

Policy Briefing for ‘Gig Rights and Gig Wrongs Report’

The ‘Gig Rights and Gig Wrongs Report’ is based upon a novel non-probability sample of gig workers generated by advertising our survey directly to UK gig workers active on Internet platforms. The result is a unique sample of 510 UK workers that spans the diversity of the gig economy. The diverse sample allows us to investigate the degree to which a broad range of factors influence work experiences and shape views towards labour rights, including whether the work is undertaken remotely or in local proximity to the customer, workers are migrants or UK-born, male or female, younger or older, or more or less educated. Below we highlight the policy implications of the report’s findings.

- **Provide labour rights (minimum wage, paid holiday, sick pay, and protection against unfair dismissal) for platform workers.**

The report’s findings make clear how low pay, anxiety, and stress blight the lives of many workers in the UK gig economy. The findings also provide a compelling case for expanding the existing ‘worker status’ so that it includes all those whose work is organised through a digital labour platform and undertaken by an individual on the basis of a contractual relationship. The provision of these rights is necessary due to the existence of digital platforms – powerful third parties that not only provide digital infrastructures but also create, strategically manage, and govern access to jobs and ultimately determine the terms under which they are undertaken. Worker status also needs to be updated so that all workers also receive sick pay and protection against unfair dismissal (including platform deactivation). These rights should be available to all workers from day one and, in the gig economy, platform companies would be responsible for ensuring these rights are respected.

While being paid whenever logged on to the platform/app and looking for work was also a priority for our respondents, its application to those platforms where workers can spend an unlimited time searching for work and choose, to varying degrees, the jobs they do would be challenging to implement. An alternative would be for the minimum pay rate to be set at a high enough level that the median worker on that platform is compensated adequately for their time looking for work. Based on our survey this would mean the minimum rate across the gig economy would need to encompass an additional payment of £2.38, taking the present minimum rate to £12.80 per hour – however, in practice, this additional payment would vary according to platform.

The low pay and poor conditions that we find in the UK gig economy are exactly the kind of market failures that labour rights were envisioned to protect against. Our findings demonstrate that whether someone is classified as an employee, worker, or self-employed according to traditional conceptions, is immaterial to the exploitation and dependency they can face when they rely on labour platforms to make a living.

- **Require platforms to set up representative councils that must approve all major platform changes that impact jobs and working conditions, be consulted at an early stage on planned changes, and oversee appeals and minimum pay rates.**

Despite seeing themselves as self-employed, and thus legally constituting their own businesses (colloquially ‘being their own boss’), our respondents also highlighted the need for policies that would legally ensure their participation in platform decision-making. In particular, the asymmetry in power relations between self-employed workers and the platforms they rely on to make a

living means that Swedish-style co-determination rights should be introduced for all platform workers via the creation of ‘platform councils’.

Platform councils would be made up of elected representatives (at least three representatives, with one additional representative for every thousand workers using the platform, up to a maximum size of 35 representatives – as is the case with German works councils). Approval would be needed from these platform councils for all major platform changes that impact UK jobs and working conditions, including but not limited to the implementation of new technologies and changes to algorithms. They would also need to be consulted on planned changes at an early stage to ensure a meaningful input into decisions and would be able to request the business information necessary to make informed decisions. These councils would also oversee appeals regarding platform deactivations or restrictions to ensure the fairness of the process and be able to refer cases to employment tribunals. Finally, these councils would ensure the application of the above labour rights and report platform companies to the employment tribunal for failure to comply. For example, where a platform entails complex piece rates or project work the platform council would set minimum rates that ensure the average worker earns at least the minimum wage. Where workers feel they are being paid an effective rate that is below the minimum wage they would be able to ask the council to investigate and set a new rate for that type of work. These councils could also set minimum pay rates that ensure that the median worker on the platform earns at least the minimum wage when time looking for work is accounted for. The platform councils would be granted access to the necessary platform business data and the means to survey workers regarding the time they spend looking for work. The representatives would be compensated for their time undertaking this function at the average rate of a worker on the platform. Research from Germany demonstrates that works councils can be an effective means of regulating platform-style algorithmic management and avoiding negative consequences for workers.

- **Require platform companies to hold regular online general platform assemblies where workers can ask questions and express their views on the running of the platform.**

Platforms should also have to hold regular online general platform assemblies (at least three a year) that are open to all workers on the platforms to attend and express their views about what is happening and question management and their platform council representatives.

- **Develop a nationwide publicly owned network of co-working spaces.**

Additionally, to help further foster collectivism among spatially fragmented remote gig workers and overcome social isolation the state should develop a nationwide publicly owned network of co-working spaces that provide high-quality workspaces for freelancers at affordable prices in all midsized and large cities.

- **Develop a financial facility that evens out irregular earnings.**

Finally, the government should develop a financial facility that local gig workers can use to even out irregular earnings and provide a pay cheque that is similar each month.