



▶ Questionnaire

As noted in the introduction to this report, at its 347th Session (March 2023) the ILO Governing Body decided to place on the agenda of the 113th Session (June 2025) of the International Labour Conference a standard-setting item on decent work in the platform economy (double discussion).¹

Governments are requested to provide their views on the form, scope and content of the future standards by responding to this questionnaire, after consultation with the most representative organizations of employers and workers. Reasons should be given for their replies and the organizations consulted should be indicated. Governments are also reminded of the importance of ensuring that all relevant departments or ministries that have oversight or other functions connected to the platform economy are involved in responding to this questionnaire.

In order for the Office to take account of the replies to this questionnaire, governments are requested to submit their replies to the Office no later than 31 August 2024.

The questionnaire includes four possibilities for the type of instrument or instruments that could be adopted: a Convention; a Recommendation; a Convention supplemented by a Recommendation; or a Convention comprising provisions that would be mandatory and provisions that would provide guidance.

The questions are divided into thematic areas. Each thematic area includes both questions related to provisions that could be considered to be mandatory and questions related to provisions that could be considered to provide guidance. The provisions that could be considered mandatory would reflect principles, rights and obligations that are applicable to all digital platform workers as they address core aspects of decent work in the platform economy. The provisions that could be considered to provide guidance would deal with specific details of the implementation of the principles, rights and obligations, or aspects that are either not yet ripe for mandatory norms or more suitably addressed under non- mandatory norms. Governments are therefore invited to comment not only on the content of the possible provisions but also on whether they should be mandatory or provide guidance.

The structure of the questionnaire in no way limits the right of the International Labour Conference to decide on the most appropriate form of the instrument or instruments.

Furthermore, the questionnaire seeks constituents' views on whether the instrument or instruments should include a simplified and accelerated procedure for amending specific provisions in order to ensure their continued relevance in the light of technological, regulatory or operational developments impacting on work on or through digital labour platforms. Should there be support, the Office would prepare, ahead of the first discussion by the Conference, more detailed information on the possible design of an amendment procedure for this purpose.

Respondents are encouraged, where possible, to complete the questionnaire in electronic format and to submit replies to platformeconomy@ilo.org. Respondents may also submit their replies in hard copy to the Conditions of Work and Equality Department (WORKQUALITY) at the International Labour Office in Geneva.

¹ GB.347/PV(Rev.), para. 876.



I. Form of the international instrument or instruments

1. Should the International Labour Conference adopt an instrument or instruments concerning decent work in the platform economy?

Yes No

Comments

- The EK does not consider the ILO Convention and/or Recommendation on workshop work to be necessary. The platform economy and platform work is not a one-dimensional phenomenon and a possible ILO instrument cannot take into account the different forms of the platform economy. In particular, a legally binding convention could potentially restrict the platform economy in a way that is difficult to foresee. However, if action is taken at ILO level, the most that could or should be considered is a recommendation.

2. If so, should the instrument or instruments take the form of:

(a) a Convention?

(b) a Recommendation?

(c) a Convention supplemented by a Recommendation?

(d) a Convention comprising mandatory provisions and provisions providing guidance?

Comments

- The platform economy is diverse and highly localized. There is a range of business models that could fall into the category of a platform work, and a legally binding instrument would not be able to meaningfully capture that diversity.
- A Recommendation offers more flexibility for Member States. It can be used as a guidance, taking into account the different levels of development of each country and varying national contexts. A Recommendation would also allow more adaptability, which is important given the evolving nature of the platform economy and new work opportunities that may be created, especially in developing countries.
- A Convention that is legally binding will likely be overly prescriptive and may not take into account the different national circumstances. The diversity of national circumstances in this space could significantly impact the potential for ratification. Further, a Convention will cause more legal uncertainty, as many governments are already regulating this space, based on existing ILO instruments, such as the Employment Relationship Recommendation (2006), No. 198.
- Furthermore, a Convention comprising of both mandatory and non-mandatory provisions would add more complexity to an already challenging topic of discussion. A Recommendation is best suited to address this topic, taking into account the diverse business models. A Recommendation can help optimize the work, entrepreneurship and formalization opportunities offered by the platform economy, which is especially critical for developing countries.

II. Preamble

3. Should the Preamble of the instrument or instruments recognize that the growth of the platform economy, including the expansion of digital labour platforms, has increased opportunities for job creation and work-related income and for enterprise and business development, while noting at the same time that it is significantly transforming the way work is organized and performed, with challenges for achieving decent work in the platform economy?

Yes No

Comments

Proposal to rephrase the sentences to:

The Preamble of the instrument or instruments should recognize that the growth of the platform economy, including the expansion of digital labour platforms, has increased opportunities for job creation and work-related income and for enterprise and business development. The Preamble should further recognize that, given the digital nature of the platform economy, platform work has offered a new path for formalization of work. It has created unique access to decent work opportunities in countries of all development stages.

The Preamble should specifically also recognise the opportunities which come with the platform economy, such as:

- Providing access to decent work and income
- Promoting the transition from informality to formality
- Allowing workers to control their own work and contributing to work-life balance
- Promoting inclusion of marginalised groups or groups in vulnerable situations
- Improving access to work in rural areas
- Offering unique flexibility for workers
- Supporting workers who are balancing work and care responsibilities
- Improving access to services or enhancing services in underserved areas

4. Should the Preamble of the instrument or instruments recall that international labour Conventions and Recommendations apply to all workers, including digital platform workers, unless otherwise provided?

Yes No

Comments

The scope of each instrument is defined within it. Conventions and Recommendations are stand-alone instruments and these should not be challenged and undermined. They apply to the workers specified in the respective instruments.

5. Should the Preamble of the instrument or instruments underline that the specificities of work on or through digital labour platforms make it desirable to supplement the general standards by standards specific to digital platform workers, to enable them to fully enjoy their rights and to promote fair competition?

Yes No

Comments

Fair competition is about digital platforms, not digital platform workers.

National governments are already regulating platform work based on existing, relevant ILO standards.

6. Should the Preamble of the instrument or instruments acknowledge the significance of the implications on working conditions of the use of algorithms for organizing, supervising and evaluating work on or through digital labour platforms?

Yes No

Comments

Algorithms are not unique to digital labour platforms; they are widely used by all types of businesses and consumers. Algorithms are automated and execute their work based on criteria set by humans. Managing algorithms is the prerogative of the platform operators allowing them to manage their business as they see fit. Furthermore, 'supervising' and 'evaluating' implies an employment relationship because of the subordination component, which is mostly inaccurate in the context of platform work. Lastly, given how prevalent the use of algorithms is, singling out the platform economy could create a disproportionate and uneven regulatory approach.

7. Should other considerations be included in the Preamble of the instrument or instruments?

Yes No

Please specify

The Preamble should also highlight:

- The importance of preserving the unique value proposition of digital platform work, such as the unprecedented flexibility for workers
- That workers control their time to work
- That platform work provides a low barrier to entry to the labour market
- The access offered to persons with disabilities, migrants and other groups in marginalized contexts
- The benefits for consumers who have more affordable access to essential goods and services
- The importance of promoting free enterprise and entrepreneurship
- The long-term contribution to formalization
- That the use of algorithms improve efficiency, including in the way work is offered

- The unique contribution of the platform economy during the COVID-19 pandemic
- The importance of investing in digital infrastructure and digital skills
- That the digital nature of the work improves safety
- The need to take into account the variety of business models
- The need to take into account national circumstances

3. Definitions

8. For the purposes of the instrument or instruments, should the term “digital labour platform” mean a natural or legal person that provides, through digital tools such as a website or an application, a service involving the performance of work by a person for remuneration, irrespective of whether that work is performed online (online digital labour platforms) or in a specific geographic location (location-based digital labour platforms)?
- Yes No

Comments

The definition should:

- Include that digital labour platforms provide a matching service; they match requestors with service providers/workers. It is important to underscore that digital labour platforms do not “provide (...) a service”; they offer access to service providers.
- Not refer to ‘a website’ or a ‘application’ because this could unnecessarily bring into scope any company that has a website or an application.
- Not refer to ‘remuneration’ because this implies an employment relationship, which does not reflect the majority of the platform economy. It should instead be ‘remuneration or service payments’.

9. For the purposes of the instrument or instruments, should the term “intermediary” mean a natural or legal person that provides access to work on or through a digital labour platform, by subcontracting or otherwise?
- Yes No

Comments

There is no need for a definition of an “intermediary” as intermediaries are not listed under the scope (question 14). There is also a lack of clarity on the difference between question 8 and question 9, and further, intermediaries are not listed under the scope (question 14). Furthermore, subcontracting is a legitimate business practice. Defining intermediaries could cause confusion and create uncertainty given the profound diversity of entities and models that could fall under this definition. These entities range from employers of couriers or drivers, car rental companies, organizations providing solely administrative support, and more. The instrument should remain focused on digital platform companies and digital platform workers.

10. For the purposes of the instrument or instruments, should the term “digital platform worker” mean a person who is employed or engaged to work on or through a digital labour platform,² regardless of their employment status or whether they work formally or informally?
- Yes No

Comments

Propose to rephrase to:

For the purposes of the instrument or instruments, the term “digital platform worker” should mean a person who is engaged to carry out tasks or projects, or who chooses to offer their services, on or through a digital labour platform, regardless of their employment status.

The definition should not address working conditions. Furthermore, the digital nature of platform work is a key enabler for formalization.

11. For the purposes of the instrument or instruments, should the term “remuneration” mean the financial compensation payable to a digital platform worker, regardless of their employment status, in exchange for the work they perform on or through a digital labour platform?
- Yes No

Comments

Remuneration implies an employment relationship, which does not fully reflect the platform economy. The correct terminology should be “remuneration or service payments”.

12. For the purposes of the instrument or instruments, should the term “hours of work” mean the time during which digital platform workers are at the disposal of a digital labour platform, including when they are waiting for work assignments?
 Yes No

Comments

- Firstly, in the majority of cases, platform workers are not “at the disposal of a digital labour platform”; the platforms are at the disposal of workers. In fact, workers can use multiple platforms at the same time (“multi-apping”).
- The question dismisses the reality that some business models allow service providers to set their own rates, regardless of the duration of the task or project.
- Hours of work or working hours implies an employment relationship.
- In most cases, platform workers are paid according to the tasks or projects they accept.
- Platforms may not necessarily have visibility into how long a task or project takes, so time worked may be challenging to capture. This is particularly true for creative industries.
- Workers may be “online” with one platform but otherwise occupied with, e.g. rejecting a task, undertaking a personal commitment or working for other companies.

13. Should any other terms be defined by the instrument or instruments? If yes, please provide particulars?
 Yes No

Comments

The instrument should define “requestor”, to capture the individual or entity that seeks the services or skills of the digital platform worker.

4. Purpose and scope

14. Should the instrument or instruments apply to:
 (a) all digital labour platforms?
 Yes No
 (b) all digital platform workers?
 Yes No

Comments

15. Should the instrument or instruments provide that, where special problems of a substantial nature arise, each Member may, at the time of ratification and following consultation with representative employers’ and workers’ organizations and, where they exist, organizations representing digital labour platforms and digital platform workers, exclude from the application of all or part of their provisions:
 (a) limited categories of digital labour platforms?
 Yes No
 (b) limited categories of digital platform workers?
 Yes No

Comments

First, consultations with representative social partners are essential.

Second, this provision induces a high level of subjectivity, which will not be helpful, and creates risk of cherry-picking within the application of the standard. Creating exclusions will create incoherence. It must apply to all.

Third, the possibility of excluding certain platforms carries with it the risk of unlawful interference in freedom to contract.

In addition, this question refers to ratification, which is inappropriate given that the social partners have not agreed upon on what form the final instrument will take.

16. Should the instrument or instruments provide that each Member should take measures to ensure that, in implementing their provisions, digital platform workers in an employment relationship enjoy protection no less favourable than that enjoyed by workers in an employment relationship generally?
 Yes No

Comments

The term 'less favourable' is subjective; there should not be value judgment on what constitutes as 'favourable' or 'less favourable'. Member States should reserve the right to implement specific employment protections for employed platform workers according to their national laws and local circumstances.

5. Substantive content of the instrument or instruments

A. Fundamental principles and rights at work

17. Should the instrument or instruments underline that each Member should take measures to ensure that digital platform workers enjoy the fundamental principles and rights at work, namely:
- (a) freedom of association and the effective recognition of the right to collective bargaining;
 Yes No
 - (b) the elimination of all forms of forced or compulsory labour;
 Yes No
 - (c) the effective abolition of child labour;
 Yes No
 - (d) the elimination of discrimination in respect of employment and occupation;
 Yes No
 - (e) a safe and healthy working environment?
 Yes No

Comments

Industrial relations systems are not based on a one-size-fits-all approach, but are rather based on different historical, social and economic contexts. Each Member should take measures to ensure that workers enjoy the fundamental principles and rights at work as defined by the Fundamental Conventions and Recommendations, as ratified by the respective Member States, and per the applicable laws in the respective Member States on the right to collective bargaining because this is contrary to competition law in many Member States. Violating competition law would inherently create a cartel. Collective agreements between companies and independent contractors can eliminate, for example, wage competition by fixing the price of labour. The case law of the European Court of Human Rights is clear that the right to form a trade union only arises in the context of an employment relationship. Furthermore, as Member States have done, it is important to differentiate between freedom of association and the right to collective bargaining. Collective bargaining applies if there is an employment relationship.

B. Occupational safety and health

18. Should the instrument or instruments provide that each Member should require digital labour platforms to take appropriate steps commensurate with their degree of control to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by assessing physical and psychosocial risks and taking the adequate preventive and control measures?
 Yes No

Comments

Propose to rephrase to:

The instrument or instruments provide that each Member should encourage digital labour platforms

to take appropriate steps commensurate with their degree of influence to prevent accidents and injury

- There are many causes of accidents and injuries, and these are often outside the control of the digital labour platforms. For example, platforms do not have control over poor public infrastructures, weak enforcement rules, lack of education and awareness.
- It is the responsibility of the Government to ensure occupational safety and health standards.
- Many platform workers use different applications at the same time, in which case, the OSH responsibility of a single platform is unclear. This is why the role of the Government is important.

19. Should the instrument or instruments provide that each Member should take appropriate measures to ensure that:

- (a) equipment used to perform work on or through digital labour platforms does not entail dangers for the safety and health of digital platform workers;
 Yes No
- (b) digital platform workers receive appropriate information and training in occupational safety and health;
 Yes No
- (c) digital platform workers have the right to remove themselves from a work situation which they believe presents an imminent and serious danger to their life or health;
 Yes No
- (d) digital platform workers report to a representative of the digital labour platform any situation in which they have reasonable justification to believe it presents an imminent and serious danger to their life or health;
 Yes No
- (e) adequate personal protective clothing and equipment, which are necessary when hazards cannot be otherwise reasonably prevented or controlled, are provided by the digital labour platform without any cost to the worker?
 Yes No

Comments

The chapeau of the questionnaires refers to 'each Member' which indicates that this is the responsibility of the Government, not the platform. Also, the word 'ensure' appears in the same sentence. It is clear that the Government should not delegate these elements above to the platforms. In some jurisdictions, such delegation would create classification liabilities.

(a) In most cases, platform workers acquire their own equipment, training and qualifications. They also assess the safety risks. In some countries, platform workers can get tax deductions for these purchases and for maintenance of tools.

(b) Digital platform workers are responsible for acquiring the appropriate occupational safety and health training necessary for work, especially given that workers can offer their services on a variety of platforms with minimal switching costs. Further, for a platform that offers access to a variety of different online tasks, it is unclear what OSH training would be needed.

(d) Imminent and serious dangers to life and health should be reported to emergency services, not a digital labour platform.

(e) Even in employment situations, the employer is not necessarily required to provide PPE: it depends on circumstances and what is deemed appropriate PPE. Platform workers are free to move from one platform to another, which poses practical challenges if responsibilities are being put on platforms. Further, this question is biased towards location-based platforms.

20. Should the instrument or instruments provide that, in the course of performing their work, digital platform workers should comply with the prescribed occupational safety and health measures and cooperate in the fulfilment by digital labour platforms of the occupational safety and health obligations placed upon them?

- Yes No

Comments

OSH measures are national and sector specific. ILO Convention 155 already provides Member

States with sufficient guidance to enact local laws on health and safety. Further, platform workers must, to some extent, also take responsibility of their own safety.

21. Should the instrument or instruments provide that, when the protection of digital platform workers in case of employment injury is not ensured through existing social security schemes, each Member should require digital labour platforms to extend such protection to the digital platform workers they employ or engage?
 Yes No

Comments

'Employment injury' is only relevant in the case of an employment relationship. Member States can provide access to sustainable social security systems, and such access can be strengthened. This is a commercial contract, not a labour contract.

22. Should the instrument or instruments provide that Members should encourage digital labour platforms to provide digital platform workers, as appropriate to the nature of work performed, with access to sanitary facilities and drinking water?
 Yes No

Comments

Access to sanitary facilities and drinking water is important and should be promoted whenever possible. SDG 6 declares the importance of achieving "clean water and sanitation for all". However, this is not the responsibility of platform companies. Also, it would not be practicable to put this development responsibility on a small subset of companies, especially given the digital features of platform work.

C. Violence and harassment

23. Should the instrument or instruments provide that each Member should take appropriate measures to effectively protect digital platform workers against violence and harassment in the world of work, including gender-based violence and harassment and, where appropriate, violence and harassment involving third parties such as clients and customers, including when perpetrated online, consistent with the right of everyone to a world of work free from violence and harassment, as recognized in the Violence and Harassment Convention, 2019 (No. 190)?
 Yes No

Comments

'Consistent with' should be replaced with 'taking into account'. The wording above insinuates a precondition for all Member States to also ratify ILO Convention 190. Furthermore, it is unclear why digital platform workers should be singled out vis-a-vis other workers.

D. Employment promotion

24. Should the instrument or instruments provide that each Member should make it an aim of national policy to promote the creation of decent jobs and encourage career and skills development in the platform economy, consistent with the goal of full, productive and freely chosen employment as set forth in the Employment Policy Convention, 1964 (No. 122)?
 Yes No

Comments

Propose to rephrase to:

The instrument or instruments provide that each Member should make it an aim of national policy to promote the creation of decent jobs and encourage career and skills development in the platform economy.

Not all platform workers are employed. Workers often want to be independent contractors and thus measures must respect the diversity of goals held by platform workers without simply assuming employment as a universal objective. ILO Convention 122 does not mention self-employed or independent contractors. There is no need to be overly prescriptive; national circumstances need

to be taken into account.

25. Should the instrument or instruments provide that Members should promote opportunities for further training and education for skills development and portable competencies for digital platform workers, in order for them to enjoy decent work, improve their employment prospects and respond to changing technology and labour market conditions?
 Yes No

Comments

Suggested rephrasing:

The instrument should provide that Members should promote opportunities for further training and education for skills development, including core skills, for digital platform workers, in order to respond to changing technology and labour market conditions. Such training and education opportunities should be part of national skilling and lifelong learning strategies, offered to everyone in the labour force.

26. Should the instrument or instruments provide that Members should promote measures to reduce barriers for disadvantaged groups to work on or through digital labour platforms?
 Yes No

Comments

Digital labour platforms are among the most accessible source of work in today's economy. The instrument should reinforce the need to ensure digital platform work remains accessible. Measures This applies not only for disadvantaged groups but also groups in vulnerable situations.

E. The employment relationship

27. Should the instrument or instruments provide that each Member should take measures to ensure the adequate classification of digital platform workers in relation to the existence of an employment relationship, based on the primacy-of-facts principle as set out in the Employment Relationship Recommendation, 2006 (No. 198), taking into account the specificities of work on or through digital labour platforms? ³
 Yes No

Comments

Propose to rephrase to the below:

The instrument or instruments provide that each Member should take measures to ensure the adequate classification of digital platform workers in relation to the existence of an employment relationship, taking into account the Employment Relationship Recommendation, 2006 (No. 198), and other specificities of work on or through digital labour platforms.

Multiple Member States have already taken actions to address classification in line with local conditions, aligned with Recommendation 198. Using 'based on primacy of facts principles' makes it obligatory for Governments to use this as a basis to determine classification. This should not be elevated to a Convention with mandatory provisions. It should depend on national circumstances (for example, Australia, UK, India, Singapore and Ontario, Canada, have their own classification measures). Countries should have the sovereign right to determine which classification they see fit. Member States should also respect the choices and preferences of digital platform workers.

28. Should the instrument or instruments provide that the measures adopted by Members concerning the determination of the existence of an employment relationship should not interfere with true civil and commercial relationships, while at the same time ensuring that digital platform workers in an employment relationship have the protection they are due?
 Yes No

Comments

It is important to respect civil and commercial relationships, as agreed upon by the parties involved. Recommendation No. 198 requires respect for commercial relationships.

29. Should the instrument or instruments provide that Members should review at appropriate intervals and, if necessary, clarify and adapt the scope of relevant laws and regulations, in order to ensure

the adequate classification of digital platform workers in relation to the employment relationship in the changing world of work?

Yes No

Comments

This question is dismissive of Member States' ability to set functioning laws and regulations. Further, Recommendation No. 198 has already set an appropriate standard on classification including a measure encouraging Member States to review national policies at appropriate intervals. Member States around the world are already taking action aligned with this Recommendation and thus repeating it here is unnecessary.

F. The use of intermediaries

30. Should the instrument or instruments provide that each Member should take measures to ensure that, where the use of intermediaries is permitted, their activities should be adequately regulated, and the respective responsibilities of digital labour platforms and intermediaries, including in respect of occupational safety and health, and the payment of remuneration and social security contributions, should be determined and allocated in accordance with national law and practice?

Yes No

Comments

As per response to Q.9, intermediaries are not in scope for this instrument. Extending the scope to cover intermediaries could cause confusion and create uncertainty given the profound diversity of entities and models that would be covered. Each intermediary varies significantly in their engagement and relationship with platform companies and digital platform workers.

G. Remuneration and working time

31. Should the instrument or instruments provide that each Member should take measures to ensure that the remuneration payable to digital platform workers is:
- (a) adequate and includes, as appropriate, fair piece rates;
- Yes No
- (b) paid regularly, in legal tender and in full, in accordance with contractual obligations, national laws, regulations and collective agreements, and not unduly withheld?

Yes No

Comments

Remuneration is commonly used in an employment relationship; "Remuneration and service payments" is more inclusive and reflective of the platform economy. Also, this question appears dismissive of platforms where workers set their own rates.

- (a) 'Adequate' is subjective and is a generic term. 'Fair piece rates' is unclear and a restrictive concept.
- (b) 'Regularly' is a cadence commonly applied to employed persons. 'Not unduly withheld' has a value judgment and negative connotation.

32. Should the instrument or instruments provide that, in assessing compliance with applicable laws, regulations or collective agreements on the amount of remuneration, the following should not be considered part of the remuneration payable to the digital platform worker:

- (a) any expenses or other costs necessary to carry out their work;

Yes No

- (b) tips and other gratuities?

Yes No

Comments

This question is poorly drafted and confusing for both English speakers and non-native English speakers. The definition of compensation in the context of compliance is highly jurisdiction-specific and should be determined by Members. Digital platform workers are independent contractors who have full control of the costs they incur and thus these expenses should be excluded from assessing compliance. Tips belong to the worker but laws and practices vary among countries and Members

should have discretion. Also, it should refer to “remuneration or service payments” to be inclusive of employees and independent contractors.

33. Should the instrument or instruments provide that each Member should provide that digital labour platforms should only be permitted to make deductions from digital platform workers’ remuneration under conditions and to the extent prescribed by national laws or regulations or fixed by collective agreement, and should be prohibited from charging any fees or costs, directly or indirectly, in whole or in part, to digital platform workers?
 Yes No

Comments

The question mixes two separate issues; deductions, and charging fees or costs.

The context of deductions vary, and this may include service charges. Limiting deductions could cause challenges given the diversity of platforms and their business models.

Regarding the latter half of the question, fair recruitment principles are important, and, in the case of a digital labour platform that employs workers, the employees should not have to pay a fee to access the platform.

However, most digital platform companies offer a platform for self-employed workers to find clients/requestors of services. In these cases, digital labour platforms provide technological services to platform workers, and, as such, should be able to charge a fee or costs to users. If platform companies are not able to collect fees, their entire business model is imperilled. Deductions should be transparent and in accordance with national laws, regulations, and collective agreements but digital platform companies must retain the ability to charge digital platform workers for fees or costs.

34. Should the instrument or instruments provide that each Member should require digital labour platforms to regularly provide digital platform workers with accurate and easily understandable information on their remuneration and any deductions made?
 Yes No

Comments

Propose to reframe to:

The instrument or instruments provide each Member should encourage digital labour platforms to provide digital platform workers with information on their remuneration or service payments and any deductions made.

‘Easily understandable’ is subjective.

35. Should the instrument or instruments provide that each Member should take measures to ensure, in accordance with national laws, regulations or collective agreements, adequate protection of digital platform workers in relation to:
 (a) hours of work;
 Yes No
 (b) rest breaks;
 Yes No
 (c) daily and weekly rest?
 Yes No

Comments

Self-employed digital platform workers can work and not work at the times that best suit them. The elements above are commonly considered when there is an employment relationship. Setting hours of work, rest breaks and daily and weekly rest does not offer the flexibility and independence which platform workers want and need. These barriers affect their preferences on when to work and where. The uniqueness of using platforms is that it offers the flexibility that workers enjoy. Furthermore, it is impractical to monitor the hours given that platform workers may be using different applications at the same time, and/or in the context of online-based work. It is the responsibility of the individual to monitor their own work hours. Platforms may wish to share general information without infringing upon privacy of platform workers.

36. Should the instrument or instruments provide that Members should take measures to ensure that the remuneration payable to digital platform workers is at least equivalent to the statutory or negotiated minimum wage, calculated according to the same method, that is applicable to workers in a comparable situation, where it exists?

Yes No

Comments

Minimum wages are linked to employment. Platform work is mostly done per task or per project. It would be difficult to compare and calculate the minimum wages. Hourly or monthly minimum wages do not apply to self-employed platform workers. Further, the questionnaire does not take into account that, on some platforms, workers set their own rates.

There should be minimal state interference except in situations where it can help improve the entrepreneurial business environment.

37. Should the instrument or instruments provide that Members should establish guidance on the payment of tips and other gratuities to ensure that they are received by digital platform workers?

Yes No

Comments

Tips belong to the worker. It is up to the Governments if they are willing to provide guidance, in consultation with social partners. This is perhaps overly prescriptive and unnecessary.

38. Should the instrument or instruments provide that Members should establish a method to determine the remuneration payable to digital platform workers for periods of time during which they are at the disposal of the platform and waiting for work assignments?

Yes No

Comments

Platform workers who are independent contractors are not “at the disposal of the platform”; it is the other way around. They are paid for the tasks and projects they accept and complete. Further, platform workers can log in and log off at any time. When a digital platform worker is not actively completing a task, they could be rejecting tasks, working for other companies or attending to personal commitments. Workers have complete autonomy and control of the time spent not actively completing tasks and digital labour platforms should not be responsible for compensating this time. This question is presumptuous in a sense that it looked at Chile as an isolated example in the Law and Practice report. Other countries will have different experiences and this question should not drive constituents to look at the hours worked.

Also, remuneration, for the reasons mentioned earlier, should be changed to “remuneration or service payments”.

39. Should the instrument or instruments provide that Members should take measures to enable digital platform workers to decline a work assignment or to disconnect from a digital labour platform when they are not available for work, without retaliation?

Yes No

Comments

Propose to rephrase to the below:

The instrument or instruments provide that Members should take measures to enable digital platform workers to decline a task/project, or to disconnect from a digital labour platform before completing a task or after completing the task if accepted.

No one is being forced to work. The words ‘without retaliation’ has a negative connotation and is not sufficiently defined to be included in this provision. Platform workers are free to disconnect anytime before accepting a task

H. Impact of the use of algorithms on working conditions

40. Should the instrument or instruments provide that each Member should require digital labour platforms to inform digital platform workers, before they are employed or engaged, and their representatives or representative workers’ organizations and, where they exist, organizations

representing digital platform workers, about the use of algorithms to organize, supervise and evaluate work, and the extent to which this use affects the working conditions of digital platform workers?

Yes No

Comments

- Algorithms and AI regulations pose fast-changing technical issues that are beyond the scope of the ILO's competence.
- 'Supervise' and 'evaluate' denotes an employment relationship, which is not relevant for most platform workers.
- Algorithms aim to improve efficiency and safety of the service. It is the prerogative of the platform to use algorithms.
- Requirements to inform digital platform workers about the use of ubiquitous and consistently changing algorithms in real-time is not feasible and ultimately unnecessary.
- Digital labour platforms need to be able to modify algorithms in real time to improve service safety, reliability and working conditions, making prior notification impractical.
- Algorithms are proprietary, and forcing companies to share source codes would be a violation to intellectual property rights and trade secret laws.

41. Should the instrument or instruments provide that each Member should require digital labour platforms to ensure that the use of algorithms:

(a) does not result in any direct or indirect discrimination, including in respect of access to work on or through digital labour platforms and the setting of remuneration;

Yes No

(b) does not have harmful effects on the safety and health of digital platform workers, including risks of work-related accidents and psychosocial risks?

Yes No

Comments

- Member States already have anti-discrimination and OSH laws, which are aimed at preventing the adverse impacts described here. Whether discrimination or OSH violations occurs via an algorithm or through in-person interactions does not matter and these well-developed laws already apply. These laws have been developed by Member States in light of the applicable ILO Conventions.
- The diverse range of algorithms, coupled with misconceptions about their purpose and impact, prevents effective development of such frameworks.
- The use of algorithms can reduce discrimination and reduce safety, as algorithms have fewer conscious and unconscious biases compared to humans. Algorithms can also help to protect the public, for example to flag expired IDs.
- Further, "remuneration" is not relevant unless it refers to an employment relationship.

42. Should the instrument or instruments provide that each Member should ensure that digital platform workers have effective access, without undue delay, to a human review of any decision generated by an algorithm that impacts their working conditions, in particular when it results in the suspension or deactivation of their account, or termination of their work relationship?

Yes No

Comments

This is an impractical proposal. Human review can result in infinite delays. Algorithms are automated and can quickly resolve issues if coded to do so. This is particularly valuable in cases of immediate safety concerns, where the use of an algorithm can help with swift action. A risk-based approach to safeguards may be a better solution.

43. Should the instrument or instruments provide that when the impact of the use of algorithms on working conditions of digital platform workers is not covered by a collective agreement, such use should be the subject of prior authorization by the competent authority?

Yes No

Comments

This is a bureaucratic barrier to innovation. It is also an impractical suggestion. It is unclear what

authority would be competent to review algorithms. This poses concerns for trade secrets and intellectual property. Platforms should be allowed to adapt itself on the changing market needs. It is the right of the platform to use algorithms, without any state or trade union interference.

44. Should the instrument or instruments provide that Members should encourage digital labour platforms to ensure regular monitoring and evaluation of the impact of the use of algorithms on digital platform workers' working conditions, and the application of any necessary corrective measures, in collaboration with digital platform workers' representatives or representative workers' organizations and, where they exist, organizations representing digital platform workers?
- Yes No

Comments

Businesses are independent entities. Collaboration can be encouraged, but this is overly prescriptive for an international labour instrument. Regular monitoring and evaluation will add more burdens to platforms, and it may require them to research impacts, which could take years. Further, not only would such collaboration create delays in the improvement of algorithms, but it could also be considered an anti-competitive measure given that most platform workers are independent contractors.

45. Should the instrument or instruments emphasize the importance of addressing at least the following elements in any information, collective agreement or prior authorization, as referred to in questions 40 and 44:
- (a) the main parameters taken into account in the operation of algorithms that have implications for working conditions, and their relative importance;
- Yes No
- (b) the extent of human intervention, if any, in the decision-making process;
- Yes No
- (c) any subsequent change made to (a) or (b)?
- Yes No

Comments

Platforms may wish to be transparent on the way the algorithms work in general, but not put a pre-condition to prior authorisation. Algorithms are protected by intellectual property rights. This is commercially sensitive information.

I. Protection of digital platform workers' personal data

46. Should the instrument or instruments provide that each Member should establish effective and appropriate safeguards concerning the collection, storage, use, processing and communication of digital platform workers' personal data?
- Yes No

Comments

First, many Member States already have existing laws pertaining to data privacy. Data protection requires a unified approach for workers; a stand-alone approach for platform workers is discriminatory and would cause fragmentation. Data protection will be discussed at the forthcoming expert meeting in 2027, and action should be rooted in this forthcoming meeting.

Second, not all platform workers do not necessarily have to share personal data to offer their services on a platform, so this question incorrectly assumes data sharing in all cases.

47. Should the instrument or instruments provide that each Member should require digital labour platforms to ensure that digital platform workers' personal data are collected, processed and used only to the extent strictly necessary for the proper performance of the work relationship or as required by national law, and to prohibit, in particular, the collection, processing and use of personal data:
- (a) relating to private conversations, including exchanges with workers' representatives;
- Yes No

- (b) concerning membership of workers' organizations or participation in their activities;
 Yes No
- (c) obtained when the digital platform worker is not connected to a digital labour platform for the purpose of performing work;
 Yes No
- (d) concerning physical and mental health and other sensitive data as determined in accordance with international labour standards and other relevant national and international instruments?
 Yes No

Comments

There is a forthcoming expert meeting on data privacy, so we recommend addressing these challenges then. This is key to prevent fragmentation and ensure equal protection across different sectors and industries.

(a) There is no definition of "private" conversations and this is necessary for clarity.

(c) There is no reason to distinguish the connection time with work. Some platform workers may be connected but might be updating their profile, reading the terms and conditions of the work, uploading an ID card, etc. The reverse may also be true; a platform worker, for example in the creative industries, may be working on a task or project without being logged in to the platform. In addition, platform workers may be connected to multiple platforms simultaneously, which exacerbates the complexities already described.

(d) There needs to be a balance between collecting personal data on physical and mental health and data privacy. It should be determined on a case-by-case basis. If it can endanger the client and ensure public safety, it makes sense to collect the relevant, basic and appropriate information.

48. Should the instrument or instruments provide that, in establishing the safeguards referred to in question 46, Members should take into account relevant instruments of the International Labour Organization, such as the code of practice on the protection of workers' personal data, and other relevant national and international instruments on the protection of personal data and the right to privacy?
 Yes No

Comments

Many Member States already have existing laws pertaining to data privacy and are already following international instruments in this regard.

Data protection requires a unified approach for workers; a stand-alone approach for platform workers would cause fragmentation.

49. Should the instrument or instruments provide that Members should establish policies relating to the portability of data that relate to the work of a digital platform worker, including ratings?
 Yes No

Comments

There are operational challenges to this proposal. Each platform has a unique approach to data collection and requestor ratings. Portability of data assumes similarity of platforms and the type of work, which is more complex in practice given the diversity of platform types. It could also risk being anti-competitive.

J. Social security

50. Should the instrument or instruments provide that each Member should take measures to ensure that digital platform workers enjoy social security protection on terms not less favourable than those applicable to workers generally?
 Yes No

Comments

Member States should ensure access to sustainable social protection systems.

Further, this question overlooks the well-established distinctions between the needs of employed individuals and self-employed individuals, as well as the underlying rationale behind the laws that

differentiate these groups.

51. Should the instrument or instruments provide that Members should take measures to ensure that digital labour platforms and digital platform workers both participate in the financing of social security systems based on the principle of financial, fiscal and economic sustainability, with due regard to social justice and equity?
 Yes No

Comments

This question does not consider the fact that platforms and people who use them to offer services are already contributing to governments' and jurisdictions' financial, fiscal, and economic sustainability—in particular, through new tax revenues that would not exist without platforms.

It also does not recognize that economic opportunities provided by platforms may represent a way to ease burdens on social security systems.

This question also unintentionally overlooks the well-established distinctions between the needs of employed individuals and self-employed individuals, as well as the underlying rationale behind the laws that differentiate these groups.

52. Should the instrument or instruments provide that, where coverage of the national social security protection system is limited, Members should endeavour to progressively extend its scope so that it covers all digital platform workers in respect of the nine categories of benefits included in the Social Security (Minimum Standards) Convention, 1952 (No. 102)?⁴
 Yes No

Comments

Proposal to rephrase to:

The instrument or instruments provide that, where coverage of the national social security protection system is limited, Members should endeavour to progressively and fiscally sustainably extend its scope so that it covers all digital platform workers.

There should not be a pre-condition for Member States to ratify ILO Convention 102 when have not done so or do not wish to do so.

53. Should the instrument or instruments provide that Members should endeavour to take steps for the maintenance or portability of social security rights in the course of acquisition and acquired rights of digital platform workers when they are successively subject to different social security schemes in different Member States or within the same Member State?
 Yes No

Comments

An ILO instrument cannot provide cross-border rights; this is handled by bilateral and multilateral trade agreements. In this regard, practical challenges can already be observed. This is the prerogative of the governments, if they see the added value.

K. Terms and conditions applying to digital platform workers

54. Should the instrument or instruments provide that the terms and conditions of digital platform workers should be governed by the law of the country where the work is performed?
 Yes No

Comments

The work is not necessarily performed in the same market or country. The platform worker and consumer may not be in the same location. There are practical challenges to enforce the terms of conditions to be governed by the law of the country where the work is performed. The Member States have the sovereign right to decide unilaterally or bilaterally. It is also to the competitive advantage of the platform worker to be able to offer services to clients in multiple locations. Otherwise, this provision could create unintended exclusion of platform workers who may be operating in high-cost or highly regulated countries. In addition, it invertedly encourages platforms to prioritize workers from jurisdictions where legal requirements may be less stringent, thus exacerbating existing challenges.

55. Should the instrument or instruments provide that each Member should take measures to ensure that digital platform workers are informed of their terms and conditions of work in an appropriate, verifiable and easily understandable manner, where possible through written contracts, in accordance with national laws, regulations or collective agreements?
- Yes No

Comments

Propose to rephrase to:

The instrument or instruments provide that each Member should take measures to ensure that digital platform workers are informed of their terms and conditions of work in accordance with national laws, regulations or collective agreements.

The deleted words are subjective.

Guidance

56. Should the instrument or instruments provide that Members should require that contracts between digital platform workers and digital labour platforms contain at a minimum:
- (a) the identity and contact details of the contracting parties;
 Yes No
- (b) the tasks that the digital platform worker is expected to perform;
 Yes No
- (c) information about the impact of the use of algorithms on working conditions, as referred to in question 40;
 Yes No
- (d) information about the grounds on which a digital platform worker's account may be suspended or deactivated, or the work relationship terminated;
 Yes No
- (e) information about the method to determine the remuneration payable to the digital platform worker, and possible deductions if any;
 Yes No
- (f) periods, if any, during which the digital platform worker is expected to be at the disposal of the digital labour platform for work assignments?
 Yes No

Comments

(a) Propose to rephrase to: "the contact details of the digital platform worker and the digital labour platforms".

(b) Workers should have visibility into the task or project prior to accepting the task or project. However, the issue with this question is that some platforms offer a wide range of task and project types; for example, ranging from graphic design to code writing. In these instances, it is impossible for the contract to reflect all the different types of tasks that the worker may decide to take on, through the platform.

Also, workers are not "expected to perform"; they have the freedom to choose to take on the tasks or projects offered through the platform.

(c) Algorithms are proprietary, and forcing companies to share source codes would be a violation to intellectual property rights and trade secret laws.

(d) There may be many reasons why a business relationship ceases. The extent to which the specific grounds need to be listed in a contract varies among countries.

(e) Remuneration is a term used in employment. Platforms may wish to offer general parameters or variables to determine the offer (in general terms), but not the method. The offer is determined and charged depending on market conditions and demand.

(f) It is the contrary; the platforms are at the disposal of platform workers and requestors. 'Expected to be' incorrectly describes the reality of platform work.

L. Protection of migrants and refugees

57. Should the instrument or instruments provide that each Member should take all necessary and appropriate measures to prevent abuses of, and provide adequate protection to, migrants and refugees in the course of their recruitment or their work as digital platform workers?
 Yes No

Comments

Employers support the ease of workers to enter the market and reduce burdens to assist with integration. However, it is unclear why this particular group is singled out. There should be no differential treatment

58. Should the instrument or instruments provide that Members should ensure that free public information services are provided to ensure that migrants and refugees are aware of relevant laws and regulations relating to working on or through digital labour platforms, including dispute settlement mechanisms and legal remedies as referred to in questions 65–67?
 Yes No

Comments

Public information services in general should be available to all, not just migrants and refugees. Kindly see comments provided under 65-67.

M. Freedom of association, social dialogue and the role of employers' and workers' organizations

59. Should the instrument or instruments provide that each Member should take all necessary measures to ensure that digital labour platforms and digital platform workers effectively enjoy freedom of association and the right to collective bargaining, including the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization?
 Yes No

Comments

Collective bargaining only applies to employees.

60. Should the instrument or instruments provide that Members should create an enabling environment for digital labour platforms and digital platform workers to exercise their right to organize and bargain collectively and to participate in social dialogue, including at the cross-border level?
 Yes No

Comments

Collective bargaining is only for employees. Also, ILO instruments are applied at the national level, not at the cross-border level. Members should create an enabling environment for digital labour platforms to grow, thrive and innovate.

61. Should the instrument or instruments provide that Members should take or support measures to strengthen the capacity of representative employers' and workers' organizations and, where they exist, organizations representing digital labour platforms and digital platform workers, to effectively further and defend the interests of their members in relation to work on or through digital labour platforms?
 Yes No

Comments

It is important to promote social dialogue and capacity building of social partners only, which are the ones defending the interests of members.

62. Should the instrument or instruments encourage employers' and workers' organizations to extend membership and services to digital platforms and digital platform workers, respectively?
 Yes No

Comments

This pertains to the right to association, a fundamental right. Some organizations are already doing this. This by no means implies that there is an employment relationship or that there is a right to collective bargaining. This is about ensuring regulations are in line the realities of the platform economy.

63. Should the instrument or instruments provide that Members should take measures to ensure that digital labour platforms make available to representative workers' organizations and, where they exist, organizations representing digital platform workers, all information necessary for meaningful negotiations?

Yes No

Comments

Collective bargaining negotiations amongst independent contractors violates competition law in certain Member States and thus there should be no requirement for digital labour platforms to disclose any information for the purposes of negotiations. There is also a need to take into account data protection and intellectual property rights.

N. Suspension, deactivation and termination

64. Should the instrument or instruments provide that each Member should take measures to prohibit the suspension or deactivation of a digital platform worker's account, or the termination of their work relationship with a digital labour platform, when it is based on discriminatory, arbitrary or otherwise unjustified grounds?

Yes No

Comments

It is agreed that the world of work should be free from discrimination. However, 'Arbitrary or unjustified grounds' is vague. Restrictions on account suspension or termination could impede a digital platform company's ability to maintain safety, reliability, and compliance on their platform. Temporary suspensions may in some cases be necessary to allow investigations of serious offenses or safety incidents. Additional protections also apply in the case of an employment relationship.

O. Dispute resolution

65. Should the instrument or instruments provide that each Member should take measures to ensure that digital platform workers have easy access to appropriate and effective legal remedies, and safe, fair and effective dispute resolution mechanisms?

Yes No

Comments

Propose to rephrase to:

The instrument or instruments provide that each Member should take measures to ensure that digital platform workers have effective access to legal remedies and dispute resolution mechanisms
The words 'easy' and 'fair' were removed as these are subjective.

66. Should the instrument or instruments provide that Members should take measures to ensure that digital platform workers have access to dispute resolution mechanisms in the territory in which the digital platform worker resides or carries out work on or through a digital labour platform, regardless of where the platform is established?

Yes No

Comments

The report does not make it clear as to what disputes and between whom may create the need for a mechanism.

This measure is unnecessary as many Member States already enable platform workers to have access to dispute resolution mechanism in the territory in which the digital platform worker resides or carries out work.

67. Should the instrument or instruments provide that Members, when taking measures regarding legal remedies and dispute resolution mechanisms, should consider the particular situation of migrants and refugees, including recognition of the right to stay lawfully in the territory to pursue their claim after their work relationship has ended?
 Yes No

Comments

This pertains to national immigration law and does not relate to the ILO's mandate.

P. Compliance and enforcement

68. Should the instrument or instruments provide that each Member should put in place mechanisms to ensure compliance with and enforcement of relevant national laws, regulations and collective agreements, having regard to the special characteristics of work on or through digital labour platforms?
 Yes No

Comments

There are existing mechanisms and measures that apply across sectors. Further, this question is overly prescriptive, and it is unclear what 'special characteristics' entail. Further, collective agreements are not relevant to most platform workers.

69. Should the instrument or instruments provide that, in order to ensure compliance, each Member should determine the conditions governing the operation of digital labour platforms through a system of licensing or certification or other form of regulation, including reporting obligations?
 Yes No

Comments

These will create barriers for small and emerging platforms to enter the market and will disproportionality impact them. This will also relegate innovation and have the worst consequences for developing countries, where innovation, investments and job growth is most needed. Further, there should not be State interference on the administration of private sector contracts. There are already existing mechanisms such as access to courts and regulatory oversight.

70. Should the instrument or instruments provide that, when putting in place compliance mechanisms as referred to in question 68, Members should ensure respect for the right to privacy of digital platform workers?
 Yes No

Comments

Equal rights should be given to platforms as well as work requestors.

71. Should the instrument or instruments provide that Members should ensure that measures are in place to facilitate the formalization of platform workers, tackle undeclared activities and promote fair competition, including by imposing reporting obligations on digital labour platforms?
 Yes No

Comments

Propose to rephrase:

The instrument or instruments provide that Members should ensure that measures are in place to facilitate the formalization of platform workers, tackle undeclared activities and promote fair competition.

Reporting obligations will add administrative burden. There is no evidence to support that obligatory reporting helps to formalise workers, or to promote fair competition. This needs to be justified.

Q. Implementation

72. Should the instrument or instruments provide that each Member should implement their provisions in relation to digital labour platforms operating, and digital platform workers working, in their territory?

Yes No

Comments

National legislation prevails.

73. Should the instrument or instruments provide that, in implementing their provisions, each Member should consult with, and promote active participation of, representative employers' and workers' organizations and, where they exist, organizations representing digital labour platforms and digital platform workers?

Yes No

Comments

Implementing provisions and negotiating on them is the right of social partners and not the right of individual platforms or individual platform workers.

74. Should the instrument or instruments provide that their provisions should be applied by means of laws or regulations, collective agreements, court decisions, a combination of these means, or in any other manner appropriate to national conditions and practice, including by extending or adapting existing measures, or by developing new measures to cover digital platform workers?

Yes No

Comments

On this language; the text should stick to agreed language from other instruments.

75. Should the instrument or instruments provide that Members should cooperate at bilateral, regional and international levels to ensure the effective implementation of their provisions, especially in matters concerning fundamental principles and rights at work, social security, dispute resolution and the regulation of the operation of digital labour platforms?

Yes No

Comments

Propose to rephrase:

The instrument or instruments provide that Members may cooperate at bilateral, regional and international levels to ensure the effective implementation of the instrument's or instruments' provisions.

The listing is already covered in previous questions above. There is no need to repeat. Further, cherry-picking provisions within a standard carries the risk of creating a hierarchy of importance within a standard, which is not appropriate.

76. Should the instrument or instruments provide that Members should raise awareness and provide information and guidance to digital labour platforms, digital platforms workers and representative employers' and workers' organizations and, where they exist, organizations representing digital labour platforms and digital platform workers, to support the effective implementation of their provisions?

Yes No

Comments

This is the right and responsibility of social partners, not other organizations.

77. Should the instrument or instruments provide that Members should establish appropriate mechanisms, including the collection of data and statistics, to monitor developments concerning work on or through digital labour platforms?

Yes No

Comments

Propose to rephrase:

The instrument or instruments provide that Members should establish appropriate mechanisms, including the collection of statistical data, to monitor developments concerning work on or through digital labour platforms

Respectful of data privacy matters, statistical data can be helpful in policy development. There should not be any reporting obligations, and it should be voluntary. Member States should incorporate efforts to capture digital platform workers in existing labour surveys and national statistics.

R. Amendments

78. Should the instrument or instruments include a simplified and accelerated procedure for amending specific provisions in order to ensure their continued relevance in the light of technological, regulatory or operational developments impacting on work on or through digital labour platforms?
 Yes No

Comments

This topic is already complex. The ILO Supervisory Reporting Mechanism will determine if instruments are outdated or if there are gaps. It is important to leave space for the policy process to adapt.

6. Other considerations

79. Are there unique features of national law or practice that are liable to create difficulties in the practical application of the instrument or instruments?
 Yes No

Comments

There are many national and regional nuances that would make this instrument challenging in practice. Kindly see all the aforementioned examples.

80. (For federal States only) In the event of the instrument or instruments being adopted, would the subject matter be appropriate for federal action or, wholly or in part, for action by the constituent units of the federation?
 Yes No

Comments

81. Are there any other pertinent issues not covered by the present questionnaire that ought to be considered when drafting the instrument or instruments?
 Yes No

Comments

This questionnaire is biased and one-sided. Most questions are only concerned with conditions of work and controlling innovation, but there is nothing here on the added value of platform work. There is no promotional part. Advantages such as flexibility, autonomy, inclusion, freedom over time worked, work life balance etc. were ignored. These need to be covered. The questionnaire should stress the importance of preserving the benefits and unique value propositions of digital platform work, such as the control and flexibility workers have over their work.