed text and Office commentary

4th Report
- containing the proposed text, constituents' comments and Office commentary

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HOW ARE INTERNATIONAL LABOUR STANDARDS CREATED?
Standard-setting with a double-discussion procedure



This report contains a questionnaire which, in accordance with article 46 of the Standing Orders of the International Labour Conference, calls for a reply from Governments, after consultation with the most representative organizations of employers and workers. The replies to the questionnaire will form the basis of the background report for the Conference discussion. They must reach the Office no later than 31 August 2024

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Normative action at the ILO

Delivering decent work for workers on digital platforms requires setting a regulatory framework that identifies and addresses the specificities of work so organized.

Normative action by the ILO through a new standard is necessary and possible to fill legal and practical gaps in existing international labour standards, while addressing issues beyond the scope of existing ILO standards.

Having a standard is crucial to protect platform workers, whose vulnerability arises from the changing world of work and, in particular, algorithmic management.

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A standard setting in the form of an ILO convention

The data is already known, and it is clear that there are gaps in international labour standards that need to be filled.

Any new convention would need to ensure the applicability of relevant existing standards to all platform workers, including the right to freedom of association, collective bargaining, prohibition of discrimination and OSH

We also need to see further ILO action to ensure that competition law does not undermine the right to collectively bargain, in particularly those who are genuinely self-employed

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A new convention should address a number of unregulated issues, including

- algorithmic management
- surveillance and monitoring
- working time for all time labour and the right to disconnect
- third-party ratings and appraisals (including resulting disciplinary action or discharge
- data protection
- wages, rates and regular payment and overtime pay
- Employment misclassification
- platform work-specific labour inspection and effective remedies.
- access to social protection for all platform workers;
- discipline, penalties and termination of employment

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Labour is not a commodity

Treating humans as a commodity that should adapt to an algorithm is going in the opposite direction of the ILO's founding value.



Thank you!!!