

Unpaid Labour & Platform Work

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The (Other) Major Victory for London Uber Drivers: Supreme Court Clarifies “Working Time”

by Benjamin Sachs | Feb 19, 2021 | Featured Posts, From Benjamin Sachs, Gig News



The Court held that drivers are **“working”** within the meaning of British law **whenever they are “logged onto the Uber app in London available to accept a trip request.”**

Why are we interested in Unpaid Labour ?

- ❑ What type of 'work' is platform work?
- ❑ How is 'platform work' undertaken ?
- ❑ What 'rights' do platform 'workers' need?



Time Frame: 2019-2024/25



Variety of platforms (i.e. food delivery, care, freelancing/crowdwork) across diverse countries in the EU

Workers, freelancers, platform managers, trade unions, experts



- 142 qualitative narrative biographical interviews
- > 15 Semi-structured qualitative interviews with Mgt., experts, TUs
- Working Diaries



European Research Council
Established by the European Commission

Unpaid Labour is a ‘feature’ of platform work

- Employment status, payment (piece rate) systems & no guaranteed (minimum) working hours/shifts reduces discretion over pay for riders
- “Lock-in” (no CVs portability) reduces discretion over pay for freelancers



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Unpaid labour is “a worker’s effort outside the fixed hours (time) & production means (no-time) - underpinning standard work arrangements - on which workers lack discretion”

Platform Sectors and Countries

	Belgium	France	The Netherlands	Italy	Poland
Food-delivery	Deliveroo	Deliveroo	Deliveroo	Glovo	Glovo
	Takeaway	Takeaway	Takeaway	Mymenu	
Crowdwork/ Freelancing	Upwork	Upwork	Upwork	Upwork	Upwork
	Jellow	Malt	Jellow	AddLance	
Care services	Yoopies	Yoopies			
	Top Help/Aide au Top	Top Help/Aide a Top			

Unpaid Labour in Food Delivery Platforms

Forms of Unpaid Labour		Deliveroo	Glovo	Takeaway	Mymenu
Time-based	Reservation time to access work: bi-weekly time slot reservation + ongoing app-checking for last-minute free slots		X		
	Waiting time to access orders + to collect meals at restaurants' premises + at clients' door	X	X		
	Waiting time for problem-solution due to platforms' inefficient/automated support system	X	X		
	Searching time in case of errors for wrong address, closed restaurants, etc.	X	X		
	Extra time when last order exceeds last paid hour Or Paid by minutes only			X	X
	Travel time: to and from work	X	X	X	X
	Work intensification			X	
	Compulsory unpaid breaks between shifts			X	
	Not time-based	Bike maintenance	X	X	X (France, PT)
Paying work gear and equipment			X		

Unpaid Labour in Food Delivery:

- Unpaid work, especially in the form of waiting time, is prominent under piece-rate payment systems (Deliveroo & Glovo), while mitigated in platform with hourly payment systems (Takeaway & Mymenu)
- Guaranteed hours/shifts is a condition mitigating unpaid labour in hourly paid systems (Takeaway & Mymenu)

Unpaid Labour in Crowdwork/Freelancing Platforms

Forms of Unpaid Labour		Upwork	Malt	Jellow	AddLance
Time-based	Profile creation	x	x	x	x
	Communication with clients	x	x	x	x
	Job searching	x		x	x
	Job applications, including budget drafting	x	x	x	x
	Doing extra tasks to keep clients satisfied and rates high	x	x		
	Trading unpaid (or partially paid) work for good reviews	x	x		
	Sending free samples of work	x	x		x
	Work intensification and extensification	x	x		
	Paying platform commissions	x	x		
Not time-based	Purchasing platform currency to apply for gigs	x			x
	Lowering own rates to stay competitive	x	x		x
	Investing own money and time in training	x	x	x	x

Crowdwork/Freelancing: Explaining Unpaid Labour

- “Lock-in” effect (i.e. reputation-based systems) reduce ‘freedom’ and ‘competitive capacity’ for freelancers (e.g. Upwork & Malt)
- Pay to Work: Charging fees to freelancers to access work
- Undercutting conditions and income (race-to-the-bottom) within international and national platforms:
 - Cross-countries differences in relation to self-employment regulations (e.g. Upwork)
 - E.g. Polish self-employed with ‘specific-task’ civil law contracts have no obligations to pay social contributions and can therefore charge lower tariffs than Belgian self-employed who pay social contributions calculated on past earnings
 - Within country by non-registered (official) freelancers to the detriment of registered ones (e.g. AddLance vs. Malt)

General Recommendations

- Ensure that the principles enclosed in the **European Pillar of Social Rights** fully **apply to platform workers** and possibility to adapt **the Working Time Directive** to platform work
 - Stand-by-time; location (transportation) time; work intensity
- **Clarify the status of platform workers** and demand for **reclassification** when employee status is clear
- Introduce **minimum standards** regarding **wages** and **working time** for all platform workers
 - E.g. Contractually guaranteed working hours; provision and maintenance of work equipment and access to work is free of charges; Make platforms responsible for the formal stipulation of employment contracts, hold them accountable for supervising that fair working conditions are respected;
- Ensure **effective workers' voice mechanisms** (collective bargaining and representation rights) for all platform workers
- Ensure **transparency of information** to all platform workers with regard to personal data collected by platforms and having an effect on working conditions.
 - E.g. Data transparency and portability; transnational status for the self-employed as to align fiscal duties and ensure equal access to social security to all self-employed workers across Europe



THANK YOU

<https://soc.kuleuven.be/ceso/wo/erlm/respectme>

Further research on the topic:

<https://www.etui.org/publications/does-it-pay-work>

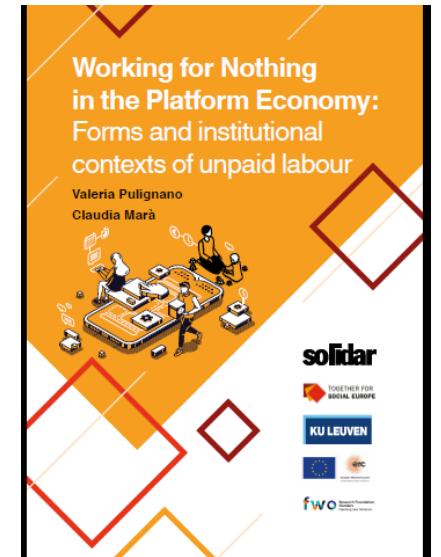
<https://www.solidar.org/en/publications/working-for-nothing-in-the-platform-economy-thematic-publication>



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**Does it pay to work?
Unpaid labour in
the platform economy**

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