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New wine in old bottles: organizing and collective bargaining in the platform economy

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Introduction

Digital labour platforms are at the centre of the debate about the future of work, owing to their role in advancing the use of digital technologies in mediating and organizing work. Automation of organizational functions and online labour intermediation have expanded the pool of available workers beyond geographical or organizational boundaries and have radically transformed existing business models, jobs and the way work is organized, challenging the relevance of existing ways of ensuring good working conditions and income (Drahokoupil and Piasna 2017; Vallas and Schor 2020; Graham, Hjorth, and Lehdonvirta 2017). In this context, maintaining social dialogue and organizing online gig (platform) workers represent major challenges. Moreover, digital labour platforms are pioneering solutions in terms of algorithmic management, digital surveillance, remote work and cross-border outsourcing, which are increasingly being adopted in the offline economy. Developments in the platform economy are thus crucial in providing lessons for collective interest representation and mobilization in changing labour markets. There is a need to examine the strategies adopted by trade unions to face these challenges in order to offer recommendations for future action.

This article addresses these issues by exploring the concerns that trigger the resistance of workers in the platform economy, as well as their attitudes towards collective organizing and the tactics they pursue when resisting the practices of online platforms. To better convey the significance of the platform economy for the wider world of work, we position it within broader trends towards the development of internet-based labour markets and the adoption of digital technologies for organizing and managing work across various traditional sectors. The article presents a non-exhaustive review of recent forms of organizing and mobilizing platform workers across Europe, with the objective of mapping current variations in trade union strategies towards technological change and analytically distinguishing emerging patterns in representation forms among the platform workforce.

Internet-based world of labour

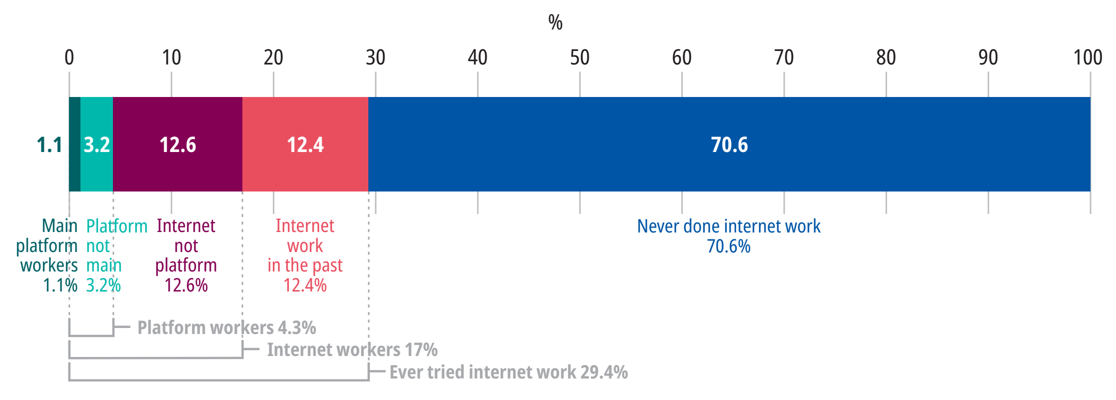
Digital technologies have ushered in profound changes in the organization of work and employment. The technology-mediated matching of labour supply and demand has created online labour markets where jobs across different skill levels are divided into assignments, ranging from micro-tasks to larger gigs, and then commissioned virtually to workers who are often considered to be independent contractors. Digital labour platforms are at the forefront of these changes. These economic agents provide digital infrastructures that greatly reduce the transaction costs involved in matching work with workers on an ad hoc basis and that defy boundaries. Deployment of algorithmic management and digital surveillance, aimed at increasing efficiency in task performance, have generated a host of challenges related to, for example, biases and information asymmetries due to the automation of managerial and human resources functions, data protection and the use of intrusive surveillance technologies (Drahokoupil and Piasna 2017; Prassl 2018).

Much ado about nothing? The size and impact of platform work

The novelty of the technological solutions deployed by platforms and, perhaps more importantly, their impact on working conditions has generated a wide policy debate and a boom in research. The actual size of the platform workforce is less impressive, even though there is little agreement on this issue, given that this phenomenon escapes most established labour-market statistics (see discussion in Piasna 2020). Recent cross-national data from the representative European Trade Union Institute (ETUI) Internet and Platform Work Survey (IPWS), carried out in 2021 across 14 European Union (EU) countries, suggest that 4.3 per cent of the working-age population had worked on platforms in the previous year (Piasna, Zwysen, and Drahokoupil 2022). Earlier estimates from the COLLaborative Economy and EMployment (COLLEEM) studies of the European Commission put that number at 8.6 per cent (Urzí Brancati, Pesole, and Férnandéz-Macías 2020), with this higher value explained by the strategy of sampling internet users who sign up for online panels. The ETUI IPWS shows us that only about 1 per cent of Europeans rely on platform work for the majority of their income.

Nevertheless, the still-modest size of the platform workforce should not lead to a dismissal of its significance. First, the internet-based world of labour is much broader than digital labour platforms alone. The ETUI IPWS attempted to measure this wider phenomenon, referred to as “internet work”, by looking at various ways of generating income on the internet on a freelance basis, using apps or websites that organize the exchange but which do not necessarily have all the features of labour platforms, such as developed rating systems or payment processing mechanisms. The results show that an astounding 17 per cent of Europeans did internet work over the past 12 months, while 29.4 per cent have tried it at some point (figure 1).

Figure 1. The size of the internet-based world of labour in Europe



Note: Average across 14 EU countries (Austria, Bulgaria, Czechia, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Poland, Romania, Slovakia and Spain). All working-age adults.

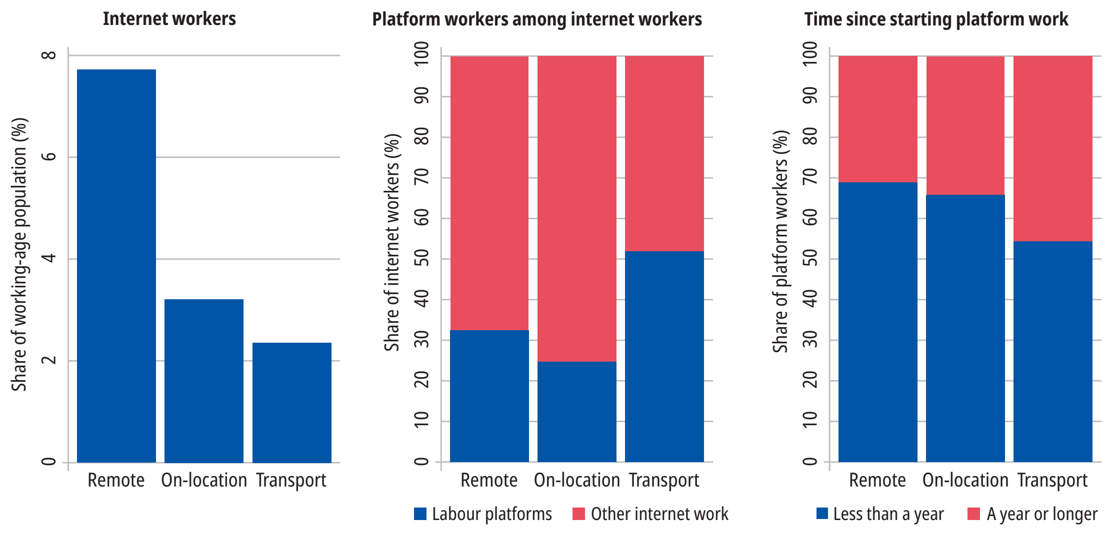
Source: ETUI IPWS Spring 2021.

This points not only to the scale of online labour markets, but also to the significant potential of further expansion for labour platforms, whose steady growth has already been documented (Prassl 2018; Urzí Brancati, Pesole, and Férnandéz-Macías 2020).

The growth potential varies by type of platform work, based on the types of task and the location of the work. As shown in the left-hand panel of figure 2, services provided remotely are the most common type of internet work in the EU, with only about one third of them provided through actual labour platforms. On-location work, where labour matching is done online but work is provided offline, such as handyperson work, tutoring or childminding, is done by around 3 per cent of the working-age population and organized by labour platforms for only one in four internet workers. The type most saturated by platforms is transport, including both delivery and taxi services. According to the ETUI IPWS data, around one half of drivers rely on labour platforms for their orders, while the rest are freelance, using other internet-based tools to find clients. AssoDelivery, an Italian industry association of food delivery platforms, estimates that currently only about 11 per cent of food delivery is organized online, with the remainder (89 per cent) receiving orders via traditional offline channels.[1]

Besides being exemplified by the number of workers doing internet work not yet organized through platforms, the growth potential of online labour markets is also evidenced by the number of new entrants. The right-hand panel of figure 2 shows that, depending on activity, between one third and one half of all platform workers started this type of work only in the 12 months preceding the survey, that is in spring 2020 (see also Drahokoupil and Piasna 2019). Thus they have done this work for less than a year.

▶ Figure 2. The growth potential for different types of platform work



Note: The left-hand panel shows the share of the working-age population doing internet work. The middle panel shows the share of internet work that is carried out through online labour platforms. The right-hand panel shows platform workers by the time they started this type of work. "Remote" work includes clickwork and professional creative work; "on location" includes services such as handyperson work, childminding and tutoring; and "transport" includes taxi and delivery work. Estimates are weighted.

Source: ETUI IPWS Spring 2021.

[1] See https://assodelivery.it/settore/.

Finally, the platform economy can be seen as a most extreme form of trends that are also spreading to the traditional economy. Traditional companies implement some of the platforms' practices in managing their own workforces, such as tight monitoring and control of workers through algorithmic management, data gathering and the optimization of work processes. Moreover, implementing the platforms' model of delegating tasks to independent providers leads to a greater dispersion and fragmentation of the workforce through remote work and outsourcing (Kilhoffer, Lenaerts, and Beblavý 2017; Prassl 2018; Sundararajan 2016). These practices, especially when coupled with regulatory arbitrage, can accelerate the race to the bottom in terms of labour standards and economic risks assumed by workers, creating unfair competition with companies that do not circumvent labour regulations.

All the above points explain current policy in relation to and research attention on the platform economy. A better grasp of this work model can provide directions for dealing with the future challenges facing an increasing segment of the workforce.

New and old sources of protest

When considering the prospects for social dialogue and collective representation in the platform economy, or online labour markets more broadly, it is vital to understand the concerns that trigger workers' resistance and protest. Technological intermediation introduces many new elements into the organization of work, but has it fundamentally transformed workers' preferences and demands, and – by extension – required a redefinition of unions' approaches and their focus?

Certainly, technological change breeds novel challenges, notably related to digital intermediation and algorithmic management offering new scope for control and surveillance. Vandaele (2018) highlights the health and safety risks augmented by digitalized management methods and the lack of transparency regarding surveillance practices and opaque rating and task allocation systems – all contested and resisted by platform workers. However, most of these grievances come down to traditional conflicts over power and information asymmetry, whereby decisions are taken unilaterally, often under the veil of algorithms, accompanied by a lack of channels to appeal unfair decisions (Wood et al. 2019; Lehdonvirta 2016). Some of the novel features of platform work advertised as its main advantages, notably extreme working time flexibility, are also resisted by workers, who show a preference for more predictable, regular hours with stable income (Piasna and Drahokoupil 2021).

Many of the employment and organizational practices of platforms – such as home-based production, piecework payment and subcontracted work – all date back to the early era of industrial capitalism (Joyce et al. 2020; Prassl 2018; Stanford 2017). For the most part, these practices are an extension of a move towards the recommodification of labour, where the risks and costs are shifted to workers (Piasna 2022). The perceived novelty of platforms as technological start-ups thus hides vulnerabilities that are the same as those found in other forms of precarious labour.

Demands and conflicts over distributional issues thus take centre stage, and this situation is supported by the empirical evidence. The Leeds Index of Platform Labour Protest finds pay to be by far the most common cause of labour unrest globally (Joyce et al. 2020). Workers contest non-payment and very low payment, a heavy load of unpaid labour, income insecurity and a lack of compensation for work equipment (Pulignano et al. 2021; Drahokoupil and Piasna 2019). Vandaele, Piasna and Drahokoupil (2019) showed the centrality of distributional issues among Deliveroo riders in Belgium who joined the SMart cooperative to access minimum wage provisions and a compensation scheme, and who protested when this arrangement was terminated.

In Europe, and across the global North, the second most widespread cause of dispute is employment status (Joyce et al. 2020). The common practice among platform companies of classifying their workforce as self-employed workers or independent contractors has immediate consequences in terms of access to labour rights and protections, and is also the primary obstacle to unionization (Gebert 2021; Vandaele 2018). Organized activity undertaken by self-employed workers and freelancers can be considered a breach of competition rules, effectively depriving platform workers of access to fully fledged collective bargaining and freedom of association (Johnston and Land-Kazlauskas 2019).

Attitudes and experiences among platform workers

The grievances of platform workers resonate with long-standing labour demands, but is there something essentially novel about the workers engaged in this type of work? Do platforms recruit from a specific demographic group, and what do we know about attitudes towards collective organizing? Existing research shows that unionization among platform workers is generally quite low, but their attitudes towards and propensity to engage in collective action can be related to their demographic and socio-economic characteristics.

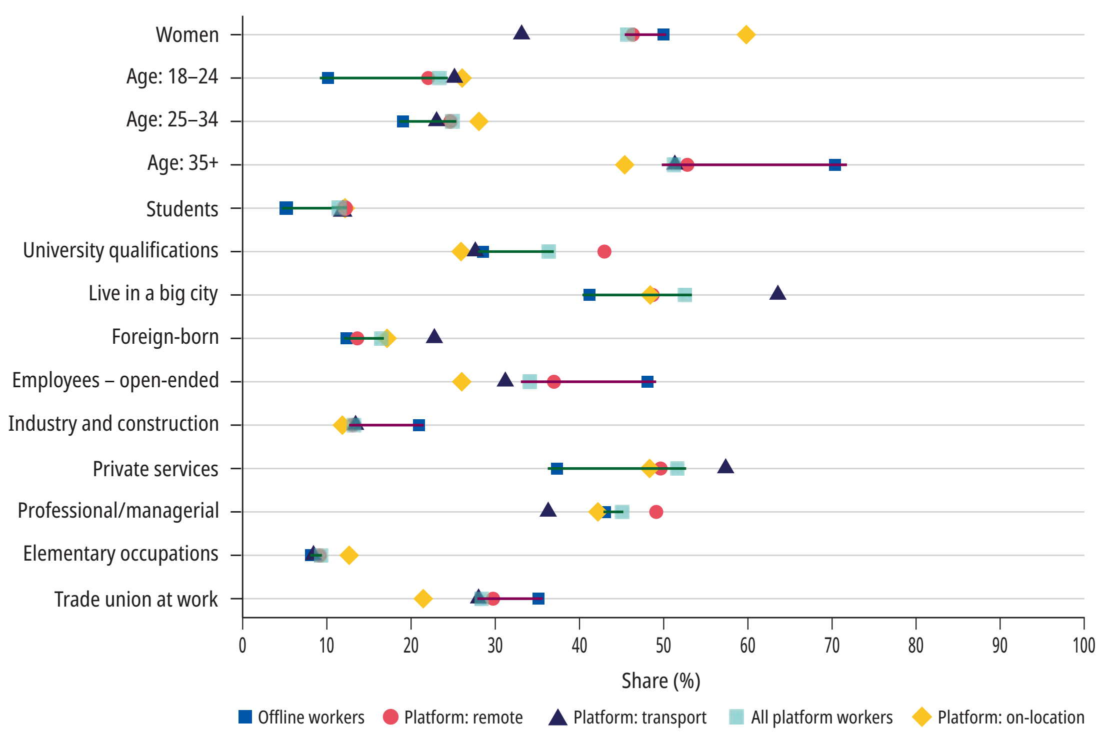
In an in-depth study of Deliveroo workers in Belgium, Vandaele, Piasna and Drahokoupil (2019) found that riders did not generally hold negative views towards unions, nor did they consider unions incompatible with platform work. Their views were thus not essentially different from those of their peers in the traditional labour market. Importantly, riders were more likely to want to join a trade union the worse they experienced job quality in terms of economic security, autonomy over their work and enjoyment at work.

The ETUI IPWS highlights that, while there are important differences in socio-demographic characteristics, platform workers are essentially not radically different from the offline labour force when similar types of activities are compared (Piasna, Zwysen, and Drahokoupil 2022).

Figure 3 highlights how platform workers overall differ from the offline labour force, and how different types of platform worker differ from each other. On average, more men than women are platform workers, but this differs greatly by the type of platform work, with 60 per cent of on-location workers being women, compared with only about one third of drivers. There are rather more young people among platform workers, but about one half are aged 35 years or older. Only a small minority of platform workers are students, although their share is slightly higher than among offline workers. Remote platform workers, unlike on-location workers, are more likely to have university qualifications. Platform workers more often live in big cities, especially drivers, as this is where the work is available. Platform workers are also more likely to be foreign-born, likewise particularly drivers. These socio-demographic characteristics indicate a lower exposure of platform workers to traditional trade unions.

Platform workers who are also employed in the offline economy are more likely to work on a temporary or self-employed basis than to work as employees; this difference is even larger for on-location workers. When looking at their main activity, platform workers are less likely to work in traditional industries and more likely to work in the service sector. This all results in lower rates of platform workers reporting a trade union at their workplace, particularly in the case of on-location workers.

Figure 3. Characteristics of platform workers



Note: The figure shows the weighted shares of different types of platform workers and offline workers, by socio-demographic characteristics and the characteristics of their work in their main paid job. The line indicates whether a characteristic is more (green) or less (red) common among platform workers than offline workers.

Source: ETUI IPWS Spring 2021.

Organizing and mobilizing platform workers in Europe

Thus far, labour protest in the platform economy has unfolded along several convergent lines and logics of action, despite the considerable heterogeneity of platforms and types of work. Early actions have overwhelmingly been of a bottom-up nature, with workers within the same platform uniting over contentious issues in ad hoc strikes, demonstrations or online campaigns (see Johnston and Land-Kazlauskas 2019). As the platform workforce is digitally managed, and thus constantly connected, online channels of communication such as forums, chats or social media groups have proved effective in exchanging views, formulating demands and mobilizing atomized workers. Many of these initiatives have morphed into grassroots organizations led by fellow workers and focused primarily on increasing the membership base (Vandaele 2018).

While the availability of online channels of communication is key in all types of platform work, given the absence of a shared physical workplace, the potential for forging collective identity and solidarity is augmented by geographical proximity and opportunities for personal meetings, as well as company identity via the visible branding of work gear. These conditions are easier to fulfil in on-location platform work with services delivered in public spaces, notably transport and delivery. This is reflected in the emergence of multiple worker-led initiatives in this sector, such as Collectif des coursier-e-s in Belgium, Collectif Coursiers Bordeaux in France and Liefern am Limit in Germany.

Remote platform work, as well as on-location work delivered in private spaces (e.g. childminding) or purposefully hidden from public view (e.g. mystery shopping), lack many of the features conducive to worker organizing found in transport and delivery. However, online communication tools and charismatic leadership can be used to build community groups worldwide among people who can only be reached online. An inspiring example is YouTubers Union, founded in 2018 by a popular German content creator as a Facebook group for people earning money by posting videos on YouTube who were dissatisfied with the company's pay policies.

The evolution of YouTubers Union into FairTube, since 2021 a formally registered organization supported by IG Metall, is an emblematic further step for bottom-up initiatives: gaining legitimacy and bargaining power through recognition and support from mainstream unions, as well as institutionalized forms of association. Building alliances between worker-led initiatives and unions shows the potential for innovation and experimentation going beyond the renewal of traditional organizing capabilities (Gebert 2021). Such efforts can include the provision of a structured network of support, expertise and material resources. Platform workers can be further integrated in insurgent unions specific to the platform economy (such as the App Drivers and Couriers Union, which started out as an association and was later incorporated as a branch of the Independent Workers' Union of Great Britain) or the sector-specific arms of some mainstream unions (such as 3F Transport in Denmark; the transport section of the Swedish Trade Union Confederation; the Food, Beverages and Catering Union in Germany; and the hospitality division of the largest Dutch union, the Federation of Dutch Trade Unions).[2] These strategies can build on experiences with mobilizing non-standard workers, such as opening up membership to solo self-employed workers or particular occupational groups, such as artists.

Trade unions defend platform workers' interests by leveraging power in relation to other stakeholders, in line with the logic of influence as postulated by Vandaele (2018). In that sense, the emergence of legitimate actors on both sides of the negotiating table can facilitate collective agreements and deals. Employer organizations that group online platforms can be helpful in settling sectoral or multi-company agreements, as opposed to more fragmented firm-level bargaining, thus extending coverage. For instance, negotiations between 3F Transport and the Danish Chamber of Commerce established a national sectoral agreement for delivery riders for 2021–23, with the potential to cover multiple platforms.

A growing number of national collective agreements negotiated by unions with these high-tech multinationals testifies to the efficacy of "old" instruments. Nevertheless, experimentation has been introduced in the form of, for example, cross-border agreements, such as those between German-based Delivery Hero and the European Federation of Food, Agriculture, and Tourism Trade Unions in 2018, establishing an SE (Societas Europaea – European Company) works council with representatives from each European country where the platform operates.

Trade unions have also tended to engage in legal action which, in most cases, is related to the employment status of platform workers. Litigation is more widespread in countries where there are important gains regarding minimum wages, paid leave and other protections attached to achieving legally recognized employment status, as well as where it is a prerequisite for entering formal negotiations (Vandaele 2018; Johnston and Land-Kazlauskas 2019). Legal challenges can generate leverage over platforms especially where workers' bargaining power is too low to pursue other routes, but also where new provisions specific to platform work have been introduced, such as the so-called "Riders' Law" in Spain (Law 9/2021), and where platforms are failing to comply.

Despite many successes of platform workers and their associations in winning legal battles, the legal route has its limits in that judgments may conflict, yield different outcomes in different jurisdictions or be appealed, which increases uncertainty for workers. In that respect, international labour standards and regulation of the platform economy have the potential to provide a more coherent and consistent reference for national policies across different jurisdictions, especially in view of the cross-border activity of many platform companies. This direction has been pursued at EU level – although, admittedly, it does not yet encompass all aspects of decent working conditions – with a proposed directive on improving conditions in platform work.

[2] Many examples of organizing cited here are described in more detail in the Digital Platform Observatory (https://digitalplatformobservatory.org/), a joint initiative of the European Trade Union Confederation (ETUC) Brussels, Belgium, the Institut de recherches économiques et sociales, Noisy-le-Grand, France and Association ASTREES, Paris, France, funded by the European Commission.

Conclusions

The brief overview presented in this article clearly shows that trade unions, and industrial relations systems more generally, have been changing and adapting to new labour-market players, such as online labour platforms, and to new organizational practices (Hayter, Fashoyin, and Kochan 2011). On various occasions, online platforms have demonstrated a reluctance to enter negotiations with workers where they were not formally organized or institutionally supported, yet various barriers, including employment status and the atomized character of this volatile workforce, hamper long-standing strategies for building a membership base in the digital economy. Traditional labour unions have thus been deploying existing resources and organizational capacities to form novel networks and alliances, rightly recognizing that, despite the increasing diversity of issues on the bargaining agenda brought by technological developments, the core of the platform workers' struggle remains those issues that have continually taken the centre stage of collective bargaining: fair pay, decent working time, social protection and labour rights. Organizational experimentation has opened access to collective bargaining for platform workers across a variety of sectors and jurisdictions, demonstrating that a synergy between "the organisational capacity of the 'old' and the imaginative spontaneity of the 'new'" (Hyman and Gumbrell-McCormick 2017, 557) is an effective way to resist the recommodification of labour in the platform economy.

Lessons for collective representation of platform workers learned from the European context include the following:

- focusing on long-standing labour demands, such as decent pay, health and safety, non-discrimination and working time, thus recognizing commonalities between platform work and other forms of precarious labour;
- forming novel networks and alliances with emerging associations and bottom-up initiatives;
- deploying digital communication tools in reaching a dispersed yet constantly connected online workforce;
- developing social dialogue, with a focus on multi-employer and sectoral bargaining; and
- leveraging institutional influence before expanding the membership base.

In addition to generating new forms of collective representation, unions have acted to demand an appropriate regulatory framework for online-based labour. While national-level initiatives to review labour law, such as those undertaken in Croatia and Ireland in 2021, cannot be underestimated, greater impact could be achieved with international regulation and standards. A prominent initiative is the lobbying effort undertaken at European level by the ETUC for a regulatory framework governing the platform economy. Here, the legislative process is already quite advanced: the European Commission published a proposal for a directive on improving conditions in platform work in December 2021.[3] Apart from acting on

[3] See https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2021)397&lang=en.

the key issue of employment status, the proposal recognizes the importance of establishing a communications infrastructure for workers through channels not monitored by the platform. Together with the increased transparency of this segment of work and worker representation rights, this is an important step towards independent, collective worker organization and representation in the internet-based world of labour.

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