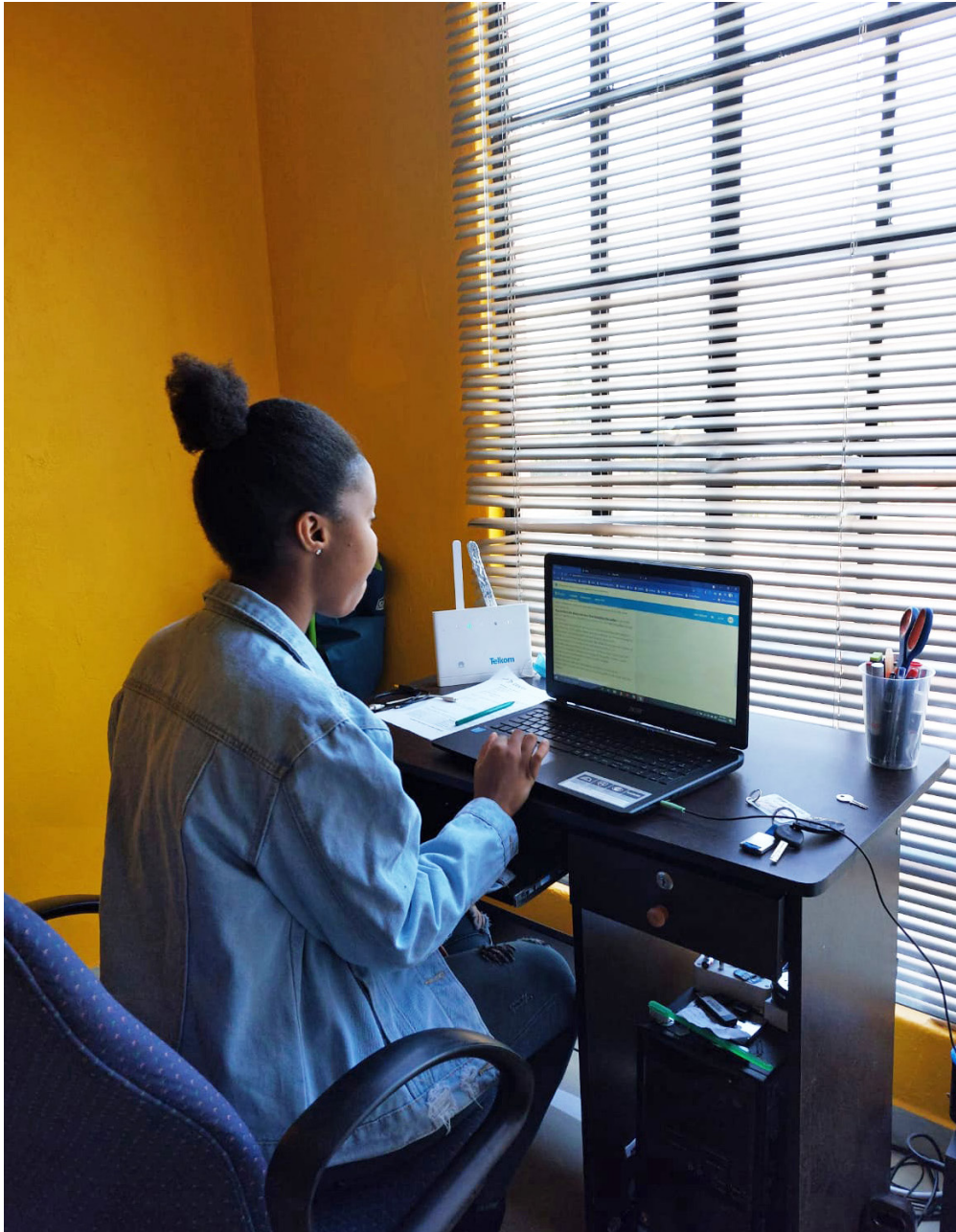# Fairwork

# Work in the Planetary Labour Market

## Fairwork Cloudwork Ratings 2021

# Executive summary

**Remote working has become rapidly normalised as a result of the COVID-19 pandemic. This trend has been aided and accompanied by explosive growth in the online gig economy. The International Labour Organisation calculates that digital labour platforms have proliferated five-fold in the last decade[1]. With this growth has come new opportunities for workers from all over the world to participate in a planetary scale labour market.**

This report presents the first Fairwork ratings for companies mediating remote work in the global gig economy, or cloudwork platforms. Drawing on desk research, dialogue with platform managers, and a survey of 792 workers in 75 countries, we have given 17 platforms a score out of 10 based on their fairness towards workers. The scores are based on five principles and ten thresholds of fair cloudwork, developed by the Fairwork project in consultation with platforms, workers, researchers, and other stakeholders. We only award a company a point if clear evidence is available that it is met. Our ratings show that most cloudwork platforms are not meeting minimum standards of fair pay, fair conditions, fair contracts, fair management, and fair representation. However, some platforms have chosen to incorporate standards of fairness into their design and operations—including as a result of engagement with Fairwork researchers. This shows that platforms can choose to address harms and injustices in the global gig economy.

The first Fairwork cloudwork ratings establish a baseline understanding of labour standards on selected prominent platforms within the planetary labour market. This will be built upon in subsequent annual ratings, incorporating more platforms including more non-English-language platforms. The findings of this report are intended to serve as a resource for workers, consumers, platforms, and regulators in delineating and defining standards of fair cloudwork, better understanding the range of current practices, and driving towards a fairer future of platform work.

# Key findings

The 17 platforms we evaluated achieved scores ranging from zero to seven out of 10, showing a large variability in the fairness of the work offered by cloudwork platforms. Despite a few platforms achieving high scores, the majority of the platforms we evaluated failed to evidence that basic standards of fairness are met.
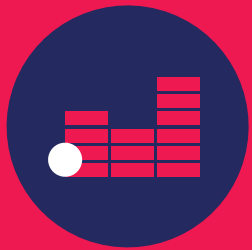
## Fair Pay

Only five platforms could evidence that workers are paid on time for all completed work and that non-payment is not an option for clients. Only two platforms in our study satisfactorily evidenced that they prevent workers from earning below their local minimum wage.
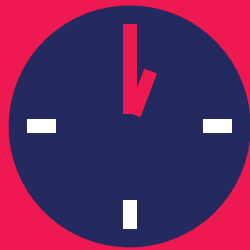
## Fair conditions

12 platforms could evidence that they take steps to mitigate task-specific risks to workers, including exposure to psychologically-distressing material, and that they had policies governing data security and privacy. Of those 12, only three were able to show that they guarded against the risks of both overwork and underwork.

## Fair contracts

Five platforms could demonstrate that they had clear and accessible terms and conditions that did not require workers to waive their right to reasonable legal recourse against the platform.
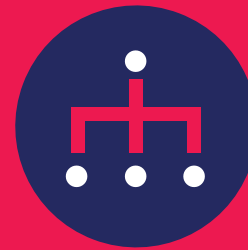
## Fair management

Nine platforms out of 17 could evidence that there was a meaningful due process by which workers could understand and appeal disciplinary decisions such as deactivations and work rejections. Of those nine, five could further evidence a policy protecting workers from discrimination, by clients or the platform itself.

## Fair representation

Only three platforms were able to evidence that workers have access to representation, and that freedom of association was not inhibited. No platforms in our study could evidence that collective bargaining or democratic governance was in place.

## The authors

# Contents

# Editorial: Understanding unfairness in cloudwork

**Until relatively recently, remote work had gained an image in wealthy countries as a niche lifestyle choice, which held the promise of liberating workers from the tyranny of borders and allowing them unprecedented mobility.[2] Amongst other social and economic factors, the emergence of this aspirational lifestyle was facilitated by advances in connectivity, cheap technology, and expanding internet penetration.[3] The digital labour platform has become a key infrastructural component of online remote working, enabled by these technological preconditions. However, while many digital labour platforms have been associated with freedom and empowerment in a planetary–scale and borderless labour market, in reality, online labour does not always afford workers greater independence, power, and mobility.[4] Especially for workers who possess less global privilege or who reside in lower–income countries, online work on digital labour platforms can in fact perpetuate and heighten labour market inequities, as well as introduce new risks, harms, and vulnerabilities.**

## Defining cloudwork

Digital labour platforms mediate the supply and demand of labour power (as opposed to allowing users to rent an asset or sell a product), via an online interface. Digital labour platforms extract some form of value from the service transaction (for instance by taking a commission, or charging workers a fee), and exert control over the interaction to a greater or lesser degree, for instance by allocating jobs to workers, maintaining performance metrics, or setting rates of pay. Not all work intermediated by digital labour platforms can be performed remotely over the internet. Digital labour platforms are prominent in the taxi industry (Uber, Bolt, DiDi), the food and last-mile delivery sector (Deliveroo, Glovo, Postmates), as well as personal shopping, home cleaning, beauty services and more. We call this category of location-specific platform work, "geographically tethered" work. By contrast, work that can be performed remotely via a digital labour platform (hereafter platform), we call "cloudwork".[5]

Both cloudwork and geographically tethered platform work can usually be categorised as gig work. Gig work is characterised by the organisation of work into short-term, on-demand tasks. Gig workers are usually paid per task (known as piece-rate pay), as opposed to receiving an hourly wage or salary. The vast majority of gig workers are contractually classified by platforms as self-employed or independent contractors. Thus, cloudwork is gig work that can be performed from anywhere on the planet with an internet connection, and cloudworkers are generally classified as self-employed or independent workers, and paid piece rates. It is important to note that not all online remote workers are cloudworkers. Especially since the beginning of the COVID-19 pandemic, more and more labour is being undertaken remotely. While the boundaries between online and offline labour are increasingly blurred, this report focuses specifically on online gig workers, or cloudworkers.

Cloudwork can be further categorised based on the duration of the task typically performed on a platform. Some cloudwork platforms facilitate work such as data labelling and processing, AI training, and image categorisation. Such tasks can take a matter of seconds or minutes to complete, and are often referred to as microwork. By contrast, the second category of cloudwork platforms involves tasks (sometimes called macrowork) that are longer in duration and that usually require a higher level of specialist training. These can include translation, design, illustration, web development, and writing.

## The uneven geography of cloudwork

A defining feature of cloudwork is the fact that the labour process does not have to be performed proximately to the client or requester, and this non-proximity separates cloudwork from other types of gig work. Through many cloudwork platforms, workers from lower income countries can access opportunities emanating from wealthier countries, allowing them to participate in higher value work without physically

emigrating. What's more, people with care and home duties (predominantly women) may benefit from the ability to work flexibly from home. Cloudwork platforms may also offer accessible earning opportunities for some people with disabilities. Finally, in the context of the pandemic, cloudwork platforms can help workers to earn an income while shielding or socially distancing.

The jurisdiction-spanning scope of cloudwork platforms allows workers to compete with each other in real time from nearly anywhere in the world. On some large, international, platforms workers are therefore effectively competing in a planetary-scale labour market.[6] While this planetary market remains constrained and shaped by geographically contingent features like language, time zone, and internet access, it can bridge physical and temporal distance, and - by allowing workers to escape many of the constraints of their local labour markets - is posited by some commentators to help to level the playing field between workers from the global north and the global south.[7] Indeed, many platforms treat workers from different regions in a uniform way, in terms of contracts, management processes, and rates of pay. However, while platforms might be indifferent to place, that doesn't mean that place ceases to shape and influence cloudwork markets, and those who labour in them. The seemingly borderless nature of cloudwork platforms in fact opens

up new challenges for workers, and for policymakers.

Because the labour relations in cloudwork involve constantly shifting cross-border connections, and intangible forms of exchange, they generally either fall outside, ignore, or strategically evade national regulations, including labour and consumer protections, and corporate regulation and tax structures. Indeed, cloudwork platforms evade regulatory oversight in most of the countries they operate in. This gap in regulation and enforcement has allowed platforms to take advantage of and exploit worker vulnerabilities. Cloudwork platforms present themselves as neutral and disruptive intermediaries in spite of the fact they are often built on top of longstanding infrastructures of business process outsourcing (BPO), organisationally, technologically and culturally.[8] Alongside the legal and regulatory implications of platforms' seeming geographical disembeddedness, there are implications for the relationships between platforms and clients, and workers.

Even though platforms might treat workers from different places the same way in terms of policies, those policies can be experienced very differently by workers based on their geographical location and socioeconomic status. Research suggests that a majority of cloudworkers are based in the global south,

with a higher number of clients located in the global north.[9] In 2020, nearly 35 per cent of the labour supply on major English-language platforms was located in India alone, followed by Bangladesh and Pakistan, while nearly 40 per cent of the demand emanated from the United States, followed by the United Kingdom.[10] Most of the dominant platforms in the cloudwork market are also based in industralised countries, and the market is relatively concentrated amongst just a few major platforms.[11]

# Risks and harms: Unfairness in cloudwork

Because of the lower barriers to entry in the planetary labour market, most cloudwork platforms preside over a significant oversupply of labour. Pesole and Rani, cited in the International Labour Organisation's most recent *World Social and Economic Outlook* report, find that on three prominent macrotask platforms (Workana, PeoplePerHour, and 99Designs), less than 10 per cent of registered workers had completed 10 projects, or earned over US$100.[12] The oversupply of workers on cloudwork platforms can mean that workers are easily replaceable, and the high level of competition engendered by this dynamic can suppress wages. Taken together, the uneven geographical distribution of clients

and workers, the regulatory evasion of platforms, and the oversupply of cloud labour, contribute to a very low degree of structural and bargaining power for cloudworkers. Even though most cloudworkers are classified by platforms as independent, and as such should enjoy relative freedom to work when and how they wish, in reality we see a high degree of control exercised by cloudwork platforms over working conditions and livelihoods.[13][14]

As a result of platform design and management decisions, certain risks and harms are prevalent in cloudwork. Cloudwork platforms centralise processes of payment, management, communications, disciplinary procedures, and dispute resolution. As such, the governance and regulation of platforms at a central level can have a large impact on workers' experiences in different countries. Often these management processes—including around work allocation—can be opaque, and not readily communicated to workers. Especially where algorithmic management is used, a lack of transparency about platform decision making can limit workers' agency and autonomy.[15][16] In terms of pay, platforms are not obligated to comply with local minimum wage legislation, and consequently workers are often in danger of earning below their local minimum wages, especially when search time and overtime (common in cloudwork) are taken into account.[17] While physical health and safety risks are not commonly identified in remote work, workers can be exposed
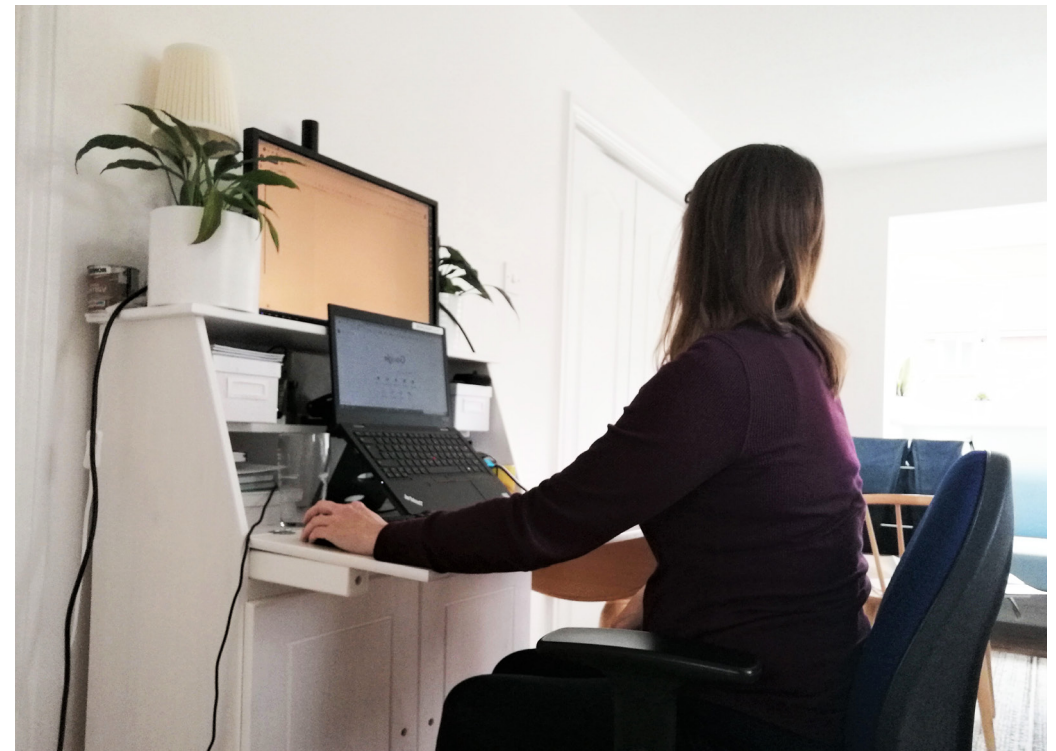


to psychologically distressing materials, especially in the field of content moderation.[18][19] Because of cross-border work relationships and time zone conflicts, cloudworkers might also be pressured to work long or antisocial hours. And because cloudwork platforms tend to sit outside the reach of national labour regulation, further occupational health and safety risks might arise from a lack of coverage by data protection and privacy regulation. Moreover, because of their independent contractor status, cloudworkers also typically lack access to local social safety nets, and key

employment protections like sick pay, holiday pay, parental leave, and pensions.

Many platforms introduce customer evaluation systems and complex performance metrics as tools of control. On some platforms, these performance metrics directly impact a worker's ability to access future jobs. These systems can create a power asymmetry between workers and clients. They might incentivise workers to work longer-than-agreed hours in order to receive a good rating or review. They can disincentivise workers from complaining about clients

who breach terms and conditions, or who create risks to workers' wellbeing. Clients are often empowered by platform design to easily reject completed work, sometimes without having to provide a reason,[20] meaning workers are at risk of doing work that they are not paid for.[21] Because there are usually many more workers than available jobs, workers can spend a high proportion of their work time searching and applying for jobs, maintaining their profile, and completing training—time that is unpaid.

The relative power afforded to clients compared with workers in cloudwork, can give rise to  discrimination. Through platform-enabled practices like setting pay rates, filtering, exclusionary job postings, order cancellations, work rejections, and ratings and reviews, clients can discriminate against workers on the basis of gender, ethnicity, and many other protected statuses.[22 23] Several studies have identified a gender pay gap in cloudwork.[24 25 26]  In addition to reproducing or amplifying existing dimensions of discrimination in labour markets, platforms can help to introduce new forms of discrimination. In the planetary labour market, where the majority of workers are based in the global south and the majority of clients in the global north, location can become a key basis of discrimination against workers. While cloudwork platforms might allow labour to be performed from anywhere and open up new opportunities

for participation for workers at the global margins, geography is still relevant within the social relations of cloudwork, and can still serve to disadvantage workers.[27] One study found a high rate of geographical discrimination in the recruitment decisions of clients in a wealthy country on an online labour platform, who favoured workers from their own country over foreign workers. The authors attributed this to the prevalence of social stereotypes, in the absence of verifiable information about workers' abilities and work quality.[28]

An overarching factor contributing to cloudworkers' lack of structural power and experience of unfairness is the atomisation and isolation of workers, which in turn limits opportunities for the expression of worker voice, and for collective organisation and bargaining. As intermediaries in the labour process, cloudwork platforms can disconnect the product of the work from the worker who produces it—sometimes even rendering workers completely invisible to clients.[29] This contributes to a "severe commodification of work",[30] where labour is obfuscated and hidden, and workers individualised and less empowered to assert their collective rights.

Cloudworkers are geographically dispersed and do not share a physical workspace, and the independent nature of cloudwork means they rarely come into contact or communicate with each other during the normal course

of their work.[31] This social isolation in turn reduces the ability for workers to discuss their concerns about working conditions, and to collectively express requests and demands to platforms. This is exacerbated by the fact that most cloudworkers do not feel that they have recourse to local labour protections or regulations ensuring and promoting freedom of association.[32]

In the absence of strong collective organisation and bargaining in cloudwork, platforms are able to establish the terms and conditions of work and often limit workers' access to legal representation or redress in the process, for instance by limiting dispute resolution to binding arbitration in one jurisdiction, or requiring workers to waive their right to a jury trial or class action. While cloudworkers have been engaged in collective movements to assert their rights, the absence of established national or international regulatory frameworks for them to do so, means that collective action strategies face significant obstacles.[33]

The myriad aspects of unfairness prevalent in cloudwork stem largely from how platforms are designed, regulated, and governed. Decisions made by platforms in the management of the labour process and work interactions have direct outcomes for workers, which can often be unfair. While regulatory lacunae persist with regard

> **"**
> **Cloudwork platforms have claimed their core model to be establishing a simple marketplace in between economic actors. However, platforms institute uneven power structures, and the decisions they make about the management of the labour process and work interactions have direct and significant outcomes for workers, which can often be unfair.**

to protecting gig workers from risks and harms, platforms can act to reduce risks and harms experienced by cloudworkers, by changing aspects of their platform infrastructures and policies. Platforms have the ability, and the responsibility, to provide fair working conditions. They can be held to this responsibility by regulation and worker resistance. In this report, we aim to provide a resource for stakeholders to campaign for improved conditions and rights in cloudwork, by highlighting the best and worst practices amongst cloudwork platforms.

# The Fairwork Framework

## Development of the framework

The Fairwork project studies working conditions on digital labour platforms, and rates individual platforms based on their fairness to workers.

Its goal is to highlight the best and worst practices in the platform economy, and to show that better and fairer platform jobs are possible. Fairwork has developed a set of five principles of fair gig work, coalescing around the pillars of Fair Pay, Fair Conditions, Fair Contracts, Fair Management, and Fair Representation. The five principles were initially developed at a multistakeholder workshop at the International Labour Organisation. Follow-up workshops were then held for local stakeholders in Berlin, Bangalore, Cape Town, and Johannesburg. Under these five headings, the project created slightly different benchmarks of fairness criteria for geographically tethered work and cloudwork, in acknowledgement of small variations in the risks and harms facing workers in these two categories.

The cloudwork principles were developed in 2020, and submitted to a process of further consultation with stakeholders, including platform workers, trade union representatives, and researchers. The principles are periodically updated through a democratic process of revision within the Fairwork network, to ensure they remain attuned to the key challenges facing gig workers. Further details on the thresholds for each principle, and the criteria used to assess the evidence we collect to score platforms, can be found in Appendix I.

## The five principles for fair cloudwork

### Fair Pay

Workers must have full confidence that they will be paid for the work they do, within the agreed-upon timeframe, and in a recognised national currency. In addition, workers must earn at least their local minimum wage.

### Fair Conditions

Platforms should have policies in place to protect workers from risks arising from the processes of work, and should take proactive measures to protect and promote the health and safety of workers. Furthermore, platforms should mitigate against overwork, underwork, and unpaid search time, by actively managing the supply of workers.

### Fair Contracts

Terms and conditions should be accessible, readable, and comprehensible. Workers should have legal recourse if the platform breaches these conditions, and contracts should not require workers to waive this right. Contracts should also be consistent with the worker's terms of engagement on the platform, and if the worker is classified as independent, contracts should ensure that they are free to determine their own schedules and refuse tasks without penalty.

### Fair Management

There should be a documented process through which workers can be heard, can appeal decisions affecting them, and be informed of the reasons behind those decisions. There must be a clear channel of communication to workers involving the ability to appeal management decisions or platform deactivation. The use of algorithms to control work must be transparent and result in equitable outcomes for workers. There should be an identifiable and documented policy to ensure equity in management of workers on a platform (for example, in the hiring, disciplining, and firing of workers).

### Fair Representation

Platforms should commit to a process of dispute resolution in which the worker has the right to a freely chosen independent advocate. Irrespective of their employment classification, workers should have the right to organise in collective bodies, and platforms should be prepared to cooperate and negotiate with them.

## Methods

## The Fairwork project uses three approaches to effectively measure fairness at work.

### Desk Research

The team scrapes publicly available information in order to establish the range and types of the platforms that will be rated. Platforms are selected on the basis of several different criteria, but we prioritise platforms which a) are especially large or prominent, and/or b) have made public commitments to voluntary regulation mechanisms or claims about fair treatment of workers. We also aim to include some geographical diversity in our platform sample. While we have not included every prominent cloudwork platform in our first cloudwork league table (see p. 13), we intend to expand our selection in the ratings we release over the coming years. Desk research also serves to identify any public information that could be used to score a platform, for instance documented platform policies, the provision of particular services to workers, or ongoing disputes. Through desk research we also review all available contractual terms between platforms and workers, which most platforms host on their interfaces.

### Platform Interviews

The second method involves approaching platforms for evidence. Platform managers are interviewed and evidence is requested for each of the Fairwork principles. This step provides insights into the operation and business models of the platforms, and opens up a dialogue through which platforms can agree to implement changes. In cases where platform managers do not agree to engage with Fairwork, scoring is limited to evidence obtained through desk research and worker surveys.

### Worker Surveys

The third method involves workers on each platform completing an online survey. For this first report, we conducted surveys with 792 workers in 75 countries, between July and November, 2020. On global platforms we sampled at least 60 workers, with a relatively even distribution of workers by continent, and on regional platforms, we sampled at least 20 workers from that region. Survey participation was limited to workers with a reasonable amount of experience or time on the platform, with the threshold being set at one month. We aimed to sample a range of experience and skill types where possible. Depending on the time spent completing the survey, all respondents were compensated at a rate that at least matched and usually exceeded the UK minimum wage. For 14 platforms, we recruited participants through the platform interface, implementing measures to ensure confidentiality of participants' responses. For the three platforms where that was not possible or practicable, two actively circulated a link to our survey, and we recruited via public forums (such as Reddit) for the third. These surveys do not aim to build a representative set of experiences, but instead seek to understand the work processes and how they are carried out and managed. Rather than creating an understanding of frequencies or averages, for instance with regard to average pay—a prohibitive task in markets with undetermined numbers of workers likely in the hundreds of thousands—the survey was designed to help us understand policies and practices from the perspective of workers. The survey responses allow the project team to understand the recurring challenges faced by workers, and allow the team to verify the platform policies and practices that are in place.

This threefold approach to our research provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect evidence from multiple sources. Final fairness scores are decided collectively by the core Fairwork team based on all three forms of evidence. The scores are then peer reviewed by members of the wider Oxford Fairwork team, and two reviewers from Fairwork's country teams. This provides consistency and rigour to the scoring process. Points are only awarded if clear evidence exists for each threshold examined.

## Freelancer.com has

## 31

## milllion registered workers

## equivalent to the population of Peru

## How we score

Each Fairwork principle is broken down into two points: a basic point and a more advanced point that can only be awarded if the basic point has been fulfilled. Every platform receives a score out of 10. Platforms are only given a point when they can satisfactorily demonstrate their implementation of the principles. Failing to achieve a point does not necessarily mean that a platform does not comply with the principle in question; it simply means that they were unable to evidence its compliance.

**Figure. 1. Where workers who completed our survey are located**

# Fairwork 2021 Cloudwork League Table

| Platform | Score |
|---|---|
| Jovoto | 7 |
| TranscribeMe | 7 |
| Workana | 5 |
| Prolific | 5 |
| Appen | 4 |
| Clickworker | 4 |
| Fiverr | 4 |
| 99Designs | 3 |
| Zhubajie | 3 |
| Upwork | 2 |
| Amazon MTurk | 1 |
| Freelancer | 1 |
| Microworkers | 1 |
| PeoplePerHour | 0 |
| Rev | 0 |
| Shijiancaifu | 0 |
| Sun Wukong | 0 |

# How platforms performed on the five principles

### Fair pay

Five platforms were able to evidence Principle 1.1—that there are mechanisms in place to ensure workers are always paid within an agreed timeframe, and for all completed work. Perhaps more notable was the number of platforms which did not or could not demonstrate that they were meeting this benchmark. While almost every platform has well developed policies around how transactions are managed and mediated, many did not display or supply evidence that there were reasonable protections against non-payment—for instance, against unjustified cancellations and rejections of work already partially or fully completed. In addition, we were unable to award 1.1 where platforms employ a contest model for any work done on the platform. In contest models a pool of workers complete work, which then may or may not be chosen for use, and therefore payment, by a client.

Out of the five platforms that were able to evidence Principle 1.1, two received the more advanced point—Principle 1.2. Both Workana and Appen satisfied the criterion that workers earned at least their local minimum wage.

Workana publicly adopted a policy stating that the platform would remove jobs paying below a worker's local minimum wage. While we do not yet have information as to how this will be practically instituted, the existence of the policy gives workers assurance and recourse if it is breached. Appen includes a written "Crowd Code of Ethics", in which they affirm that their "goal is to pay our crowd above minimum wage in every market around the world where we operate".[34] The platform has developed an algorithmic methodology for calculating fair pay based on minimum wages in different workers' locations. In contrast to Appen and Workana, most platforms included in our study allow workers to earn below their local minimum wages.

### Fair conditions

For Principle 2.1, evidence was available for the highest number of platforms, 12 out of 17. This principle requires that risks to workers are mitigated, and that there are clear reporting channels and penalties when workers are exposed to risks. In addition, 2.1 requires platforms to have data protection policies in place. From our survey, a prominent risk identified was exposure to psychologically distressing material or content. Many platforms required clients to agree to terms and conditions prohibiting the posting of such content without prior warning, and included sanctions such as account suspensions or blocks if this policy was breached. While data protection approaches varied, we were able to establish that there were data privacy and security provisions in place on most platforms.

A smaller number of platforms received Principle 2.2—that precarity and overwork are mitigated. We received evidence from three platforms which showed that they actively mitigated against both precarity and overwork. While our worker surveys showed that most cloudwork platforms preside over an oversupply of labour which can lead to low wages and high unpaid search time, these platforms (Jovoto, Prolific, and TranscribeMe) were able to show that they either managed the supply of workers to promote job availability, or actively allocated jobs to workers, with relatively low reporting of unpaid time or a lack of available jobs in the survey responses.

### Fair contracts

Five platforms were awarded a point for Principle 3.1. This principle requires that clear terms and conditions are available, that workers are given prior notice of changes to terms and conditions, that changes to terms and conditions shouldn't reverse workers' reasonable expectations, and finally that terms and conditions do not include clauses that require workers to waive their right to reasonable legal recourse against the platform. While most platforms have their contractual terms (sometimes called terms of use or terms of service) available on their platform interface for workers to access, many of these contracts included clauses which limited workers' rights to legal redress. Commonly these would require disputes with the platform to be resolved through binding arbitration in a specific jurisdiction (unlikely to be the worker's own jurisdiction). Many platforms' contracts required workers to waive their right to a jury trial, or participation in a class action lawsuit. Most platforms reserved the right to make changes to their contractual terms without prior notice to workers.

Two platforms were further awarded Principle 3.2. For Jovoto and TranscribeMe, we were satisfied that contracts were consistent with workers' terms of engagement on the platform, including that clients were required to make a good faith effort to inform workers about the purpose of the job they were completing, that workers were not subject to non-compete clauses, that workers governed their own work schedules (if independent contractors), and that workers retained the freedom to refuse tasks without prejudice to their standing on the platform or ability to access future jobs. With regard to the final point, and in order to satisfy Principle 3.2, Jovoto added wording to all job offers guaranteeing to workers that if they refused the offer they would not be disadvantaged.

## Fair management

For Principle 4.1, there was evidence available from nine platforms to show that they included some form of due process for disciplinary decisions affecting workers. Workers were able to communicate with a human representative of the platform, and to appeal decisions like suspension, termination and non-payment, even if their

account had been blocked. Many platforms reserve the right to terminate workers without notice or explanation. This practice can significantly reduce workers' power and agency in influencing the conditions of their work. In order to award 4.1, we required evidence that workers were able to meaningfully appeal to the platform if they had been subject to these actions. Three platforms—Prolific, Clickworker and Workana—included information on their websites outlining how to contact the platform to appeal disciplinary decisions, in response to Fairwork's feedback, in order to receive 4.1. However, the fact that more than 50 per cent of the platforms in our study did not provide evidence that satisfied even this low bar, shows that most cloudworkers remain vulnerable and replaceable, and can be easily penalised, sanctioned, and terminated by platforms.

For the advanced component of Principle 4, platforms needed to demonstrate equity in the management process. This requires the existence of a policy that guarantees that the platform will not discriminate or tolerate discrimination against workers on the basis of race, gender, sexuality, language, beliefs

or any other status. It also requires that the platform specifies to workers how work is allocated, including where algorithms are used. The latter criterion is included to give workers an understanding of why some get work and others don't, in order to ensure equity in work allocation. Five platforms received a point for 4.2, three of those (Workana, Prolific and TranscribeMe) having added anti-discrimination clauses to their terms or policies. In this first year of scoring we did not explicitly require these policies to prohibit geographic discrimination as a distinct form of discrimination. However, in light of our finding of a high level of location-based discrimination engendered by the planetary labour market (discussed in detail below) it may be important in future to develop strategies to address this form of discrimination directly.

## Fair representation

Only three platforms were awarded a point for Principle 5.1—that workers have access to representation, and freedom of association is not inhibited. The majority of platforms studied were not able to evidence that they had committed

to a process of dispute resolution in which workers had access to a freely chosen independent advocate. Two platforms, Jovoto and Clickworker, were awarded the point on the basis that they were signatories to the Crowdsourcing Code of Conduct, which provides workers with independent representation and mediates disputes through an Ombuds Office. Appen was also awarded 5.1, due to a section in their Global Ethical Sourcing and Modern Slavery Policy guaranteeing workers freedom of association and the ability to elect worker representatives who will not be discriminated against.

No platforms in our study received a point for Principle 5.2, which requires that there is collective governance or bargaining in place. This could be achieved if a platform is governed through a cooperative model, if it publicly and formally recognises an independent collective body of workers, or if such a body does not exist, it formally communicates with all workers its willingness to do so.

**Fig. 2. Scores awarded to the platforms in this study.[35]**

| | 99Designs | Amazon Mechanical Turk | Appen | Clickworker | Fiverr | Freelancer | Jovoto | Microworkers | People per hour | Prolific | Rev | Shijiancaifu | Sun Wukong | TranscribeMe | Upwork | Workana | Zhubajie |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1.1 Workers are paid on time and for all completed work | | | ■ | | ■ | | | | | ■ | | | | ■ | ■ | ■ | |
| 1.2 Workers are paid at least the local minimum wage | | | ■ | | | | | | | | | | | | | ■ | |
| 2.1 Risks to workers are mitigated | ■ | ■ | ■ | ■ | ■ | | ■ | ■ | | ■ | | | | ■ | ■ | ■ | ■ |
| 2.2 Precarity and overwork are mitigated | | | | | | | ■ | | | ■ | | | | ■ | | | |
| 3.1 Clear terms and conditions are available | | | | ■ | ■ | | ■ | | | | | | | ■ | | | ■ |
| 3.2 Contracts are consistent with the workers' terms of engagement on the platform | | | | | | | ■ | | | | | | | ■ | | | |
| 4.1 There is due process for decisions affecting workers | ■ | | | ■ | ■ | ■ | ■ | | | ■ | | | | ■ | | ■ | ■ |
| 4.2 There is equity in the management process | ■ | | | | | | ■ | | | ■ | | | | ■ | | ■ | |
| 5.1 Workers have access to representation and freedom of association | | | ■ | ■ | | | ■ | | | | | | | | | | |
| 5.2 There is collective governance or bargaining | | | | | | | | | | | | | | | | | |

# Platform in focus: Workana

**Workana is a freelancing, or macrotask, platform, headquartered in Buenos Aires, with offices in Brazil, Colombia, Mexico, and Malaysia. The company was founded in 2012 with a Latin America focus, and has since expanded to Southeast Asia, in 2018.**

**Despite its regional focus, Workana received early backing from British group DGMT, which owns the Daily Mail newspaper. It is the only platform included in the Cloudwork league table that is headquartered in and focused predominantly on global south markets. At the time of writing Workana had over 2.5 million registered workers, and 30,337 projects posted on the platform monthly.[36] Typical of cloudwork platforms, there are many more registered workers on Workana than available tasks. Workers perform a diverse range of tasks, mostly requiring some degree of qualification or training, under the broad categories of IT and programming, design and multimedia, legal, admin support, writing and translation, finance and management, sales and marketing, and engineering and manufacturing.**

In our initial survey of Workana workers, we found that workers didn't always have good knowledge of the processes behind management decisions, and how they could appeal decisions they felt to be unfair. They were not always sure how they could communicate with management, and they were sometimes concerned about low rates of pay. While workers had some knowledge of processes of job allocation, we found that overall there was a need for policies and practices to be codified and better communicated to workers.

Fairwork researchers engaged in dialogue with Workana managers over a period of 10 months. We discussed areas where Workana could provide more evidence and institute changes in order to better align with the principles of fair cloudwork. As a result of this engagement, Workana provided a significant amount of documentation of platform policies and practices. The platform also implemented the highest number of positive changes of all the platforms included in the league table. These included creating a 'cancellation policy' which gave workers greater certainty around how the platform would intervene to resolve payment disputes, and adding information to worker-facing policies about options for the escalation of disputes to third party resolution if platform

IF ALL THE 2.5 MILLLION REGISTERED WORKERS ON WORKANA WERE EMPLOYEES

**IT WOULD BE THE BIGGEST PRIVATE EMPLOYER IN THE WORLD**

mediation could not solve an issue. Workana also updated their account termination policy to affirm that workers had the right to appeal account terminations, and the contact details through which to do so. Workana also added a policy which stated that workers cannot be discriminated against by the client or the platform, and committed to sanctioning users if discrimination was uncovered. Finally and most importantly, Workana adopted a public policy stating that jobs will be removed from the platform if they pay below the minimum wage in a worker's local jurisdiction.

As a result of engaging in dialogue with Fairwork and making positive changes, Workana ranked third-equal on the Fairwork league table, with a score of 5/10. While there is still more that needs to be done to implement fair working conditions on the platform, we can also see that platforms like Workana have the ability to improve their workers' experiences, often through relatively simple steps like codifying practices and making management more transparent. The example of Workana serves as a refutation to other platforms who distance themselves from responsibility for working conditions, and especially those who claim that it is not possible to institute minimum wages on cloudwork platforms.

> " **As a result of engaging in dialogue with Fairwork and making positive changes, Workana ranked third-equal on the Fairwork league table, with a score of 5/10.**

## The Workana scorecard (2021)

| | |
|---|---|
| **1.1 Workers are paid on time and for all completed work** | **1** |
| **1.2 Workers are paid at least the local minimum wage** | **1** |
| **2.1 Risks to workers are mitigated** | **1** |
| **2.2 Precarity and overwork are mitigated** | |
| **3.1 Clear terms and conditions are available** | |
| **3.2 Contracts are consistent with the workers' terms of engagement on the platform** | |
| **4.1 There is due process for decisions affecting workers** | **1** |
| **4.2 There is equity in the management process** | **1** |
| **5.1 Workers have access to representation and freedom of association** | |
| **5.2 There is collective governance or bargaining** | |

**Total score 5/10**

# Theme in focus: Geographical discrimination in the planetary labour market

**International cloudwork platforms can provide workers from vastly different regions with an opportunity to access a singular labour market with a global reach and a global clientele. In these planetary labour markets, platform policies remain consistent for workers irrespective of where they live. Yet despite this, workers are not always treated uniformly. Cloudwork clients, in particular, can have geographically contingent expectations and assumptions about a worker's skills or capacities, or about how much a worker is worth paying, irrespective of their skill.**

Such assumptions often lead to discrimination that can adversely impact workers; reports of discrimination are much more common among workers from lower-income countries in regions like Africa, Latin America, or parts of Asia when compared to workers from Europe or North America. This may be because on international platforms clients tend to be located in higher income countries in North America and Europe, and prefer to work with cloudworkers from their own regions.

In administering our online survey of cloudworkers, we asked workers whether they had ever experienced discrimination on the platform. Acknowledging that discrimination legislation varies geographically, we sought to cast a wide net about the types of discrimination that workers might face. To achieve this, we asked workers whether they had 'ever been discriminated against on the basis of your race, ethnicity, social or minority background, caste, religion or belief, political or any

other opinion, language, gender, gender identify, sex, sexual orientation, disability, age, or any other characteristic not related to your ability to complete the work task?'. A substantial proportion (approximiately 13 per cent) answered that they had indeed experienced discrimination. We invited these respondents to tell us about their experience of discrimination, with **93 per cent** providing details on their experiences. Worker location (i.e. discrimination based in preconceptions of a worker's country) emerged as one of the most commonly reported challenges that workers face.

There may be valid reasons for which a client may choose to work with workers from a particular region. For example, market research is inherently geographic, and evaluating the likely success of a product in a particular country requires input from individuals who reside there. Similarly, academic surveys, frequently posted on cloudwork platforms like Prolific, may seek to study a phenomenon in a particular country or city, or among individuals who meet particular gender, age, or educational demographic. In these cases, requesters will seek to hire

workers accordingly. Yet while there are rare instances in which a worker's demographic profile may be important, the stories shared by workers commonly reveal that decisions about hiring can also be rooted in bias and discrimination.



**13%**
Of respondents said they experienced discrimination
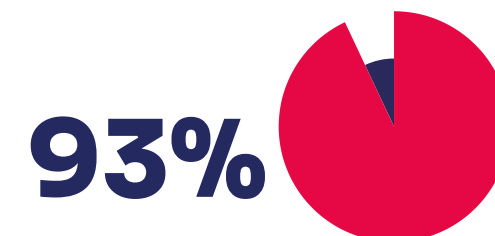


**93%**
of which shared details of their experiences.

Discrimination was overwhelmingly reported by workers who live in the global south, or who are part of groups that may face labour market access issues within their respective local labour markets due to their respective identities. Sometimes workers talk about their experiences generally. For example, one African-American cloudworker based in the US who works on a prominent freelancing platform wrote that it can be hard to access sufficient work. He described that among requesters there was "a notion [about] the incompetency of African-American professionals"; stating on the contrary that "We are extremely qualified and back up our experiences with credentials". This type of online experience may echo the local labour market challenges that Black Americans are likely to face in the United States, as evidenced by persistent un- and underemployment. Workers also report suspicions that "buyers pay less to Asians and more to Europeans", even for comparable work. But amidst these suspicions are also explicit examples of discrimination, with workers having been told that buyers "only work with sellers in the US and UK" or that workers from selected countries like Kenya, Pakistan, India, Bangladesh, or Venezuela need not apply. Other workers have been explicitly told that their labour is worth less because they live in low-income countries.

The transjurisdictional nature of cloudwork and the fact that cloudworkers are independent contractors leaves them without legal recourse in the face of discrimination. Platforms need to take a stronger stance in addressing this problem—job ads, for example, that discourage workers from particular regions from applying on the basis of their residency alone should not be tolerated. Indeed, platform failure to address such issues leads workers to develop their own 'work arounds', for example creating fake accounts or masking their IP locations so as to appear from wealthier regions. In the course of conducting research for this report, we were able to identify such cases. When talking with workers about why they would misrepresent themselves on their profiles, workers were quick to confirm that they can more easily secure work if they appear to be from higher-income countries, or if they adopt a different, frequently white, profile picture. Yet what is notable about such situations is that workers who labour under such 'fake' accounts often continue to receive very high satisfaction ratings from clients. This suggests that although these workers are less likely to be afforded work opportunities on cloudwork platforms, they are just as capable of fulfilling the tasks.

# Cloudwork in China

**This report includes the first Fairwork ratings of Chinese platforms. As in many other countries, digital labour platforms have proliferated in China over the past decade.**

Labour platforms that host jobs which need to be done from particular locations, including ride-hailing platforms (Didi), food and last-mile delivery sectors (Meituan, Ele.me) and home cleaning (Superayi), have gained huge popularity.  The high level of brand awareness of these platforms also attracts people's attention to the labour conditions of their workers.[37] Comparatively, cloudwork, despite having a longer history than most well-known location-based platforms in China, and gaining government support since the beginning, remains insignificant when discussing online platforms. Consequently, the working conditions on cloudwork platforms are often overlooked by both researchers and the public.

The first cloudwork platform in China, K68.cn, emerged in 2005. The developer of K68.cn also created the term 'Witkey' (weike in Chinese), a synthesis of words 'wisdom' and 'key', which has become a term people commonly use when describing online work. Like other cloudwork platforms covered in

this report, cloudwork platforms in China mediate microwork like data labelling, image categorisation, shop or baby naming, and some work such as translations, logo design, web development, and legal advising, which requires a higher level of training. Apart from dedicated online cloudwork platform websites, many online workers also advertise their services on online shopping platforms (Taobao and JD.com) and social media platforms (WeChat). However, geographically speaking, the Chinese cloudwork market exists independently of international cloudwork markets, with fewer cross-border transactions happening on Chinese platforms; mainly attributed to the language barrier.

Fairwork's research in China covered three popular cloudwork platforms: Zhubajie (zbj.com), Shijiancaifu (680.com), and Sun Wukong (swkong.com). All three platforms have a history of more than 10 years, with Zhubajie being the largest, hosting more than 23 million registered workers.[38] Fairwork has

found that despite being long-established, and similarly to many other international platforms, two platforms in China did not have clear terms and conditions readily available or easily accessible, nor did they appear to mitigate against overwork, underwork, and unpaid search time. Two platforms appeared to take some steps to restrict our access to workers, including by removing our survey. This may have been due to reputational concerns around research.

Fairwork's survey with workers on Chinese cloudwork platforms also showed that many workers found it difficult to earn a decent income from the three platforms. One of the key reasons is that job availability has declined, as giant e-commerce platforms in China, such as Taobao, JD.com, and Pinduoduo (PDD), have also begun to host advertisements for microwork which was previously the domain of cloudwork platforms. Meanwhile, the platforms had varying levels of clarity around policies and practices governing fair payment and fair management. Among the three platforms, Zhubajie maintains a relatively responsive mediation team that helps deal with payment disputes or disagreements between customers and workers. The other two platforms do not provide explicit dispute

resolution or appeals processes on their website.

While cloudwork in China may represent a more geographically-contained market, Chinese cloudworkers face many similar issues to their counterparts around the world when it comes to fair work standards. We also see a distribution amongst the Chinese platforms we studied in terms of codified labour standards. It is clear that there is further scope for principles of fair cloudwork to be codified and implemented on these three platforms.

**zbj.com hosts more than**

# 23

**milllion registered workers**

**equivalent to the population of Australia**

# Workers' stories

**Cloudwork can often be depersonalised and hidden. When a worker is on the other side of the world, and represented only by a profile on a platform interface, their stories and experiences become obscured.[39] [40] Sometimes, no information about a worker is revealed to a client. The relative ease of soliciting work on cloudwork platforms can help to disembed and disconnect the work from its origin, that is, the worker—supporting the illusion that tasks are completed automatically. This obfuscation can make it more difficult for solidarities to form in the face of unfair working conditions. Making space for cloudworkers to tell their experiences is an important project for challenging unfairnesses. These stories are based on interviews with workers who completed our surveys. They are summaries of their words, and names and personal details have been changed to preserve the interviewees' anonymity.**

# Meet Annisa[41]

**Phillippines**

**Graphic Designer**

When I graduated from college I started working in the corporate sector as a software developer, but the pay in the Philippines is low compared with other countries and I needed another job as well. I remembered my friend had shown me Upwork back in college, and so I tried it.

My first job was a data entry job for only $2, but the pay got better as I got more experience and a better star rating. Now it's been 10 years and I work as a graphic designer and a content moderator—I've been an online freelancer my whole career. What drew me to working on a platform was the ability to work from home, I prefer it. I'm an introvert, so I don't want that corporate environment and I hate commuting.

My income has been stable throughout my career, but since the pandemic there's been a huge decline in the jobs available to me and the regularity of the jobs. My hours have decreased and my finances have been affected. It has had a really drastic impact on my average earnings, but being a freelancer you expect these things. I've been applying for more and more work, but there just isn't that much available. With all the work I've applied for I've only been successful once. Upwork also now limits the amount of jobs you can apply for, which is really restrictive.

I had an experience where a buyer asked me to design a logo but refused payment when I submitted the completed work. I was really angry, that's $100 that will never be paid to me. I got in touch with Upwork asking them to help me, but they sided with the buyer. I saw it as my own responsibility and realized that Upwork will not help me—I have to help myself. I think Upwork should be responsible for protecting their freelancers. They do to a certain extent, but they could do more.

# Meet Jessie

I finished my BSc undergraduate degree and began searching for jobs, but here in South Africa they are really hard to find. I searched online for something I could do in the meantime whilst looking for something permanent. I found TranscribeMe online and, after completing the entry exam, was admitted to the platform.

On TranscribeMe I transcribe audio and do timestamping. I like the work. You can work at your own pace and the people at the platform are very helpful as well. Whenever I needed extensions they were always pleasant and I've never had any issue with clients. Ideally, I'd like to have a permanent position. I've not decided to be a freelancer and I'd much rather be employed.

When I first started it was really busy with lots of work available and the platform gave me a lot of income at a time when I was otherwise unemployed. I worked full time on the platform up until March 2020, but supporting myself just off of TranscribeMe was very difficult. From November to December there was lots of work available, but when January hit it became very quiet, even up until now.

When the pandemic started, there was a big influx of people working on the platform and the competition for work really increased. Before, you would find jobs that would sit on the platform unclaimed for days, now everything is gone within a few hours. As a result, I had to change the hours I worked and started working in the nighttime, so I could catch the work from the US as soon as it came on the platform. Generally, I would start at 10pm and work until sunrise, just to get a few dollars.

At TranscribeMe you need a minimum of $20 to cash out, for me to get this takes about a week or more. Including the time I spend looking for work, it takes me about 50-60 hours of work to earn $20.[42]

When the jobs started to drop off and the competition increased I started to get really worried. I knew I needed an alternative source of income to support myself and so started

> ## "When the pandemic started, there was a big influx of people working on the platform and the competition for work really increased.

looking for other jobs. Luckily, I found a part-time admin support role, so at least I am getting some supplementary support. Now I work on TranscribeMe when I get home from my admin job, starting at 7pm until about 10pm, but there's very little work available.

I think that with TranscribeMe, if you're not dependent on it it's ok; you see there's no work available and you log off. But when you're dependent on it you have to stick around and compete, otherwise you won't have any money for the week. It's not secure—one week you'll do well, one week you won't do well. You have to treat it as a side hustle that you can buy some extra food with, but you can't expect to pay your rent with it.

# Meet Melissa

**Brazil**

**$30/$40** · **Payment per week**

I live in São Paulo, Brazil and I've worked on Amazon Mechanical Turk (AMT) for about eight months now. I'm 19 years old and when I finished high school last year I started looking for a job, but Brazil is going through some economic problems and finding a job is really hard right now. I found a post on Reddit where someone was talking about AMT. I wasn't doing anything else, I needed a job so I thought I'd try it.

I would say that doing actual jobs, I work an hour or two a day, but I'm on the platform for at least five hours. If you want the good jobs, you have to be available. I have two monitors—on one I have AMT open, on the other I just watch TV and play games. I spend all my hours on my computer anyway. I really try to get the nicer jobs, that pay more than $3 dollars an hour, and my average weekly income is about $30-40 a week. That might not sound like a lot, but you've got to remember that here in Brazil, one dollar is worth five times the national currency, so it's basically the same as earning the national minimum wage.

My favorite thing about the work is the flexibility. For example, last night it was 9pm and I was watching some films in bed and I was working. I'm a night owl, I don't need to wake up at 7am, I can work whenever I want. Particularly now, during the pandemic, and I don't need to get public transport. My country has a problem with violence, a lot of my friends have experienced sexual assaults and my friend got kidnapped on the way to work. I have an old grandma who I live with and I don't have to put her at risk of getting COVID by going to work.

The work itself can be really strange. I remember one job offer that was $10 where you needed to annotate pictures of people who had been shot in the head and say where in the picture parts of their brain were.

> **"**
> **My favorite thing about the work is the flexibility. For example, last night it was 9pm and I was watching some films in bed and I was working.**

I've been scammed a few times with people just refusing to pay me even though the work was perfect. There's not much to do, it's hard because work rejections really hurt us. I tried emailing Amazon but I never got a response and this is really common. It feels like Amazon just made this website in 2007 and then just left it, they never update it or do anything.

We have a really strong community. Every time there's a scammer, the first thing we do is go to the forum and tell people. The community is very important; I couldn't do this job without them. We have web extensions which help us avoid scams and get the best jobs. These are really helpful and were all made by the community.

I actually started working in the middle of the pandemic. It wasn't that bad yet, but jobs were becoming scarcer. A lot of people around the world lost their jobs and they found this as an alternative. It's really difficult some days, but AMT has really helped me. Some things are really bad about the platform, but it's a job. I think I would probably be unemployed without it.

# Worker resources: useful tools and links

While work on cloudwork platforms is often characterised as isolated and anonymous, cloudworkers have found ways to collaborate with one another and, in some instances, organise to improve their earnings and conditions. In fact, we are seeing a growing number of unions and workers associations, especially for freelance work, such as the Freelancers Union in the US. Still, the most common way for cloudworkers to collaborate is through online forums and communities, either hosted by the platform or by workers themselves. Furthermore, cloudworkers, and advocacy organisations, have developed a series of tools to support each other and circumvent some of the challenges faced by workers on these platforms.

## Turkopticon [43]

Perhaps the most notable example of worker-led organising in the cloudwork economy, Turkopticon is a plugin that allows Amazon Mechanical Turk workers to rate their relationships with employers, helping other workers to avoid negative experiences. Turkopticon operates as a mutual aid tool by which 'turkers' can report exploitative practices by employers, as well as an activist group advocating for better working conditions on the platform.

## Fair Crowd Work [44]

This website provides ratings of working conditions on different cloudwork platforms based on a 2017 survey with workers.

## Crowdsourcing Code of Conduct – Ombuds Office [45]

The code of conduct is a voluntary guideline for cloudwork companies that sets minimum standards with respect to working conditions and relations between workers, clients, and platforms. Workers on platforms that have signed the Crowdsourcing Code of Conduct (including Jovoto and Clickworker in this study), have access to independent representation and dispute mediation through an Ombuds office provided by the initiative.

# Impact and next steps

**For workers, cloudwork in general has lower barriers to entry than conventional employment. For clients, it is usually less expensive than hiring a geographically proximate worker or contractor. With a staggeringly large range of tasks and services now available through cloudwork platforms, and the increasing normalisation of remote and online working enabled by technological infrastructure, the cloudwork economy is certain to continue to grow. On most cloudwork platforms, costs are externalised and risks devolved to workers, saving clients money, but rendering workers more precarious and vulnerable.**

As more and more workers from a large variety of sectors and professions become subsumed into the planetary labour market, they fall through the cracks of national labour protections that enforce their right to a minimum wage, to collective voice and representation, to protection from dsicrimination and unfair dismissal, and to health and safety at work. As a result, our scores show that unfair and insecure work is the norm on most cloudwork platforms—a situation that calls for regulatory responses on national and supranational levels.

Some national policy proposals, including legislation on global supply chains, may provide a point of regulatory leverage to consider and improve cloudworkers' pay and conditions. For example, Germany's cabinet has recently approved a law on due diligence to enforce the protection of human rights and environmental standards along global supply chains.[46] Although cloudworkers are embedded in global supply chains, they are not yet an integral part of such regulatory proposals. It is time to change that status quo. On the supranational level,

the International Labour Organization has proposed that an international governance system could be commissioned with defining minimum standards for workers on cloudwork platforms. This idea is based on the model of the ILO's Maritime Labour Convention for the global shipping industry. However, there remains a mismatch between globally-operating cloudwork platforms—like the platforms included in our study—and comprehensive global policy responses to this new digital world of work.

This study has presented a snapshot of selected cloudwork platforms, in order to establish a baseline understanding of fairness in cloudwork, which will be built upon in subsequent scoring rounds. More and more professions are undergoing platformisation, especially since the beginning of the COVID-19 pandemic, including some that might not have obviously lent themselves to remote working—such as medical consultation, and sex work. In this context of accelerating platformisation, there is an urgent need to establish conventions of fairness for cloudwork, to expand and enforce labour protections for cloudworkers, and to hold platforms responsible and accountable for the working conditions they impose.

These first Fairwork cloudwork ratings provide a resource for workers, consumers and policymakers to do just that. They establish benchmark standards of fairness in cloudwork, which we can collectively advocate for and strive towards. They also detail where and how prominent platforms are falling short of these benchmarks, and set out a roadmap for positive change to be implemented. Finally and importantly, they highlight where platforms are in fact stepping up to their responsibilities to workers, meeting standards of fairness, and taking steps to improve workers' experiences. This finding is a powerful reminder that precarity and insecurity isn't an inevitable

> **"**
> **More and more professions are undergoing platformisation, especially since the beginning of the COVID-19 pandemic**

outcome of technological advancement, nor a necessary tradeoff for flexible work. Some of the platforms in our study have chosen to provide fairer work. The platforms who are not meeting minimum standards of fairness are also choosing to do so.

Fairwork reached out to every platform in this study, and suggested clear changes they could make in order to improve their fairness towards workers. Following constructive dialogue with our researchers, six platforms implemented positive changes. In turn these actions strengthened their Fairwork score, an outcome that will help to differentiate these platforms to clients and workers, as examples of better practice in the cloudwork economy. While most of the changes implemented are relatively minor, involving the codification of practices into public-facing policies, they each represent a step towards a more equitable balance of power between workers and platforms. They give workers bases on which to hold platforms to account. Both smaller and larger platforms implemented changes.

We find fault with the common characterisation of platforms as 'disruptors' of the status quo, due in part to the fact that precarious piece-rate work has a long

> ## Fairwork reached out to every platform in this study, and suggested clear changes they could make in order to improve their fairness towards workers.

**Fairwork's Pathways to Change**
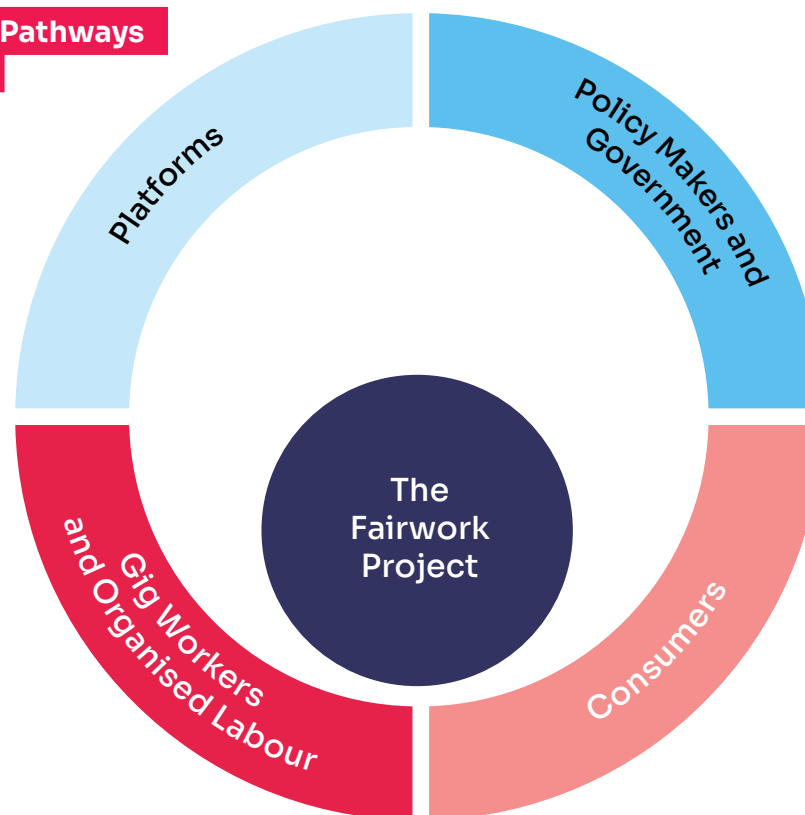


legacy and is not especially innovative or historically distinct. However, one hopeful takeaway from these particular platforms' willingness to listen to feedback and improve, is that we are still in a moment of possibility in the development of the cloudwork economy, and that these institutions are not yet characterised by high levels of inertia and path dependency. Just as cloudwork platforms can nimbly enter and exit markets, and can nimbly evade regulations, they can also easily do better. It will take a broad coalition of actors, including platforms, workers, and legislators, to bring about a fairer future of platform work, but the actions taken by platforms in response to Fairwork scoring shows that it remains within reach. We commend those companies who are choosing to step up to their moral obligations to their workers. However, the low scores in our study also demonstrate what happens when an industry is left to regulate itself, and underscore the urgent need for governments to step in to find ways to protect workers in the planetary labour market.

# Platform changes

## Appen:

- Clarified the scope of a key worker protection policy ('Ethical Sourcing and Modern Slavery Policy') to state that the platform is bound by its provisions, and that it applies to all workers on the platform.

## Clickworker:

- Clarified the scope of their dispute resolution process to make clear that an independent Ombuds office was available to all workers to resolve disputes with the platform.

## Jovoto:

- Added wording in job invitations stating that refusal of jobs/tasks will not impact future work opportunities on the platform.

## Prolific:

- Added wording in their Terms and Conditions stating that workers can appeal disciplinary actions that are perceived to be unfair, and steps on how to do so.
- Added wording in their Terms and Conditions stating that discrimination or abuse will not be tolerated on Prolific, and will result in the termination of a client's account.

## TranscribeMe:

- Added a 30-day notice period for changes to payment levels, and committed that future changes will not reverse accrued benefits or reasonable expectations upon which workers have relied.

- Added wording in the job posting portal to ask clients to provide workers with information about the purpose of the job they are working on.
- Added an anti-discrimination policy in their Terms of Service.

## Workana:

- Added public policy stating that jobs will be removed from the platform if they pay below the minimum wage in the workers' local jurisdiction.
- Added 'cancellation policy for fixed value projects' detailing when/how Workana will intervene to resolve payment disputes.
- Added reference criteria for arbitration decisions to worker-facing policies.
- Added information to worker-facing policies about options for escalation of disputes to third party resolution if platform mediation cannot solve an issue.
- Added wording to worker account termination policy to outline appeal process for terminations.

- Added public policy to state that workers cannot be discriminated against on the basis of any protected status by either the client or the platform. Committed to sanctioning users if discrimination is uncovered.

## The Fairwork Pledge

**As part of this process of change, we have introduced a Fairwork pledge. This pledge leverages the power of organisations' procurement, investment, and partnership policies to support fairer platform work. Organisations like universities, schools, businesses, and charities who make use of platform labour can make a difference by supporting the best labour practices, guided by our five principles of fair work. Organisations who sign the pledge get to display our badge on company materials.**

The pledge constitutes two levels. This first is as an official Fairwork Supporter, which entails publicly demonstrating support for fairer platform work, and making resources available to staff and members to help them in deciding which platforms to engage with. We are proud to announce that the Good Business Charter is our first official Fairwork Supporter. A second level of the pledge entails organisations committing to concrete and meaningful changes in their own practices as official Fairwork Partners, for example by committing to using better-rated platforms where there is a choice. Research ethics bodies, in particular, may increasingly be involved in decisions around research involving cloudworkers. As part of the Fairwork Pledge campaign, we will aim to work with those involved in research governance to encourage the use of higher-rated cloudwork platforms in research. More information is available on the Pledge, and how to sign up, on the Fairwork website.[47]

# Appendix: The Fairwork Framework

## The Fairwork Scoring System

The five Principles of Fair Work were developed through an extensive literature review of published research on job quality, stakeholder meetings at UNCTAD and the ILO in Geneva (involving platform operators, policymakers, trade unions, and academics), and in-country stakeholder meetings held in India (Bangalore and Ahmedabad), South Africa (Cape Town and Johannesburg) and Germany (Berlin). These principles have been adapted to the realities of Cloudwork and fine-tuned through a process of further consultation with stakeholders including worker representatives, researchers, and labour lawyers. The criteria for each principle was voted on and finalised by the Fairwork team.

This appendix explains the Fairwork Scoring System for Cloudwork Platforms. Each Fairwork principle is divided into two thresholds. Accordingly, for each principle, the scoring system allows one 'basic point' to be awarded corresponding to the first threshold, and an additional 'advanced point' to be awarded corresponding to the second threshold (see Table 1). The advanced point under each principle can only be awarded if the basic point for that principle has been awarded. The thresholds specify the evidence required for a platform to receive a given point. Where no verifiable evidence is available that meets a given threshold, the platform is not awarded that point.

A platform can therefore receive a maximum Fairwork Score of 10 points.
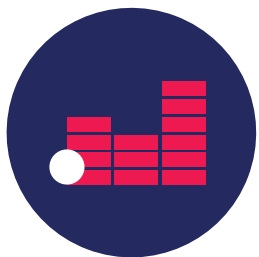
# Principle 1: Fair Pay

## Threshold 1.1 – Workers are paid on time and for all completed work (one point)

*Workers must have full confidence that they will be paid for the work they do. Workers can sometimes face the risk of a client not paying for work that has been completed. To achieve this point platforms must guarantee that this is not possible. Where a client considers that work is not completed satisfactorily, there must be a clear and reasonable process for rejection decisions. Additionally, timeliness and regularity of payment are crucial to evidencing fair pay.*

In order to be awarded one point for Threshold 1.1, the platform must satisfy all of the following:

- There is a mechanism to ensure workers are paid.
- Non-payment for completed work is not an option for clients.
- Payments are made within an agreed timeframe.
- Workers can choose to be paid in a recognised national currency.
- Workers can request funds from their account on a regular basis with reasonable withdrawal thresholds.

We use as a guideline for our assessment of non-payment for completed work on criteria developed by Harmon and Silberman in their 2018 'Rating working conditions on digital labour platforms',[48] as follows:

In cases where rejection mechanisms exist for delivered work:

- Workers should be able to contest rejection decisions.
- Workers receive a clear and reasonable explanation for any rejections.
- Workers may attempt to redo rejected work at least once.
- If the worker contests the rejection decision, the case is reviewed (a second time) by a neutral third party, who makes a binding decision; the platform agrees not to punish the worker in any way if the third party decides in favor of the worker.
- If the work is rejected it is not able to be used by the client.

## Threshold 1.2 – Workers are paid at least the local minimum wage (one additional point)

The rate of pay must meet the minimum legal threshold in the place where the worker works, regardless of whether the worker earns an hourly wage, or engages in piece-rate work.

The threshold for 1.2 involves the platform satisfying either A) or B) depending on their payment model:

- **A.** For hourly-paid work, workers earn at least their local minimum wage.
- **B.** For piece-rate work, the vast majority of workers earn at least their local minimum wage.[49]
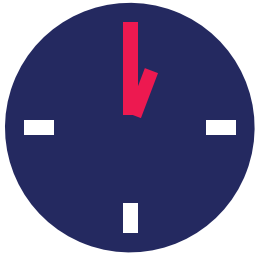
# Principle 2: Fair Conditions

## Threshold 2.1. Risks to workers are mitigated (one point)

*Health and safety risks to workers can include amongst other things exposure to psychologically harmful material, and breaches of data privacy and security. To achieve this point the platform must demonstrate policies and processes that minimise risks to workers.*

To be awarded with a basic point for threshold 2.1, the platform must satisfy all of the following:

- There are policies to protect workers from risks that arise from the processes of work.
- There are processes for job-related health and safety risks (including psychological risks) to be identified and addressed.

- Risks related to a specific job are flagged to workers before they accept the job (such as indicating that they might be exposed to violent content).
- There are clear reporting channels and documented penalties for clients who disregard or jeopardise workers' health and safety.
- There are adequate and ethical data privacy and security measures, laid out in a documented policy.[50]

## Threshold 2.2. Precarity and overwork are mitigated (one additional point)

*Workers may spend a significant amount of their working day applying for jobs, especially if they are competing with a lot of other workers. This can include sending credentials to prospective clients, or developing pitches. This constitutes working time, but it is time that the worker is not being paid for. In order to reduce this unpaid working time, platforms should ensure that jobs are available to workers on the platform, and there is not an unmitigated oversupply of labour, meaning more workers are competing for the same job.*

To be awarded a point for 2.2, the platform must be able to demonstrate that they satisfy both of the following:

- The number of workers is managed to mitigate oversupply.

- The allocation of work is managed to promote job availability, and reduce unpaid work and overwork.[51]

# Principle 3: Fair Contracts

## Threshold 3.1 – Clear terms and conditions are available (one point)

*The terms and conditions governing platform work are not always clear and accessible to workers. To achieve this point the platform must demonstrate that workers are able to understand, agree to, and access the conditions of their work, and that they have legal recourse if the platform breaches those conditions.*

In order to be awarded the one point for Threshold 3.1, the platform must satisfy all of the following points:

- The contract is written in clear and comprehensible language that the worker could be expected to understand.

- The contract is available for workers to access at all times.
- Workers are notified of proposed changes in a reasonable timeframe before changes come into effect.
- Changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.
- The contract does not require workers to waive rights to reasonable legal recourse against the platform.

## Threshold 3.2 – Contracts are consistent with the workers' terms of engagement on the platform (one additional point)

*Platforms mediate the contact and the transaction between workers and clients. Therefore they have a responsibility for oversight of the relationship between workers and clients, and to protect workers' interests. This also includes a duty of care in ensuring that direct*

*contracts raised between clients and workers do not unfairly disadvantage the worker or reduce the worker's labour market prospects. Additionally, where workers are self-employed, contracts should allow for freedom to choose their own working schedules, and the jobs they accept or refuse on the platform.*

The platform must satisfy all of the following:

- There are guidelines to ensure that any contract raised between workers and clients directly in relation to work mediated by the platform (such as non-disclosure agreements) are fair and equitable for the worker.
- Clients are required to make a good faith effort to inform the worker about the purpose of the job.
- The worker is not subject to non-compete clauses.

Except in cases where the worker is in a standard employment relationship:

- The platform makes clear that working schedules cannot be imposed upon workers.[52]
- The worker retains the freedom to choose which tasks to accept or refuse.
- The refusal of offered tasks by workers does not punitively impact a worker's rating, reputation, or the worker's ability to access future work on the platform.

In making clear that working schedules cannot be imposed upon workers, the platform shall encourage clients to adopt working time arrangements that are consistent with the contractual terms of the worker–client relationship. While workers may be required to meet project deadlines or to attend meetings, in the absence of an employment relationship, the platform shall discourage clients from unreasonably interfering with a worker's ability to choose their own working time schedule.
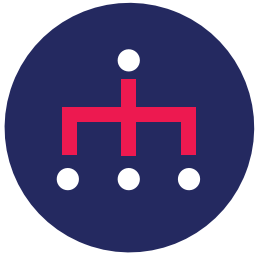
# Principle 4: Fair Management

## Threshold 4.1 – There is due process for decisions affecting workers (one point).

*Platform workers can experience deactivation, that is, being barred from accessing the platform, sometimes without due process, and losing their income. Workers may be subject to other penalties or disciplinary decisions without the ability to contact the platform to challenge or appeal them if they believe they are unfair. To achieve this point, platforms must demonstrate an ability for workers to meaningfully appeal disciplinary actions.*

The platform must satisfy all of the following:

- There is a channel for workers to communicate with a human representative of the platform. This channel is documented in the contract and available on the platform interface.

- There is a process for workers to meaningfully appeal low ratings, non-payment, deactivations, and other penalties and disciplinary actions. This process is documented in the contract and available on the platform interface.

- In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.

## Threshold 4.2 There is equity in the management process (one additional point)

*The majority of platforms do not actively discriminate against particular groups of workers. However, they may inadvertently exacerbate already existing inequalities through their design and management. To achieve this point, platforms must show that they have policies against discrimination that can occur between different user groups, and that workers are assured that they will not be disadvantaged through management processes.*

The platform must satisfy all of the following:

- There is a policy which guarantees that the platform will not discriminate against persons on the grounds of racial, ethnic, social or minority background, caste, religion or belief, political or any other opinion, language, gender, gender identity, sex, sexual orientation, disability, age, or any other status.

- There are mechanisms to reduce the risk of users discriminating against workers on any basis listed above.

- The platform specifies the methods used to manage and allocate work (including when algorithms are used).

# Principle 5: Fair Representation

## Threshold 5.1 – Workers have access to representation, and freedom of association (one point)

To observe workers' right to fair representation, platforms must ensure that workers have information about their options for representation in a dispute, as well as ensuring they have access to an independent advocate. Platforms must also guarantee that workers have freedom of association, as enshrined in the constitution of the International Labour Organisation and the Universal Declaration of Human Rights.

*The platform must satisfy all of the following:*

- The platform makes information available to workers about all their options for legal representation.[6]

- The platform commits to a process of dispute resolution in which workers have access to an independent advocate who is freely chosen by the worker, or by an independent workers' body.[53]

- Freedom of association is not inhibited and groups of workers are not disadvantaged in any way for communicating their concerns, demands and wishes to management.

## Threshold 5.2 – There is collective governance or bargaining (one additional point)

The ability for workers to organise and collectively express their voice is an important prerequisite for fair working conditions. Workers must be able to assert their demands through a representational body which is free from any influence by platform management. Where such a body does not exist, it is incumbent on platforms to ensure workers' voices can be represented by encouraging its formation.

The platform must satisfy either A), B) or C):

A. It is democratically governed by workers.

B. It publicly and formally recognises an independent collective body of workers, an elected works council or trade union, and has not refused to participate in collective representation or bargaining. New workers are advised of the existence of this body, and of how to join.

C. If such a body does not exist, it formally communicates to workers its willingness to recognise, or bargain with, a representative body of workers or trade union.[54]

# Credits and funding

facilitation. Finally our special thanks go to the 792 survey respondents who provided insights into their experiences, in order to contribute to a fairer future of cloudwork.

# Endnotes

1.   International Labour Organization.(2021). "The role of digital labour platforms in transforming the world of work." World Employment and Social Outlook report. International Labour Organization. Geneva, Switzerland, p. 53.

2.  Müller, Annika. (2016). "The Digital Nomad: Buzzword or Research Category?" Transnational Social Review 6 (3): 344–48.

3.  Woodcock, J., & Graham, M. (2019). The gig economy. London: Polity Press.

4.  Graham, M., and Anwar, M. A. (2019). The Global Gig Economy: Towards a Planetary Labour Market? First Monday. 24(4).

5.  It is also known inter alia as cloud sourcing, crowdwork, crowdsourcing, clickwork, virtual labour, microwork and online work (see Heeks, R. 2017. Digital Economy and Digital Labour Terminology: Making Sense of the 'Gig Economy','Online Labour','Crowd Work','Microwork','Platform Labour', Etc. Development Informatics Working Paper, (70).)

6.  Graham & Anwar(2019).

7.  Lehdonvirta, V., Barnard, H., Graham, M., & Hjorth, I. (2014). Online labour markets - levelling the playing field for international service markets?Oxford Internet Institute. https://ora.ox.ac.uk/objects/uuid:5c2b1fc7-04c0-40d1-89a0-f9a28ffb4891

8.  Gray, M. L., & Suri, S. (2019). *Ghost work: How to stop Silicon Valley from building a new global underclass*. Eamon Dolan Books.

9.   Graham, M., Hjorth, I., Lehdonvirta, V. (2017). Digital labour and development: impacts of global digital labour platforms and the gig economy on worker livelihoods. Transfer: European Review of Labour and Research. 23 (2) 135-162.

10. ILO, 2021. p. 53.

11. Ibid.

12. Ibid, p. 52.

13. Maffie, M. D. (2020). Are we 'sharing'or 'gig'ing'? A classification system for online platforms. *Industrial Relations Journal,* 51(6), 536-555.

14. Wood, Alex J, Mark Graham, Vili Lehdonvirta, and Isis Hjorth. (2018). "Good Gig, Bad Gig: Autonomy and Algorithmic Control in the Global Gig Economy." *Work, Employment and Society*. 33(1), 56–75. https://doi.org/10.1177/0950017018785616

15. Bucher, E. L., Schou, P. K., & Waldkirch, M. (2021). Pacifying the algorithm – Anticipatory compliance in the face of algorithmic management in the gig economy. *Organization*, 28(1), 44–67. https://doi.org/10.1177/1350508420961531

16. Rani, U., & Furrer, M. (2021). Digital labour platforms and new forms of flexible work in developing countries: Algorithmic management of work and workers. *Competition & Change*, 25(2), 212–236. https://doi.org/10.1177/1024529420905187

17. Berg, J., Furrer, M., Harmon, E., Rani, U., & Silberman, M. S. (2018). Digital labour platforms and the future of work. Towards Decent Work in the Online World. Rapport de l'OIT.

18. Chen, Adrian. (2017). "The Human Toll of Protecting the Internet from the Worst of Humanity." The New Yorker, January 28, 2017. https://www.newyorker.com/tech/elements/the-human-toll-of-protecting-the-internet-from-the-worst-of-humanity.

19. Ibid.

20. Anwar, M. A., & Graham, M. (2021). Between a rock and a hard place: Freedom, flexibility, precarity and vulnerability in the gig economy in Africa. *Competition & Change,* 25(2), 237–258. https://doi.org/10.1177/1024529420914473

21. McInnis, B., Cosley, D., Nam, C., & Leshed, G. (2016). Taking a HIT: Designing around rejection, mistrust, risk, and workers' experiences in Amazon Mechanical Turk. In Proceedings of the 2016 CHI conference on human factors in computing systems (pp. 2271-2282).

22. Beerepoot, N. and Lambregts, B. (2015), Competition in online job marketplaces: towards a global labour market for outsourcing services?. *Global Networks*, 15: 236-255. https://doi.org/10.1111/glob.12051

23. Rani & Furrer, 2021.

24. Aleksynska, Mariya and Bastrakova, Anastasia and Kharchenko, Natalia, Working Conditions on Digital Labour Platforms: Evidence from a Leading Labour Supply Economy (2019). IZA Discussion Paper No. 12245,https://ssrn.com/abstract=3390235

25. Adams-Prassl, Abi and Berg, Janine, When Home Affects Pay: An Analysis of the Gender Pay Gap Among Crowdworkers ( 2017). https://ssrn.com/abstract=3048711 or http://dx.doi.org/10.2139/ssrn.3048711

26. ILO, 2021.

27. Graham, M., Lehdonvirta, V., Wood, A., Barnard, H., Hjorth, I., & Peter Simon, D. (2017). The Risks and Rewards of Online Gig Work At the Global Margins. Oxford Internet Institute.

28. Galperin, Hernan and Greppi, Catrihel, Geographical Discrimination in the Gig Economy (February 23, 2017).: https://ssrn.com/abstract=2922874

29. Gruszka, K., & Böhm, M. (2020). Out of sight, out of mind? (In)visibility of/in platform-mediated,work. New Media & Society. https://doi.org/10.1177/1461444820977209

30. De Stefano, V. (2015). The rise of the just-in-time workforce: On-demand work, crowdwork, and labor protection in the gig-economy. Comp. Lab. L. & Pol'y J., 37, 471, p. 2.

31. Graham et al., 2017.

32. De Stefano, V. (2017). Non-Standard Work and Limits on Freedom of Association: A Human Rights-Based Approach. *Industrial Law Journal*, 46(2): 185–207. https://doi.org/10.1093/indlaw/dww034

33. Johnston, H. (2020), Labour geographies of the platform economy: Understanding collective organizing strategies in the context of digitally mediated work. *International Labour Review*, 159: 25-45. https://doi.org/10.1111/ilr.12154

34. See Appen, 'Crowd Code of Ethics', https://appen.com/crowd-wellness/.

35. Further explanations for points awarded are available on the Cloudwork section of the Fairwork website.

36. As presented on the Workana homepage: www.workana.com.

37. Chuang. (2020). Delivery workers, Trapped in the System, Renwu, https://chuangcn.org/2020/11/delivery-renwu-translation/

38. Kässi, O., Lehdonvirta, V., and Stephany, F. (2021). How Many Online Workers are There in the World? A Data-Driven Assessment. Available at SSRN: https://ssrn.com/abstract=3810843 or http://dx.doi.org/10.2139/ssrn.3810843

39. GrayandSuri. 2019..

40. Gruszka and Bohm, 2020.

41. Workers' names have been pseudonymised to preserve confidentiality.

42. TranscribeMe provided evidence of recent strategies they have implemented to actively manage supply of workers into the platform, and specific workflows, in response to fluctuations in demand, especially as a result of COVID-19. While this allowed us to award the platform Principle 2.2, it is clear that attention should continue to be paid to the issue of job availability on the platform.

43. Turkopticon. (n.d.). Homepage. Retrieved June 8, 2021, from https://turkopticon.ucsd.edu/

44. Faircrowd. (n.d.). Homepage. Retrieved June 8, 2021, from http://faircrowd.work/

45. Crowdsourcing Code of Conduct - Ombuds Office. (n.d.). Retrieved June 8, 2021, from https://ombudsstelle.crowdwork-igmetall.de/en.html

46. Solomon, E. (2021, March 3). German cabinet backs law to protect human rights in global supply chain. The Financial Times. https://www.ft.com/content/2b969d2c-ad1e-48c2-b318-2dd20bb1662f

47. Fairwork. (n.d.). *Join the Pledge.* Retrieved June 8, 2021, from https://fair.work/en/fw/join-the-pledge-together-for-platform-work/

48. We base our assessment of this on criteria developed by Harmon and Silberman in their 2018 'Rating working conditions on digital labour platforms', as follows:
    • In cases where rejection mechanisms  exist for delivered work:
    • Workers should be able to contest rejection decisions.
    • Workers receive a clear and reasonable explanation for any rejections.
    • Workers may attempt to redo rejected work at least once.
    • If the worker contests the rejection decision, the case is reviewed (a second time) by a neutral third party, who makes a binding decision; the platform agrees not to punish the worker in any way if the third party decides in favour of the worker.
    • If the work is rejected it is not able to be used by the client.

49. This can be evidenced either through a policy, or by provision of aggregated earnings data. The 'vast majority' of workers is understood as 85% or more

of all workers engaged on the platform. This is in recognition of the fact that all the time between when a worker starts and submits a task may not necessarily be working time.We compare worker's piece-work earnings against minimum wages based on UK government guidelines. The calculation is as follows:

• Number of tasks of a given kind completed by workers on average per hour = A

    ◊ This number is divided by 1.2 to calculate A*, an estimated average number of tasks completed per hour that accounts for the disadvantage that relatively inexperienced workers face.

    ◊ Therefore, A* = 0.83A

• Local minimum hourly wage = M,

    ◊ This figure varies across jurisdictions.

    ◊ Where a jurisdiction's laws do not specify a minimum wage, a reasonable alternative can be used.

• Fair piece rate corresponding to the minimum wage = F = (M ÷ 0.83A).

This calculation must be repeated across task types. To receive this point, platforms operating on a piece-work model must demonstrate that 85% or more of workers on their platform earn more than F per hour in each task type.

50. To fulfil this criterion, platforms must have clear policies about what kind of data is collected from workers, when it is collected, how long it is kept, and how it is processed. They must take responsibility of data handling, storing and management processes, and ensure that personal data is kept safe and secure and is not sold or shared with third parties, without workers' specific consent.

51. This could include regular guaranteed hours, managed supply and demand, or minimum and maximum hours

52. The platform shall encourage clients to adopt working time arrangements that are consistent with the contractual terms of the worker-client relationship. While workers may be required to meet project deadlines or to attend meetings, in the absence of an employment relationship, the platform shall discourage clients from unreasonably interfering with a worker's ability to choose their own working time schedule.

53. An example is the German Trade Union IG Metall's Ombuds Office, which arbitrates disputes between workers and platforms that have signed up to the Crowdsourcing Code of Conduct.

54. Some platforms have committed to using the following text in their contracts: "[company] will support any effort by its workers to collectively organise or form a trade union. Collective bargaining through trade unions can often bring about more favourable working conditions". Platforms are also required to provide a directory of local labour unions and advocates to workers on request.

**Fairwork**

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