Fairwork

STATE OF WORK IN
THE BANGLADESH GIG ECONOMY

# Bangladesh Ratings 2022

CONTENTS

Executive Summary

The Bangladeshi gig economy has come of age. Digital labour platforms have become ubiquitous as consumers have come to depend on them for services and workers for employment, with many platforms, both local and international, offering services ranging from food delivery to rideshare to domestic work.

Workers from diverse backgrounds with a wide range of skills now work for these platforms, drawn in by the promise of flexible work and the earning opportunities that gig work offers. However, more often than not, the reality of platform work can be quite different from these expectations.

THIS YEAR'S RESEARCH SHOWS THAT MANY OF THE CONCERNS AROUND PAY, WORKING CONDITIONS, WORK CONTRACTS, MANAGEMENT, AND WORKER REPRESENTATION PERSIST.

In 2021 Fairwork evaluated labour standards in Bangladesh's gig economy for the first time with the findings revealing serious concerns about working conditions on digital labour platforms. This year's research shows that many of the concerns around pay, working conditions, work contracts, management, and worker representation persist. In the 2022 report, new platforms have been added, while other platforms that have exited the market have been omitted. Overall, however, platforms have generally performed slightly better than last year. We also have novel findings. In the rideshare sector, our research has uncovered a new phenomenon of *Khaep* or "workers going solo", where workers connect to customers directly instead of going through a platform, thereby rejecting the gig model. This is a way workers are pushing back against the regulations and working conditions, and has been featured as this report's "theme in focus".
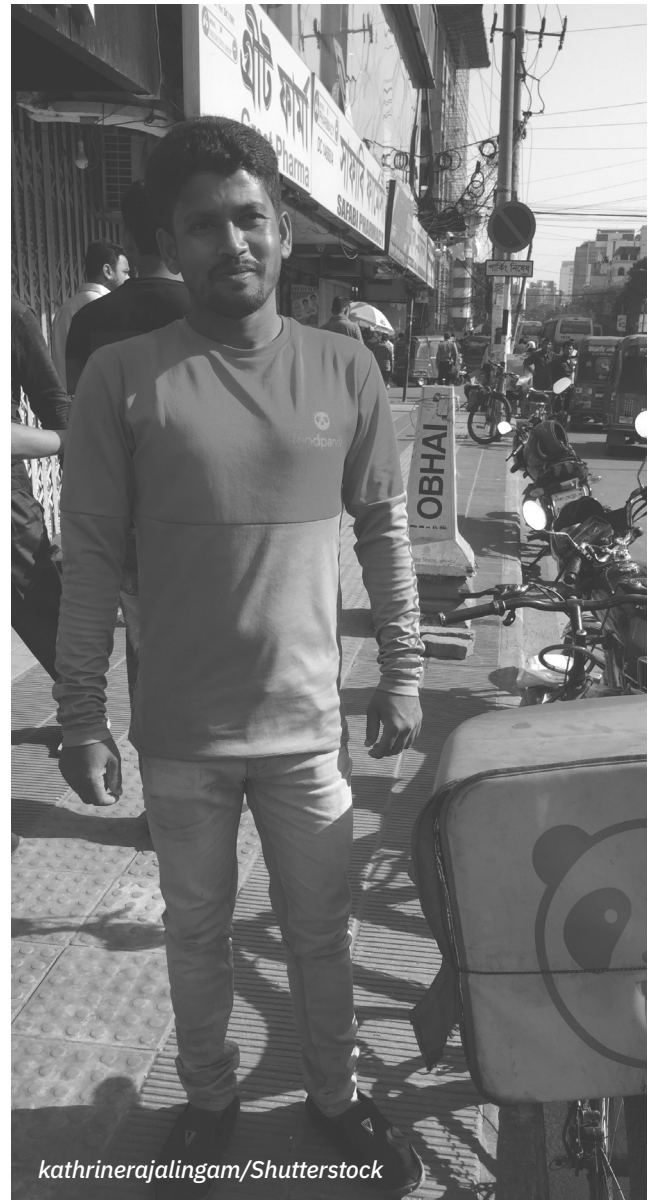
kathrinerajalingam/Shutterstock

Key Findings

FAIR PAY

Although none of the platforms we evaluated this year offer a wage guarantee, workers we interviewed from Sheba and Hellotask told us that they make the minimum wage. Overall, massive variation was found in the earnings of gig workers, both within and between platforms.

Ratings, total engagement hours with the platform, and contract status are some of the reasons for this variation. Different platforms have different models of charging commission from the work—some charge a percentage of the total revenue from a gig while others pay workers on a piecemeal basis. Regardless of the model, the workers we interviewed felt the commissions charged by platforms are too high and their income too low. Moreover, workers spend a lot of non-earning active hours that platforms do not compensate them for, such as time spent waiting for work, traveling in traffic, and delays due to customers. The workers we interviewed showed a general lack of awareness regarding the concepts of minimum and living wage, as these are not prevalent concepts in the Bangladeshi labour market.

FAIR CONDITIONS

Although most of the platforms we evaluated could evidence some measures to protect workers from work-related risks, only two platforms — Chaldal and Pathao — could evidence the criteria necessary to score a point for principle 2.1. Of the 91 workers we interviewed, 51 reported a lack of safety measures.

No platforms could evidence that they provided a safety net for workers. While many platforms reported initiatives for an insurance programme, the worker interviews did not provide sufficient evidence that these were effective. Workers generally reported road accidents, hijackings, robbing, product safety, and personal safety and security to be their biggest risks when undertaking platform work. Only five workers of the 91 we interviewed worked 40 hours per week. 64% (58 of 91) worked over 40 hours per week, and 35.16% (32 of 91) worked between 60 and 100 hours per week.

FAIR CONTRACTS

The contractual status of many of the platform workers we interviewed remains ambiguous—half of them reported not receiving a contract for work, while around two-thirds reported remembering accepting the terms and conditions.

The research team could not evaluate the nature of the contracts and working terms for most platforms, as most platform managers did not share these with us. Performance by platforms in Bangladesh varies when it comes to evidencing accessible terms and conditions in the local context and language. Only Chaldal, Sheba, and Uber could provide enough evidence to score a point for principle 3.1, while no platforms could evidence principle 3.2.

FAIR MANAGEMENT

The platforms we evaluated were generally found to have a human-centric call center that workers could rely on for support with work-related issues.

Even then, questions remain about the clarity and dependability of these platforms, as many workers reported not receiving adequate support through these channels. Workers also reported facing deactivation from platforms for arbitrary reasons such as declining work, declining to undertake a long-distance delivery, software problems, and misunderstandings with management. Only three platforms, Chaldal, Sheba, and Uber, were able to score a point for principle 3.1 and none got a point for principle 3.2.

FAIR REPRESENTATION

No platform received a point for either principle 5.1 or 5.2. There is no gig workers' union that covers all the workers in Bangladesh's platform economy.

Dhaka Rides-Sharing Driver's (DRDU) is the most prominent workers' collective, not just for the rideshare sector, but in the Bangladeshi gig economy. Only two of thirty rideshare workers we interviewed were members of (DRDU). Platforms generally do not negotiate with or recognize trade unions, but two of the selected platforms operating in Bangladesh have shown some meaningful engagement with collective worker bodies: Foodpanda organizes bi-monthly town halls with workers where they can raise their issues together, and Hellotask is working on a domestic workers' union through collaboration with international NGOs. Though union membership was generally very low among those we interviewed, eleven rideshare and food delivery workers reported participating in strikes against their platforms..

Platform Workers in an Informal Economy

Since the publication of the 2021 report, there have been noticeable changes in the platform economy in Bangladesh. Some new homegrown platforms have emerged and consolidated their positions, while others have experienced a decline in their businesses.

This 2022 report evaluates nine platforms, of which six were included in last year's ranking exercise, and three are new to the process. As we have continued to work closely with these platforms, many of them have shown signs of thinking about the working conditions of gig workers, which is a positive development. We have also been able to engage stakeholders through the pledge to support Fairwork principles within their community.

ANOTHER PHENOMENON WAS DETECTED IN THIS YEAR'S RANKING EXERCISE, WHICH IN BANGLA IS TERMED A 'KHAEP' [খ্যাপ]. IT IS AN ARRANGEMENT BETWEEN THE RIDER AND CLIENT TO BYPASS THE PLATFORM.

Two major phenomena were detected for the first time by the Fairwork team and documented in last year's Bangladesh report: namely, the presence of intermediaries between the platform and gig workers, especially in the ridesharing business; and the idea of 'platform debt', where gig workers experience the situation of net negative income. Both these phenomena were detected in this year's ranking exercise as well. More work should be done to better understand why such phenomena have emerged, and how platforms and stakeholders can work together to address the situation—including looking into platform algorithms commission policy.

Another phenomenon was detected in this year's ranking exercise, which in Bangla is termed a '*Khaep*' [খ্যাপ]. It is an arrangement between the rider and client to bypass the platform. Both sides can benefit from this: the client gets a discounted price for the ride, and the rider avoids sharing any commission with the platform. This phenomenon is not new in other segments of the urban transport landscape, but it is new in the ridesharing business.

There is no data on how platform's are being affected by this threat to their business model, but the phenomenon can be seen as a kind of backlash against the terms and conditions offered by the platforms, which are not conducive to the riders. This phenomenon is a signal to market actors and policy makers that it is important to revisit the working conditions and employment relationship of gig workers. Indeed, at the policy level, the recognition of gig workers as a category of (informal)

workers is yet to happen in Bangladesh. However, such recognition would create a legal ground for gig workers to enjoy some of the same rights of workers in the formal sector. It would also allow platforms to recognise the right of collective bargaining, and workers to mobilise for collective bargaining.

We hope this 2022 Fairwork Bangladesh report will further deepen the understanding of stakeholders about the importance of recognizing the shift in employment relationships resulting from the integration of technology into business, and will encourage them to consider how fair working can be fully integrated into these new platform models.

FAIRWORK BANGLADESH TEAM

Ananya Raihan, Raiyaan Mahbub, Jinat Jahan Khan, Matthew Cole, Murali Shanmugavelan and Mark Graham.
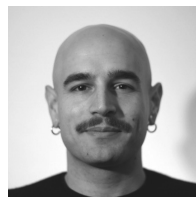
Towards Decent Labour Standards in the Platform Economy

Fairwork evaluates and ranks the working conditions of digital platforms. Our ratings are based on five principles that digital labour platforms should ensure in order to be considered to be offering basic minimum standards of fairness.

We evaluate platforms annually against these principles to show not only what the platform economy is today, but also what it could be. The Fairwork ratings provide an independent perspective on labour conditions of platform work for policymakers, platform companies, workers, and consumers. Our goal is to show that better, and fairer, jobs are possible in the platform economy.

The Fairwork project is coordinated from the Oxford Internet Institute and the WZB Berlin Social Science Centre. Our growing network of researchers currently rates platforms in 39 countries across 5 continents. In every country, Fairwork collaborates closely with workers, platforms, advocates and policymakers to promote a fairer future of platform work.

Fairwork countries
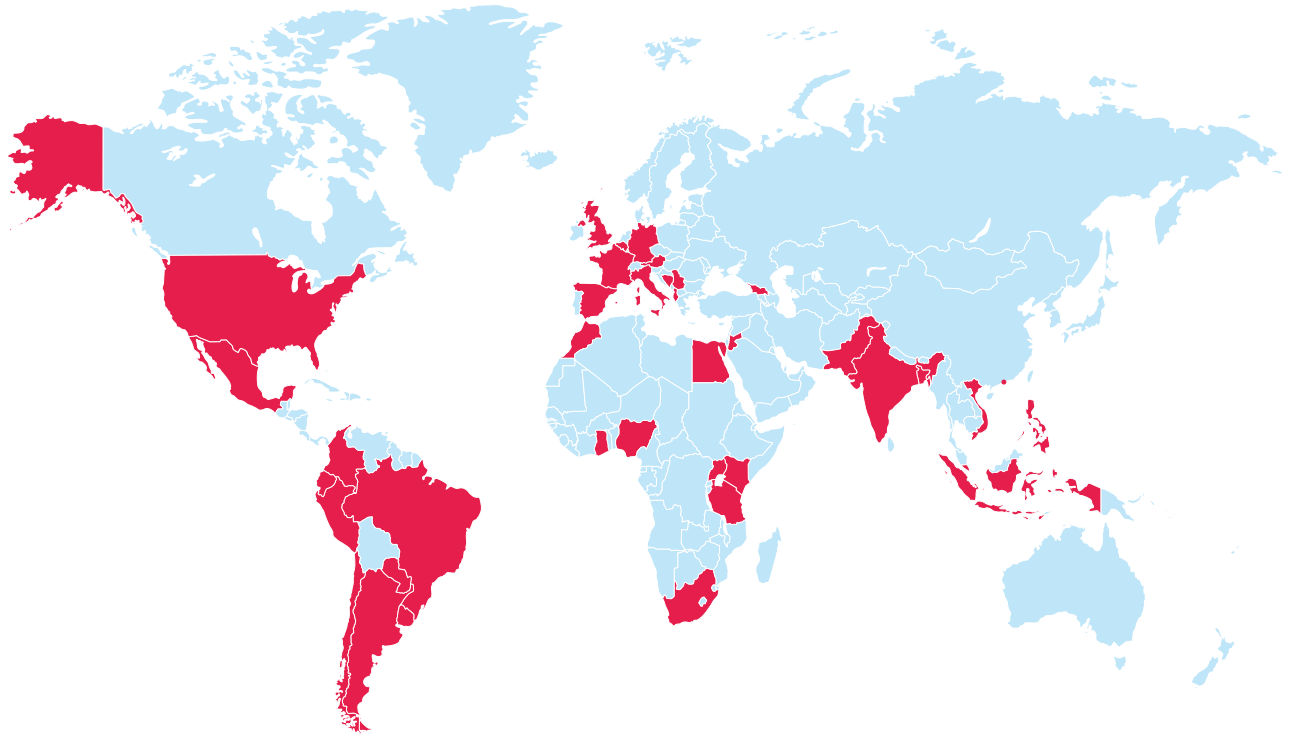
Figure 1. Fairwork currently rates platforms in 37 countries worldwide.

AFRICA

Egypt, Ghana, Kenya, Morocco, Nigeria, South Africa, Tanzania. Uganda

ASIA

Bangladesh, Hong Kong, India, Indonesia, Jordan, Lebanon, Pakistan, Philippines, Singapore, Vietnam

EUROPE

Albania, Austria, Belgium, Bosnia, France, Georgia, Germany, Italy, UK, Serbia, Spain

SOUTH AMERICA

Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay

NORTH AMERICA

Mexico, USA

The Fairwork Framework

Fairwork evaluates the working conditions of digital labour platforms and ranks them on how well they do. Ultimately, our goal is to show that better, and fairer, jobs are possible in the platform economy.

To do this, we use five principles that digital labour platforms should ensure to be considered as offering 'fair work'. We evaluate platforms against these principles to show not only what the platform economy is, but also what it can be.

The five Fairwork principles were developed through multiple multi-stakeholder workshops at the International Labour Organisation.

Further details on the thresholds for each principle, and the criteria used to assess the collected evidence to score platforms can be found in the Appendix.

The five principles

Fair Pay

Workers, irrespective of their employment classification, should earn a decent income in their home jurisdiction after taking account of work-related costs. We assess earnings according to the mandated minimum wage in the home jurisdiction, as well as the current living wage.

Fair Conditions

Platforms should have policies in place to protect workers from foundational risks arising from the processes of work, and should take proactive measures to protect and promote the health and safety of workers.

Fair Contracts

Terms and conditions should be accessible, readable and comprehensible. The party contracting with the worker must be subject to local law and must be identified in the contract. Regardless of the workers' employment status, the contract is free of clauses which unreasonably exclude liability on the part of the service user and/or the platform.

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 deactivation. The use of algorithms is transparent and results in equitable outcomes for workers. There should be an identifiable and documented policy that ensures equity in the way workers are managed on a platform (for example, in the hiring, disciplining, or firing of workers).

Fair Representation

Platforms should provide a documented process through which worker voice can be expressed. 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.

Methodology

The Fairwork project uses three approaches to effectively measure fairness of working conditions at digital labour platforms: desk research, worker interviews and surveys, and interviews with platform management. Through these three methods, we seek evidence on whether platforms act in accordance with the five Fairwork Principles.

We recognise that not all platforms use a business model that allows them to impose certain contractual terms on service users and/or workers in such a way that meets the thresholds of the Fairwork principles. However, all platforms have the ability to influence the way in which users interact on the platform. Therefore, for platforms that do not set the terms on which workers are retained by service users, we look at a number of other factors including published policies and/or procedures, public statements, and website/app functionality to establish whether the platform has taken appropriate steps to ensure they meet the criteria for a point to be awarded against the relevant principle.

In the case of a location-based work platform, we seek evidence of compliance with our Fairwork principles for location-based or 'gig work' platforms, and in the case of a cloudwork platform, with our Fairwork principles for cloudwork platforms.

Desk research

Each annual Fairwork ratings cycle starts with desk research to map the range of platforms to be scored, identify points of contact with management, develop suitable interview guides and survey instruments, and design recruitment strategies to access workers. For each platform, we also gather and analyse a wide range of documents including contracts, terms and conditions, published policies and procedures, as well as digital interfaces and website/app functionality. Desk research also flags up any publicly available information that could assist us in scoring different platforms, for instance the provision of particular services to workers, or the existence of past or ongoing disputes.

The desk research is also used to identify points of contact or ways to access workers. Once the list of platforms has been finalised, each platform is contacted to alert them about their inclusion in the annual ranking study and to provide them with information about the process. All platforms are asked to assist with evidence collection as well as with contacting workers for interviews.

Platform interviews

The second method involves approaching platforms for evidence. Platform managers are invited to participate in semi-structured interviews as well as to submit evidence for each of the Fairwork principles. This provides insights into the operation and business model of the platform, while also opening up a dialogue through which the platform could agree to implement changes based on the principles. In cases where platform managers do not agree to interviews, we limit our scoring to evidence obtained through desk research and worker interviews.

Worker interviews

The third method is interviewing platform workers directly. A sample of 6-10 workers are interviewed for each platform. These interviews do not aim to build a representative sample. They instead seek to understand the processes of work and the ways it is carried out and managed. These interviews enable the Fairwork researchers to see copies of the contracts issued to workers, and learn about platform policies that pertain to workers. The interviews also allow the team to confirm or refute that policies or practices are really in place on the platform.

Workers are approached using a range of different channels. For our 2022 ratings, this included approaching gig workers, using worker Facebook groups, using platform and union contacts to connect with workers, and using the platform app to approach workers.

The interviews were semi-structured and made use of a series of questions relating to the 10 Fairwork (sub) principles. In order to qualify for the interviews, workers had to be over the age of 18 and have worked with the platform for more than two months. All interviews were conducted in Bangla.

Putting it all together

This threefold approach provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect both positive and negative evidence from multiple sources. Final scores are collectively decided by the Fairwork team based on all three forms of evidence. Points are only awarded if clear evidence exists on each threshold.

How we score

Each of the five Fairwork principles is broken down into two points: a first point and a more second 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 we are not – for whatever reason – able to evidence its compliance.

The scoring involves a series of stages. First, the in-country team collates the evidence and assigns preliminary scores. The collated evidence is then sent to external reviewers for independent scoring. These reviewers are both members of the Fairwork teams in other countries, as well as members of the central Fairwork team. Once the external reviewers have assigned their scoring, all reviewers meet to discuss the scores and decide final scoring. These scores, as well as the justification for them being awarded or not, are then passed to the platforms for review. Platforms are then given the opportunity to submit further evidence to earn points that they were initially not awarded. These scores then form the final annual scoring that is published in the annual country Fairwork reports.

FURTHER DETAILS ON THE FAIRWORK SCORING SYSTEM ARE IN THE APPENDIX.

05
06
Fairwork 07 /10
08
09
10

Overview of Bangladesh's Platform Economy

The youth unemployment rate in Bangladesh currently stands at 10.6%, more than twice the overall national unemployment rate of 4.2% (Shanmugavelan et al. 2021). Platform-based gig economy emerged as a new source of employment for many young citizens, entering the job market. The Bangladesh platform-based gig economy emerged in 2016 with launching of Uber ride-sharing services.

Key findings on platform/gig workers:

a) The platform workers are predominantly young women and men aged between 19 to 40 years.

Most of the gig workers (81 out of 91) are hailing from districts other than Dhaka. 51 out of 91 (56.04%) workers are sole earners in their families. On average, each gig worker has 3.58 dependents on their income. One gig worker has as high as 12 dependants on his income.

b) Most gig workers appear have some level of education.

67 of the 91 workers we interviewed had between 5-12 years of education, and 12 have tertiary-level education. Only six of the 91 workers have no formal education.

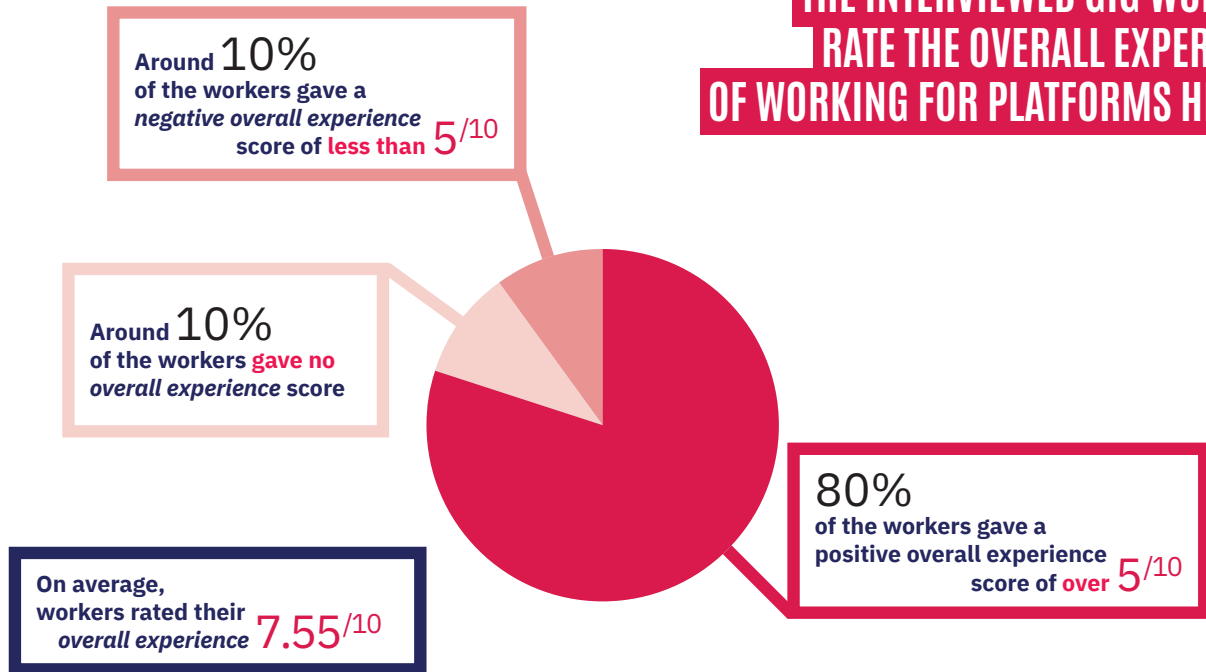**c) Only two out of 9 platforms (Sheba. xyz and Hellotask) have female gig workers.**

d) More than 10% of gig workers are simultaneously engaged in multiple platforms-, they all belong to ride-sharing platforms.

e) Platform work does not appear to be a major source of new job creation.

For only 9 respondents, gig work their first job, with 3 them previously being students. For the remaining workers, they were engaged in diverse forms of work like entrepreneurship, working at a beauty parlour, floor-in-charge in a factory, salesman, waiter in a restaurant etc.

Figure 1: Overall experience score of workers.

Around 10% of the workers gave a *negative overall experience* score of **less than** 5 /10

Around 10% of the workers **gave no** *overall experience* score

80% of the workers gave a **positive overall experience** score of **over** 5 /10

On average, workers rated their *overall experience* 7.55 /10

kathrinerajalingam/Shutterstock

Exclusion and Ambiguity in the Working Relationship between Gig Workers and Platforms

New technology and digitalization have caused a fundamental shift in the dynamics of the labour force, with more workers engaging in platform-based gig work than ever before. In 2021, Bangladesh saw a 27% rise in the gig economy (BBF Digital, 2021).

As more workers continue to engage with the gig economy, concerns regarding the well-being of workers and the overall working conditions of the platforms are becoming ever more relevant (Mugavelan et al., 2021). At the core of this issue is the question of the rights and benefits that platforms owe to their gig workers.

DESPITE THEIR "INDEPENDENT" STATUS, WORKERS ARE OFTEN EXPECTED TO CONFORM TO THE REQUIREMENTS OF THE PLATFORM.

The issue partially stems from debate on the classification of gig workers. Platforms typically view their workers as self-employed or independent contractors rather than as employees of the platform. Ambiguity regarding the contract status of workers and the terms and conditions of work further add to the confusion. Moreover, platforms

tend to view themselves as a technology business acting as a mediator through which these independent contractors can provide services, rather than a service-providing organization. As a result, platforms deprive workers of the benefits associated with traditional forms of employment.

Despite their "independent" status, workers are often expected to conform to the requirements of the platform, thus enabling these companies to retain significant control over the labour process through their automated systems of work allocation, surveillance, discipline and payments. Platforms use mechanisms such as ratings and point systems to influence the allocation of work and hours as well as compensation. This has led both academics and activists to argue that workers are not independent contractors, but are in fact workers for the platforms. In Bangladesh, many workers depend on gig work entirely for their livelihoods and work beyond the threshold of hours for full-time work.

IN BANGLADESH, MANY WORKERS DEPEND ON GIG WORK ENTIRELY FOR THEIR LIVELIHOODS AND WORK BEYOND THE THRESHOLD OF HOURS FOR FULL-TIME WORK.

Gig work remains legally ambiguous in Bangladesh and has yet to be comprehensively addressed by regulators. In 2017, the government issued The Ridesharing Guideline to regulate ridesharing companies and providers. However, the guideline does not lay down clear legal guidelines or protection for platform workers. While it does deal with the question of what constitutes ridesharing services, liabilities of ridesharing platforms, and other issues, this is legally non-binding. Moreover, this guideline does not cover other prominent sectors of the gig economy, such as food delivery and other services.

BY CLASSIFYING THEIR WORKERS AS INDEPENDENT CONTRACTORS, PLATFORMS ARE NOT LEGALLY BOUND TO ENSURE A MINIMUM OR LIVING WAGE OR EQUIVALENT INCOME, OR A HOST OF OTHER BENEFITS AND OBLIGATIONS.

The key legal debate here centres on whether gig workers fall within the definition of 'worker' as defined in the Bangladesh Labour Act, the law that governs workers' rights in Bangladesh. By classifying their workers as independent contractors, platforms are not legally bound to ensure a minimum or living wage or equivalent income, or a host of other benefits and obligations to gig workers that they would otherwise be legally obligated to provide employees. A 2018 amendment to the Labour Act does not explicitly recognise informal workers as a specific category of workers (Section 4, Bangladesh Labour Act, 2006). The 'classification of workers' list includes other non-typical forms of employment such as apprentices, seasonal workers, casual, temporary, probation, and permanent workers, but it is not clear whether gig workers (as independent contractors) fall into any of these categories.

The exclusion of platform workers from the provisions of the Labour Act has consequences for workers' ability to collectively organise and make demands. The Bangladesh Constitution respects and protects freedom of association, and the Labour Act 2006 sets out the legal process to register, assemble and demand rights. According to a report by the International Labour Organisation, the number of trade unions and their members has been on the rise in Bangladesh: in 2019, 184 federations and 8,195 sector-specific unions were part of the trade union movement (ILO RMG Programme, 2018). Around 80 per cent of these unions are concentrated in the informal economy, targeting informal workers. In the Bangladeshi gig economy, we found only one union from the ride-share sector; workers from other sectors such as food delivery are yet to create a formal union. The Industrial Relations Ordinance regulates trade union activities and prohibits certain types of formal workers, including teachers, nurses, supervisory staff and workers in export processing zones, civil service and security force employees, from organising themselves into trade unions. The ordinance does not explicitly mention or prohibit gig workers or independent contractors from unionizing (The Industrial Relations Ordinance, 1969).

Whether Bangladesh's legal frameworks support platform workers' collective representation remains unclear. For example, section 176 of the Bangladesh Labour Act, 2006 specifies that it is a right of the 'worker-employee' to form trade unions. On the other hand, the Bangladesh Labour Act requires 20 per cent of member-employee representation to form a union (Bangladesh Labour Act, 2006). Gig workers thus face a double barrier to unionisation, due to the fact that they are classified as independent contractors rather than employees by platforms, and due to the logistical difficulty in collecting signatures from 20 per cent of a platform's workforce. Some have argued that they deserve recognition and protection under the Labour Act, since they occupy a crucial portion of the country's workforce and national productivity, and provide a significant contribution to GDP (Barrister Rahman, A.G, 2021).

GIG WORKERS CAN END UP WORKING FOR UNSPECIFIED AMOUNTS OF TIME WHILE MAKING AN INCOME SIGNIFICANTLY BELOW THE LIVING WAGE.

Another issue in the existing legal framework is that there is no universal national minimum wage floor. In Bangladesh,

certain sectors and industries have assigned minimum wage policies, but overall, workers lack this guarantee. Gig workers thus have no wage floor and also no wage commitment from the employer. Gig workers therefore can end up working for unspecified amounts of time while making an income significantly below the living wage. Moreover, there is no official definition of "active time" on the platforms, so workers may often have to engage in unpaid labour to work on the platform.

Article 15 of The Constitution of Bangladesh lays out a provision for the protection of all workers' rights, affirming the responsibility of the state to provide workers with the "basic necessities of life, right to guaranteed employment, quality working conditions with rest/recreation and reasonable wage" irrespective of sector (The Constitution of Bangladesh, 1972, Article 15). Article 20 directs the state to

and poor conditions that gig workers face contradict these protections guaranteed by the Bangladeshi constitution.

THE PRECARITY, LACK OF PROTECTIONS, AND POOR CONDITIONS THAT GIG WORKERS FACE CONTRADICT PROTECTIONS GUARANTEED BY THE BANGLADESHI CONSTITUTION.

Despite these constitutional provisions, the insecurity and lack of formal recognition and rights are not limited to the platform economy in Bangladesh but are rather emblematic of wider issues in Bangladesh concerning defining, recognising, and protecting workers in informal sectors of the labour market. A study by the Bangladesh Institute of

Athikhom Saengchai/Shutterstock

consider that "work is a right, a duty and a matter of honour for every citizen who is capable, and everyone shall be paid for his work based on the principle "from each according to his abilities, to each according to his work" (The Constitution of Bangladesh, 1972, Article 20). Even with the lack of a specific policy, the precarity, lack of protections,

Labour Studies (BILS) reported that some 88 per cent of informal workers do not get appointment letters, and 82 per cent do not have citizenship identity cards (Khan, S., 2020). They may not declare their income or pay taxes, and therefore their contributions are usually excluded from the GDP.

ACCORDING TO BILS, BY EMPLOYING 86.2 PER CENT OF THE WORKFORCE, THE INFORMAL ECONOMY NEITHER COMPLIES WITH LABOUR LAWS NOR PROMOTES DECENT WORK.

According to BILS, by employing 86.2 per cent of the workforce, the informal economy neither complies with labour laws nor promotes decent work. In most cases, casual workers face vulnerabilities in the workplace resulting from their lack of legal coverage; some 61 per cent of the youths in the study reported job dismissal without prior notice (Khan, S., 2020). As this year's Fairwork report shows, these issues extend to the platform economy, as platforms continue to attempt to incorporate certain forms of informal work into the gig model without providing their workforce full employee recognition. The government's lack of political will, policy action and commitment to supporting informal workers has a directly negative impact on platform workers, which platforms take advantage of.

Fairwork Bangladesh Scores 2022

Minimum standards of fair work

Platform	Score										
Chaldal	03 /10	●	●	●	○	○	○	○	○	○	○
Hellotask	03 /10	●	●	●	○	○	○	○	○	○	○
Sheba	03 /10	●	●	●	○	○	○	○	○	○	○
Uber	02 /10	●	●	○	○	○	○	○	○	○	○
Foodpanda	01 /10	●	○	○	○	○	○	○	○	○	○
Pathao	01 /10	●	○	○	○	○	○	○	○	○	○
Obhai	0 /10	○	○	○	○	○	○	○	○	○	○
HungryNaki	0 /10	○	○	○	○	○	○	○	○	○	○
Truck Lagbe	0 /10	○	○	○	○	○	○	○	○	○	○

Scoring League Table

The scores in this report are based on data gathered using the Fairwork Framework as laid out in the Methodology section. After desk research was conducted, at least six workers from each of the nine platforms were interviewed, and additional evidence was gathered from the platform management representatives who were willing and able to collaborate.[1] For each principle, a platform can be awarded 1 point for the first threshold and 1 point for the second threshold, accumulating to a total of 10 points. Second points are only awarded if the first points are granted. The Appedix provides further details of the evidence used to score each point and how data was gathered.

The breakdown of scores for individual platforms can be seen on our website:
**www.fair.work/bd**

Explaining the scores

Fair Pay

Platforms that ensure workers are paid at least the local minimum wage after work-related expenses are subtracted from workers' earnings can meet this threshold.

The average income of the 91 platform workers we interviewed is BDT 96 (USD 0.96) per hour, which is above the threshold minimum wage equivalent income of BDT 50 (0.49) per hour. The lowest net hourly income is negative BDT 65 (USD 0.64) and the highest is BDT 500 (4.92). Our analysis found that nearly two-thirds of the gig workers interviewed for this report earned above minimum wage equivalent income. Two platforms, Hellotask and Sheba, were able to score points for minimum wage equivalent income, but no platforms were able to provide evidence that they guarantee living wages to all their workers. The average monthly income is BDT 16,466 (USD 162.12). In this study, there are three platforms where none of the workers interviewed earned a living wage. However, in the case of one platform (Sheba), the overwhelming majority of the interviewed workers received above the living wage threshold income.

Bangladesh has no legally enforced minimum or living hourly wage policies in place; as such platforms have no legal obligation to ensure a certain wage floor. This practice was reflected in all the platforms, with their lack of a wage guarantee. However, on some platforms, some workers were found to make wages higher than the minimum or even living wage equivalent income. Even then, variations in earnings between workers exist within the platforms themselves.
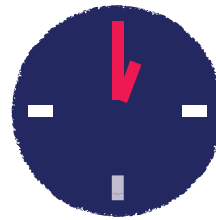
Fair Conditions

Platforms that show that they are aware of workers' risks and provide steps to mitigate them can meet this point.

Most platforms evidenced some awareness of the risks associated with the work, but policies varied. As such, most platforms rolled out basic safety features such as location tracking and providing basic safety equipment, but the majority of the workers interviewed did not receive any safety training or support. Few platforms were able to mitigate all the work-related risks that workers reported in the interviews, though Chaldal, Hellotask, and Pathao were able to provide evidence of best practices and policy processes to ensure worker safety. However, there was a lack of safety net reported by workers, as many platforms do not provide sick leave, insurance, or other mechanisms of coverage for income loss. Hence, no platforms scored a point for principle 3.2.

While there were a number of significant efforts by almost all platforms to help their workers during the pandemic, these were generally ad hoc, and contested when verified against workers' testimonies. 81 of the 91 gig workers we interviewed (89%) reported that they feared for their safety and security while doing their gigs. Four platforms reported that they were developing an insurance policy for their workers, of which two were able to provide evidence of their ongoing efforts with an insurance company.

Fair Contracts

For platforms to meet this point, they must demonstrate that the contract or terms and conditions are clear and accessible to all workers.

The workers we interviewed faced some ambiguity regarding the terms and conditions of work and their contract status. Workers of three platforms (Chaldal, Sheba, and Uber) were found to receive contracts clearly outlining their terms and conditions, and which were readily accessible in the local language. Workers we interviewed generally recalled agreeing to terms and conditions while signing up to the platform. No evidence was found for other platforms regarding the contracts that they provide workers.
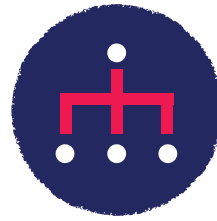
Fair Management

To meet this point, platforms must demonstrate that workers are not arbitrarily deactivated, and that there is an avenue for workers to meaningfully appeal disciplinary actions.

Almost every gig worker said they felt no discrimination by their employer when offering gigs. However, workers from seven of the nine platforms evaluated this year felt they were not supported when seeking redressal for arbitrary penalisation and deactivation. The workers we interviewed from Hellotask, Sheba, and Obhai reported that they did not face deactivation from the platform. However, in other platforms, workers faced deactivation and, in some cases, were notified about deactivation through an automated system without human consultation.One platform, Pathao, actively recruits transgender communities and women as gig workers.

All the workers we interviewed reported having access to a human-based support system, either through the app or a helpline, that served as the contact point for mitigating all work-related issues. However, the efficacy and reliability were challenged by many workers during the interviews. Four platforms (Chaldal, Sheba, Foodpanda, Uber) were found to have a reliable mechanism that workers could use to raise issue about decisions that affect them and were therefore awarded a point for principle 4.1.

Fair Representation

For platforms to get this point, platforms should assure freedom of association and the expression of collective worker voice.

There is just one active trade union in the Bangladeshi gig economy, for the rideshare sector. Even then, no platform has recognized any worker collective action body or has in place mechanisms of democratic governance. Foodpanda was the only platform to demonstrate that it has mechanisms in place where workers can come in to file their grievances in a group setting through a townhall.

Hafiz Johari/Shutterstock

Hellotask

Commencing operations in 2017, Hellotask is a relatively new startup that applies the gig model of digital labour platforms to domestic work. Through their app the company connects customers with domestic workers to provide services such as cleaning, cooking, and caregiving on demand.

It is a unique platform in the Bangladeshi context as the entirety of its workforce is comprised of women. In partnership with different development organisations such as Oxfam and BRAC, Hellotask aims to train and provide jobs for 100,000 domestic workers by 2025, in an effort to formalize previously informal work.

Principle 1: Fair Pay	● Ensures workers earn at least the local minimum wage after costs (one point)	○ Ensures workers earn at least a local living wage after costs (one additional point)	1
Principle 2: Fair Conditions	● Mitigates task-specific risks (one point)	○ Provides a safety net (one additional point)	1
Principle 3: Fair Contracts	○ Provides clear and transparent terms and conditions (one point)	○ Ensures that no unfair contract terms are imposed (one additional point)	●
Principle 4: Fair Management	● Provides due process for decisions affecting workers (one point)	○ Provides equity in the management process (one additional point)	1
Principle 5: Fair Representation	○ Assures freedom of assoc-iation and the expression of collective worker voice (one point)	○ Supports democratic governance (one additional point)	●

Maximum possible Fairwork Score ⊚ Fairwork **03** /10

In Bangladesh, domestic workers are amongst the most vulnerable in the workforce . Domestic work is primarily undertaken by women from deprived socioeconomic backgrounds and in most cases, there is no training. There is also usually no formalization of work through a contract. They are often underpaid, and subject to abuse and harassment. Domestic workers also tend to be from demographics that have limited access to the internet and other digital technologies (Ghose 2021).

Hellotask aimed to bring the platform model to this sector, and has therefore had to figure out how to navigate these challenges. Onboarding and training workers can be difficult, as the target worker demographic is generally residents of slums, with little formal education. Hellotask adapted to this challenge by deploying agents in some of the slums to directly approach and recruit the women living there. Workers are provided with some training on how to work on the platform. This includes training that helps develop domestic work skills and also general risk awareness training. Since the worker demographic does not generally use smartphones, Hellotask adapted by having a strong call center that essentially performs the role of the app in a typical gig platform. This includes accepting orders that come in through the customer app, calling the worker to give detailed instructions about the nature of the gig, and acting as the channel through which workers resolve all their work-related issues. This might raise concerns about a human bias in the system of work assignment and requires more investigation. However, Hellotask is pushing for its workers to move towards digitalization, and provides an additional 10% commission to any workers who learn to use their app.

There is evidently a knowledge gap among HelloTask workers. HelloTask provides both instant and package services to customers, and in both cases, the platform takes 15% of the payment as their commission. However, the workers we spoke to were not aware of the exact commission taken by the platform, even though some of them knew it existed. Workers were also largely unaware of the sick leave policy. HelloTask provides two days of sick leave per month. This is, however, an earned leave, as workers must work for the first three months without any leave (apart from weekends) to gain this.

Domestic workers in general face security issues while working in different customers' houses. HelloTask has a policy on Protection from sexual exploitation and Abuse (PSEA) to protect their workers. Again, the workers we interviewed seemed not to be entirely aware of this policy. That said, most of the workers we spoke to reported a good experience in communicating with the platform and have not faced any disciplinary issues.

HelloTask does not currently offer health insurance benefits, but this will be included in the policy in the future according to its security policy. Through this, those domestic workers who work for an average of 70 hours per month for three months with HelloTask will be covered by health insurance. 50% of the medical expenses of any domestic worker who falls ill in the workplace will be covered under this benefit. HelloTask may improve their scores next year if they can minimize the information gap among their workers, and further train them in awareness of their situation.

The Solidarity Center

Workers' Stories

Seam Alam* (Trucklagbe)

Seam Alam was unable to continue with his studies after finishing his secondary education. Faced with financial constraints, he was forced to enter the workforce at a young age. He found truck driving to be a lucrative choice and eventually began working as a truck driver in Dhaka. However, his income as an independent truck driver was not enough to lead a decent life since he always struggled to secure enough jobs. So, when he came to know about 'Truck Lagbe' a few years back through advertisements and a company agent, he was immediately interested.

Trucklagbe is an online platform that lets customers book delivery trucks through an app that connects them with a truck driver. Seam was drawn to the platform as he thought it would be a great source of additional income. Now, some years after joining the platform, he is uncertain about what was advertised about working at Trucklagbe. He told us: "Trucklagbe is not always fair with how trips are assigned. Fares that are shown on the app are often lower than what is actually paid by the customer. Drivers with higher ratings are always prioritized so others are quite often denied trips. This is quite discouraging, and I prefer to ride on *khaep* (solo trip) if I get the chance".

When he joined the platform, Seam had an advantage over most of his co-workers of actually owning his truck—many of the workers on the platform work for an intermediary instead. However, as the owner of the truck, Seam must bear all the expenses for completing the trips. This includes fuel costs, mobile data packages, commissions to the platform, and even bribes and fees to officials to park his truck.

With the meagre income that he makes, he is barely able to cover his costs, and ends up making a net hourly wage that is lower than the minimum wage.

Seam says that the conditions in the platform are not favourable for the worker and that there are no fringe benefits. He told us that customers' behaviours often led to higher costs: "Often, I am worried whether a customer would really use this trip till the end, or after reaching pickup point, they would cancel the trip. And I would have to bear a loss since Truck Lagbe does not have any policies for it(...) Sometimes a customer wants to go a few kilometres more from their actual destination. However, I do not get any payment for the additional distance covered. Because the app does not show an extra charge for that."

Seam said that there is no safe place to rest after reaching the destination after long hours on the road. He feels that Trucklagbe should provide workers with rest stops to get refreshed during work.He also expressed concerns with the platform's management. He often received late payments from TruckLagbe and the platform is unresponsive when he calls them after 5 pm for any assistance. This is due to the platform's office hours, but he feels that truck drivers may need assistance even after office hours, and that support should be available. He also complained about being deactivated without notice. Seam wants the platform to treat workers fairly and not just prioritize its customers.

Samiha Begum* (Sheba)

For the past 15 years, Samiha Begum has lived in Dhaka with her family. She is the only member of her family to earn a wage, and has been working in a beauty salon for many years. However, she struggles to get enough customers. She heard about Sheba XYZ, one of the largest gig-work platforms for household tasks, from one of her relatives. Samiha started providing beauty services through the platform at customers' houses. She was drawn to this platform because it offers freedom and convenient work opportunities: "I can work whenever I want rather than sitting idly and I do not need to take the hassle of finding customers myself. Sheba provides me customers whenever there is available work, or I want to do it."

However, being a platform worker comes with its own challenges. For instance, there are always security issues for such workers because they need to go to new places and among new people to work. As Samiha told us: "Once a man who booked a salon service for his wife started to force me to have lunch with him outside instead of taking me inside the building to the customer."

Fortunately, Samiha was able to escape that situation and later informed the platform about the incident. The platform warned the man not to disturb her or cause any issues to their workers in future. As a safety measure, the national emergency helpline is set in the Sheba worker app for any emergency. Moreover, their call centre is always active for the workers if they need any assistance. Workers of Sheba XYZ deal with dynamic risks and need different support in different verticals. For instance, workers who do AC servicing and those who provide plumbing and sanitary services face different issues and need different types of protective gear.

As a Sheba worker, Samiha earns well despite the lack of a minimum wage guarantee. But she needs to spend a good portion of her income to buy cosmetic items and other accessories in order to provide her beauty and salon services. This adds to the existing costs of work such as transport costs, mobile data plans, and platform commission. She needs to bear all the costs alone. However, Samiha financed her initial investment to buy necessary accessories for performing her gigs by taking a loan from the Sheba XYZ platform. It took her around eight months to recover her first investment.

Samiha is happy that she can exercise her freedom and flexibility while choosing her work for Sheba. But even despite working for 42 hours per week, which is more than standard full-time, she does not get any sick leave or pay like full-time employees. She would like the platform to provide its workers with sick leave and maternity leave and pay. When asked what her alternative to working for Sheba would be, she said she would go back to work for a beauty salon, though she would still prefer to work for Sheba, given the greater opportunities and flexibility.

*Names changed to protect worker identity

Khaep: Going solo in the Gig Economy

In the busy intersections of Dhaka, a mass of motorcyclists congregating at the periphery is now a common sight. Most appear to be waiting, and can be seen asking the people walking past if they want a lift to wherever they're needing to go.

What may seem to be an unremarkable solicitation by enterprising motorcyclists is intriguing for one reason—these motorcyclists all happen to be current or former gig workers, who might be active on one or more platform apps while also actively looking to get customers for themselves—by bypassing the app-based service delivery model.

The rideshare platform economy is built on mitigating the imperfect information that exists between the demand and supply side. Workers who are willing to provide a service lack the ability to directly connect with customers who want to obtain that service. Platforms offer a neat and profitable solution to this problem of supply and demand. In Bangladesh, however, the platform model has come under scrutiny over concerns for the well-being of the workers engaged in platform work. As discussed above in the legal background section, gig workers already suffer from the ambiguity surrounding the legal classifications and protections in the platform economy. Last year's Fairwork Bangladesh report also uncovered the concerning phenomenon of "platform debt", where workers continue working in the gig economy despite their platform income being lower than their total costs associated with working for the gigs. In some cases, the only way workers can participate in the gig economy is through leasing an asset from an informal intermediary. Depending on a rent-seeking third party in this way can further diminish the incomes of gig workers, pushing them further towards platform debt.

WORKERS IN THE RIDESHARE SECTOR ARE PUSHING BACK AGAINST THE CONTROL THAT THE PLATFORM HAS OVER THEIR TERMS OF WORK. THIS IS DONE BY TAKING TRIPS ON "KHAEP"—THAT IS, RIDERS OFFERING TRIPS TO CUSTOMERS DIRECTLY, WITHOUT USING THE APP AS A MEDIUM.

Taking all these issues into consideration, many gig workers in Bangladesh feel that they have been pushed to a point where they have to challenge the gig model as it currently stands. Workers in the rideshare sector, for example, are pushing back against the control that the platform has over their terms of work. This is done by taking trips on "*Khaep*"—that is, riders offering trips to customers directly, without using the app as a medium. This can be understood as the worker "going solo" and removing their reliance on the app, by soliciting and providing services all by themselves. In doing so, the central role of the platform in facilitating the rideshare industry is being undermined. Workers can "go *khaep*" in a number of different ways. The most apparent is where workers gather at busy intersections in the city and wait to find interested customers. Once a prospective customer

Yasin Hasan/Shutterstock

appears, a negotiation begins. As many workers are gathered in any particular setting, pricing for each trip is competitive, with prospective customer able to shop around for the lowest fare. Ultimately, a price is agreed upon that is often lower than would be offered through a rideshare app.

Another form of *khaep* actually relies on the platform, and violates its rules more explicitly. In this model, the worker is connected with a customer via the platform app, and accepts the trip according to the terms set by the algorithm. however, once the worker is with the customer, the worker will ask the customer to cancel the trip request, with the promise that the worker will take the customer to wherever they wish to go for the fare amount that appeared on the customer's app. The worker may even offer a small discount to motivate the customer to accept their offer to go *khaep*. While the decision to go on *khaep* or through the platform ultimately depends on the customer,- the worker will be using the app to connect with customers but will then try to deny the platform the chance to mediate the transaction—and thus avoid being charged a commission that can range from 10-30%, depending on the platform.

The third form of *khaep* that we have observed is a hybrid, where workers complete any trips secured through an app, but also go solo whenever they get the chance to independently solicit a trip.

These forms of *khaep* are not mutually exclusive, of course. Most workers who go solo usually engage in all the different ways of *khaep* and also rely on the apps for trips when they have to. Going *khaep* is therefore not a full substitute for platform work,indeed, workers still depend on platforms to complement and even sustain their *khaep* work.

GOING SOLO GIVES WORKERS AN ADDED LAYER OF FLEXIBILITY AS THEY HAVE ABSOLUTE CONTROL OVER THE FARE, DESTINATION, AND WORKING HOURS, AND ARE NOT DEPENDENT ON GOOD RATINGS FROM CUSTOMERS

Workers are driven to the *khaep* model for multiple reasons. Often, these workers are former gig workers who are disgruntled by the working conditions, terms of work, and overall income that they can make from working

through the platform. The commission that platforms charge is deemed too high, and workers struggle to meet their costs and make a sufficient income. Moreover, going solo gives workers an added layer of flexibility as they have absolute control over the fare, destination, and working hours, and are not dependent on good ratings from customers. Finally, workers are not beholden to the platform's policies regarding pay—there is no delay in receiving digital payment as customers can transfer directly, and workers do not have to worry about any financial penalties they may face for rules violations under the platform. *Khaep* offers gig workers autonomy and flexibility in ways platform work could never do.

GOING KHAEP IS SIMPLY A REVERSAL OF THE EFFECT THAT THE GIG ECONOMY HAS HAD ON FORMALIZING AND LEGITIMIZING THE INFORMAL OPERATIONS OF A SECTOR THAT HAS BEEN AROUND FOR A LONG TIME IN BANGLADESH

In certain ways, this phenomenon may not appear as radically new. In essence, going *Khaep* is simply a reversal of the effect that the gig economy has had on formalizing and legitimizing the informal operations of a sector that has been around for a long time in Bangladesh. The *Khaep* model of congregating in intersections has always been common amongst local rickshaws and autorickshaws— vehicles that often operate without proper licensing and regulation and which are not as integrated into the rideshare platform ecosystem as other vehicles. The novelty of the *khaep* model comes from the fact that the workers who engage in it are former and current gig workers who still maintain some sort of relationship with the platform, and depend on it for work.

For customers too, *khaep* can offer benefits too. As gig workers gather at busy intersections in the streets, customers may find it easier to go up to the workers and get their service directly rather than waiting to be connected to a driver via an app and then waiting for them to show up. During rush hour, it can be difficult to connect with riders through a platform app as there may not be enough riders to meet the demand. Again, *khaep* offers a reliable solution, as customers would know where riders

congregate in their area and can therefore just go up to them. Finally, as the price for rides is not determined by an algorithm, the rides under *khaep* are open to bargaining and can be cheaper than those offered through an app. Moreover, as many workers can gather in a given area, customers have the privilege of shopping around and choosing the cheapest ride.

Going *khaep*, however, is not without risks for both the rider and the customer. There is no verification of the rider or customer and therefore no guarantee of their identity and credentials. As there is no app, there is no live tracking option for the ride and no panic button or call center that can readily be accessed. Essentially, there is no guarantee of security for either the customer or the rider. Furthermore, price models under *khaep* can be ambiguous, as there is no standard for determining the fare. Workers and customers reach an agreement through bargaining, and both can be at risk of financial loss through the transaction.

NO SPECIFIC ACTION AGAINST THE KHAEP MODEL HAS BEEN OBSERVED YET. BUT IF IT PERSISTS AND PROLIFERATES, PLATFORMS WILL HAVE NO CHOICE BUT TO RESPOND AND ADAPT TO IT.

The *khaep* model is now a reality of the rideshare sector in Bangladesh, and workers and customers alike are coming to depend on it. *Khaep* represents a fundamental shift away from the operations of the rideshare sector, and challenges the very set up of the gig model. Despite this, the response of platforms seems ambiguous, and no specific action against the *khaep* model has been observed yet. But if it persists and proliferates, platforms will have no choice but to respond and adapt to it.

Pathways of Change

This is the second year of publishing an annual Fairwork rating for Bangladeshi platforms. Over the past year, we have observed some meaningful changes in the labour standards in the gig economy, and this can be seen in the platform ratings for this year. Moreover, the Bangladesh research team has engaged with a wide range of stakeholders, from platforms to research organizations to media outlets, who have been sensitized to the different aspects of platform work in Bangladesh.
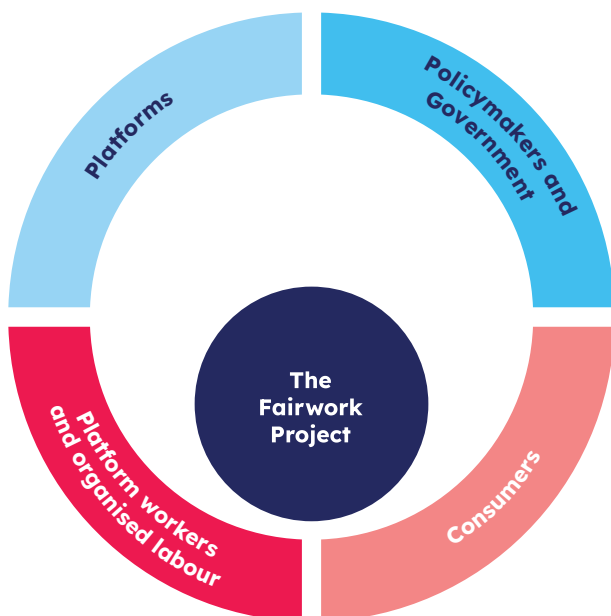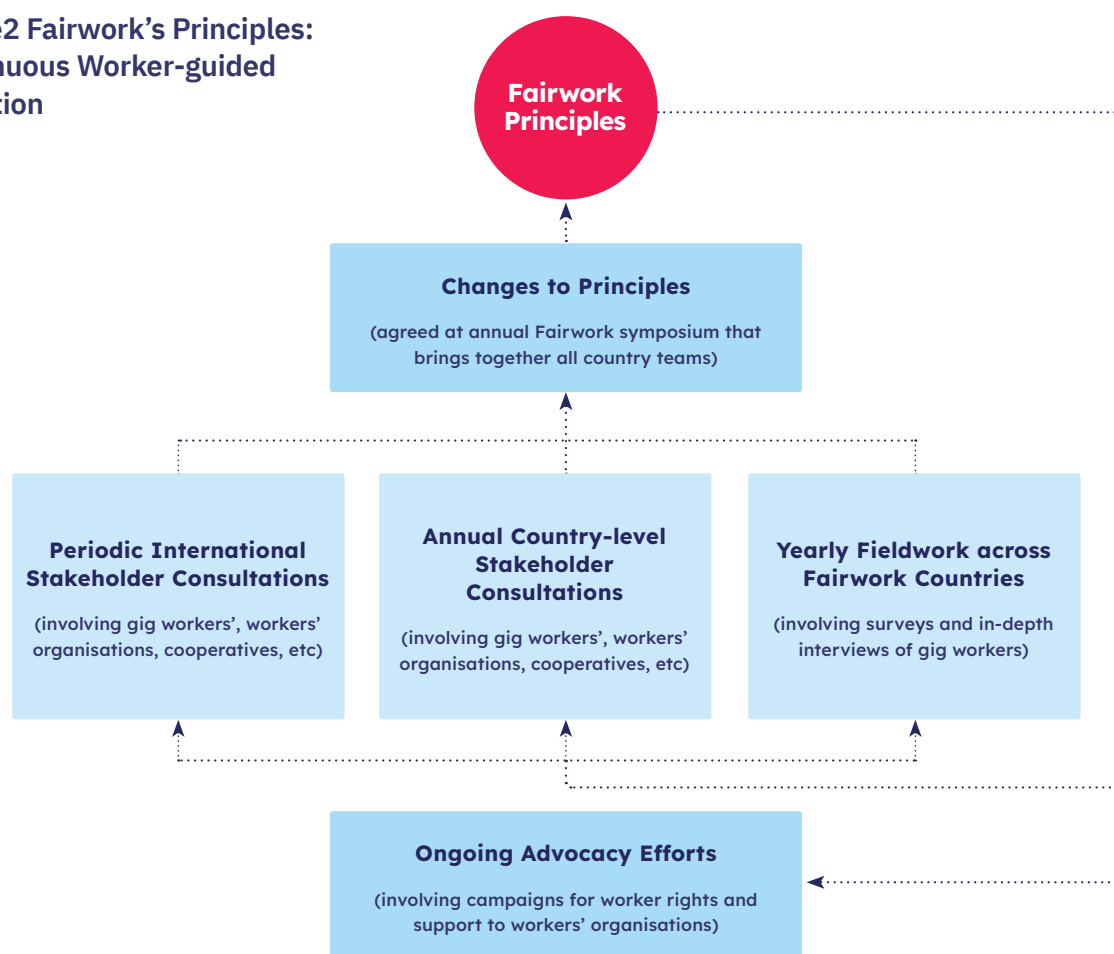
Fairwork's theory of change relies on a humanist belief in the power of empathy and knowledge. By using the information that Fairwork's research reveals, customers will have the chance to think critically about the platform services they use. Our yearly ratings give consumers the ability to choose the highest scoring platform operating in a sector; it is our hope that customers will prioritize using platforms with higher scores. This will thus contribute to putting pressure on platforms to improve their working conditions and their scores. In this way, we leverage consumer solidarity with workers' allies in the fight for fairer working conditions. Beyond individual consumer choices, our scores can help inform the procurement, investment and partnership policies of large organisations. They can serve as a reference for institutions and companies who want to ensure they are supporting fair labour practices. In this regard, we see four pathways to change (Figure 1).

Figure 1: Pathways of Change

Figure2 Fairwork's Principles: Continuous Worker-guided Evolution

```
                        ┌─────────────────┐
                        │    Fairwork     │
                        │   Principles    │
                        └─────────────────┘
                                 ▲
                    ┌────────────────────────────┐
                    │   Changes to Principles     │
                    │  (agreed at annual Fairwork │
                    │  symposium that brings      │
                    │  together all country teams)│
                    └────────────────────────────┘
                                 ▲
        ┌──────────────┐  ┌──────────────┐  ┌──────────────┐
        │   Periodic   │  │    Annual    │  │    Yearly    │
        │ International│  │Country-level │  │  Fieldwork   │
        │  Stakeholder │  │ Stakeholder  │  │   across     │
        │Consultations │  │Consultations │  │   Fairwork   │
        │              │  │              │  │  Countries   │
        │(involving gig│  │(involving gig│  │(involving    │
        │workers',     │  │workers',     │  │surveys and   │
        │workers'      │  │workers'      │  │in-depth      │
        │organisations,│  │organisations,│  │interviews of │
        │cooperatives, │  │cooperatives, │  │gig workers)  │
        │etc)          │  │etc)          │  │              │
        └──────────────┘  └──────────────┘  └──────────────┘
                ▲               ▲                ▲
                    ┌────────────────────────────┐
                    │   Ongoing Advocacy Efforts  │
                    │  (involving campaigns for   │
                    │  worker rights and support  │
                    │  to workers' organisations) │
                    └────────────────────────────┘
```

Our most direct pathway to improving working conditions in digital labour platforms in Bangladesh is by engaging directly with platforms. Many platforms are aware of our research, and some are eager to improve their performance by engaging with us more directly. For example, Foodpanda, Hellotask, and Sheba have all engaged with us by providing detailed information about their policies and evidence of their effects on workers. Hellotask in particular has recognized their own shortcomings and has committed to enacting major policy changes through the next year. We will work closely with them to help draft new policies.

Finally, the project has been pushing for change by collaborating with stakeholders to spread awareness about the labour conditions in the gig economy and promote the Fairwork Principles. The findings of the 2021 report were shared at an academic conference in Dhaka on "Digitalization and New Frontiers of Service Delivery: Opportunities and Challenges" where the working conditions and structural challenges of the gig economy in Bangladesh were discussed. Moreover, in order to promote the Fairwork Pledge, many organizations were directly approached and made aware

of the activities of Fairwork. A workshop has been planned where more organizations will be invited to join the Fairwork Pledge and participate in suggesting pathways for improvement. Finally, partnerships have been made with the Bangladesh Institute of Labour Studies, a prominent labour research think tank, and The Business Standard, a business daily, to do advocacy based on the Fairwork project's findings.

There is nothing inevitable about poor working conditions in the platform economy. Notwithstanding their claims to the contrary, platforms have substantial control over the nature of the jobs that they mediate. Workers who find their jobs through platforms are ultimately still workers, and there is no basis for denying them the key rights and protections that their counterparts in the formal sector have long enjoyed. Our scores show that the platform economy, as we know it today, already takes many forms, with some platforms displaying greater concern for workers' needs than others. This means that we do not need to accept low pay, poor conditions, inequity, and a lack of agency and voice as the norm. We hope that our work – by highlighting the contours of today's platform economy – paints a picture of what it could become.

The Fairwork Pledge

As part of this process of change, we have introduced the 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. 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. We are pleased to announce that we have three official Fairwork Supporters and Partners in Bangladesh: the Bangladesh Institute of Governance and Development, the Economics Study Group, and the South Asian Network of Economic Modelling. A public workshop is being planned to further promote the Fairwork Pledge and invite more organization to sign it.

More information about the pledge and how to sign up is available at **www.fair.work/pledge**

Fairwork Scoring System

Which companies are covered by the Fairwork principles?

The International Labour Organisation (ILO) defines a "digital labour platform" as an enterprise that mediates and facilitates "labour exchange between different users, such as businesses, workers and consumers"[2]. That includes digital labour "marketplaces" where "businesses set up the tasks and requirements and the platforms match these to a global pool of workers who can complete the tasks within the specified time"[3]. Marketplaces that do not facilitate labour exchanges—for example, Airbnb (which matches owners of accommodation with those seeking to rent short term accommodation) and eBay (which matches buyers and sellers of goods)—are obviously excluded from the definition. The ILO's definition of "digital labour platform" is widely accepted and includes many different business models[4]

Fairwork's research covers digital labour platforms that fall within this definition that aim to connect individual service providers with consumers of the service through the platform interface. Fairwork's research does not cover platforms that mediate offers of employment between individuals and employers (whether on a long-term or on a temporary basis).

Fairwork distinguishes between two types of these platforms. The first, is 'geographically-tethered' platforms where the work is required to be done in a particular location such as delivering food from a restaurant to an apartment, driving a person from one part of town to another or cleaning. These are often referred to as 'gig work platforms'. The second is 'cloudwork' platforms where the work can, in theory, be performed from any location via the internet.

The thresholds for meeting each principle are different for location-based and cloudwork platforms because location-based work platforms can be benchmarked against local market factors, risks/harms, and regulations that apply in that country, whereas cloudwork platforms cannot because (by their nature) the work can be performed from anywhere and so different market factors, risks/harms, and regulations apply depending on where the work is performed.

The platforms covered by Fairwork's research have different business, revenue and governance models including employment-based, subcontractor, commission-based, franchise, piece-rate, shift-based, and subscription models. Some of those models involve the platforms making direct payments to workers (including through sub-contractors).

How does the scoring system work?

The five Principles of Fairwork 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 meetings with local stakeholders.

Each Fairwork Principle is divided into two thresholds. Accordingly, for each Principle, the scoring system allows the first to be awarded corresponding to the first threshold, and an additional second point to be awarded corresponding to the second threshold (see Table 1). The second point under each Principle can only be awarded

if the first 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 ten points. Fairwork scores are updated on a yearly basis; the scores presented in this report were derived from data pertaining to the 12 months between January 2021 and January 2022, and are valid until December 2022.

Table 1 Fairwork: Scoring System

Principle	Threshold 1	Threshold 2	Points
Principle 1: Fair Pay	Ensures workers earn at least the local minimum wage after costs	Ensures workers earn at least a local living wage after costs	2
Principle 2: Fair Conditions	Mitigates task-specific risks	Provides a safety net	2
Principle 3: Fair Contracts	Provides clear and transparent terms and conditions	Ensures that no unfair contract terms are imposed	2
Principle 4: Fair Management	Provides due process for decisions affecting workers	Provides equity in the management process	2
Principle 5: Fair Representation	Assures freedom of assoc-iation and the expression of collective worker voice	Supports democratic governance	2

Maximum possible Fairwork Score Fairwork **10** /10

Principle 1: Fair Pay

1.1 Ensures workers earn at least the local minimum wage after costs (one point)

Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance, and maintenance on a vehicle[5]. Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage[6]. Workers also absorb the costs of extra time commitment, when they spend time waiting or travelling between jobs, or other unpaid activities necessary for their work, which are also considered active hours[7]. To achieve this point platforms must ensure that work-related costs do not push workers below local minimum wage

The platform takes appropriate steps to ensure:

- Workers earn at least the local minimum wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs[8].

1.2 Ensures workers earn at least a local living wage after costs (one additional point)

In some places, the minimum wage is not enough to allow workers to afford a basic but decent standard of living. To achieve this point platforms must ensure that work-related costs do not push workers below local living wage.

The platform takes appropriate steps to ensure:

- Workers earn at least a local living wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs[9] [10].

Principle 2: Fair Conditions

2.1 Mitigates task-specific risks (one point)

Platform workers may encounter a number of risks in the course of their work, including accidents and injuries, harmful materials, and crime and violence. To achieve this point platforms must show that they are aware of these risks and take steps to mitigate them.

The platform must satisfy the following:

- There are policies or practices in place that protect workers' health and safety from task-specific risks [11].

- Platforms take adequate, responsible and ethical data protection and management measures, laid out in a documented policy.

2.2 – Provides a safety net (one additional point)

Platform workers are vulnerable to the possibility of abruptly losing their income as the result of unexpected or external circumstances, such as sickness or injury. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control. However, platform workers usually don't qualify for protections such as sick pay, because of their independent contractor status. In recognition of the fact that most workers are dependent on income they earn from platform work, platforms can achieve this point by ensuring that workers are compensated for loss of income due to inability to work.

The platform must satisfy BOTH of the following:

- Platforms take meaningful steps to ensure that workers are compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.

- Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.

Principle 3: Fair Contracts

3.1 Provides clear and transparent terms and conditions (one point)

The terms and conditions governing platform work are not always clear and accessible to workers[12]. To achieve this point, the platform must demonstrate that workers are able to understand, agree to, and access the conditions of their work at all times, and that they have legal recourse if the other party breaches those conditions.

The platform must satisfy ALL of the following:

- The party contracting with the worker must be identified in the contract, and subject to the law of the place in which the worker works.

- The contract is communicated in full in clear and comprehensible language that workers could be expected to understand.

- The contract is accessible to workers at all times.

- Every worker is notified of proposed changes in a reasonable timeframe before changes come into effect; and the changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.

3.2 – Ensures that no unfair contract terms are imposed (one additional point)

In some cases, especially under 'independent contractor' classifications, workers carry a disproportionate amount of risk for engaging in a contract with the service user. They may be liable for any damage arising in the course of their work, and they may be prevented by unfair clauses from seeking legal redress for grievances. To achieve this point, platforms must demonstrate that risks and liability of engaging in the work is shared between parties.

Regardless of how the the contractual status of the worker is classified, the platform must satisfy BOTH of the following:

- Takes appropriate steps to ensure that the contract does not include clauses which exclude liability for negligence nor unreasonably exempt the platform from liability for working conditions.

- Takes appropriate steps to ensure that the contract does not include clauses which prevent workers from effectively seeking redress for grievances which arise from the working relationship.

Principle 4: Fair Management

4.1 Provides due process for decisions affecting workers (one point)

Platform workers can experience arbitrary deactivation; being barred from accessing the platform without explanation, and potentially losing their income. Workers may be subject to other penalties or disciplinary decisions without the ability to contact the service user or the platform to challenge or appeal them if they believe they are unfair. To achieve this point, platforms must demonstrate an avenue 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 a contract and available on the platform interface. Platforms should respond to workers within a reasonable timeframe.

- There is a process for workers to meaningfully appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. This process is documented in a contract and available on the platform interface[13].

- In the case of deactivations, the appeals process must

be available to workers who no longer have access to the platform.

- Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.

4.2 – Provides 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 in their design and management. For example, there is a lot of gender segregation between different types of platform work. To achieve this point, platforms must show not only that they have policies against discrimination, but also that they seek to remove barriers for disadvantaged groups, and promote inclusion.

Platforms must satisfy ALL of the following:

- There is a policy which ensures the platform does not discriminate on grounds such as race, social origin, caste, ethnicity, nationality, gender, sex, gender identity and expression, disability, religion or belief, age or any other status.

- Where persons from a disadvantaged group (such as women) are significantly under-represented among a pool of workers, it seeks to identify and remove barriers to access by persons from that group.

- It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief.

- If algorithms are used to determine access to work or remuneration or the type of work and pay scales available to workers seeking to use the platform, these are transparent and do not result in inequitable outcomes for workers from historically or currently disadvantaged groups.

- It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.

- It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief.

- If algorithms are used to determine access to work or remuneration, these are transparent and do not result

in inequitable outcomes for workers from historically or currently disadvantaged groups.

- It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.

Principle 5: Fair Representation

5.1 Assures freedom of association and the expression of worker voice (one point)

Freedom of association is a fundamental right for all workers, and enshrined in the constitution of the International Labour Organisation, and the Universal Declaration of Human Rights. The right for workers to organise, collectively express their wishes – and importantly – be listened to, is an important prerequisite for fair working conditions.

However, rates of organisation amongst platform workers remain low. To achieve this point, platforms must ensure that the conditions are in place to encourage the expression of collective worker voice. Whether or not platforms set the terms on which workers are retained by service users, platforms must demonstrate that they have taken appropriate steps to ensure that workers are informed of their rights (and have mechanisms in place to help protect those rights) and that workers are directed to appropriate collective bodies or trade unions.

Platforms must satisfy ALL of the following:

- There is a documented mechanism for the expression of collective worker voice.

- There is a formal policy of willingness to recognise, or bargain with, a collective body of workers or trade union, that is clearly communicated to all workers [14].

- Freedom of association is not inhibited, and workers are not disadvantaged in any way for communicating their concerns, wishes and demands to the platform[15].

5.2 Supports democratic governance (one additional point)

While rates of organisation remain low, platform workers' associations are emerging in many sectors and countries. We are also seeing a growing number of cooperative worker-owned platforms. To realise fair representation, workers must have a say in the conditions of their work. This could be through a democratically governed cooperative model, a formally recognised union, or the ability to undertake collective bargaining with the platform.

The platform must satisfy at least ONE of the following:

1. Workers play a meaningful role in governing it.

2. It publicly and formally recognises an independent collective body of workers, an elected works council, or trade union.

3. It seeks to implement meaningful mechanisms for collective representation or bargaining.

BIBLIOGRAPHY

1. Bangladesh Labour Act (2006). International Labour Organization (ILO). https://ilo.org/dyn/natlex/docs/ELECTRONIC/76402/110637/F-1265526237/BGD76402%20Eng.pdf

2. Barrister Rahman, A.G, Co-founder Legal Circle, personal communication (2021, June 08)

3. Digital, B. (2021). TOWARDS A SELF-EMPLOYED ECONOMY: UNDERSTANDING THE GIG ECONOMY OF BANGLADESH. https://bbf.digital/towards-a-self-employed-economy-understanding-the-gig-economy-of-bangladesh

4. Ghosh, A 2021, "Recognizing invisible work: The women domestic workers' movement in Bangladesh", Asian Journal of Women's Studies, New Delhi

5. ILO RMG Programme (2018), Trade Unions in Bangladesh: Promoting Safe and Healthy Workplaces in the Ready-Made Garment (RMG) Sector. https://www.ilo.org/dhaka/Informationresources/WCMS_615874/lang-- en/index.htm

6. Khan, S. (2020). Pension: A dream for informal sector workers. Bangladesh Institute of Labour Studies. Dhaka

7. Shanmugavelan, M. et al (2021) Fairwork Bangladesh Ratings 2021: Labour Standards in the Gig Economy. Fairwork Foundation, Oxford https://fair.work/en/fw/publications/fairwork-bangladesh-ratings-2021-labour-standards-in-the-gig-economy/

8. The Constitution of the People's Republic of Bangladesh (1972). Article 15, Laws of Bangladesh. http://bdlaws.minlaw.gov.bd/act-367/section-24563.html#:~:text=(d)%20the%20right%20to%20social,or%20in%20other%20such%20cases

9. The Constitution of the People's Republic of Bangladesh (1972). Article 20, Laws of Bangladesh. http://bdlaws.minlaw.gov.bd/act-367/section-24563.html#:~:text=(d)%20the%20right%20to%20social,or%20in%20other%20such%20cases.

10. The Industrial Relations Ordinance (1969). International Labour Organization (ILO). https://www.ilo.org/dyn/natlex/docs/WEBTEXT/47352/65075/E69BGD01.htm

ENDNOTES

1. The Team interviewed and obtained evidence from the management of GrabFood/GrabExpress, GrabCar, and Lalamove. Meetings were also held with Foodpanda, Borzo, and Angkas but these platforms were unable to supply evidence of their policies and practices. Joyride and Transportify acknowledged our invitation for interviews and documentary requests but were unable to meet with us nor supply evidence. The Team was unable to receive a response from TokTok.

2. ILO (2021). World Employment and Social Outlook: The role of digital labour platforms in transforming the world of work. Geneva: International Labour Organization. p. 31. Available at: https://www.ilo.org/global/research/global-reports/weso/2021/WCMS_771749/lang--en/index.htm.

3. ILO 2021 report, p.107

4. De Stefano, V. (2016). The rise of the 'just-in-time workforce': On-demand work, crowdwork and labour protection in the 'gig-economy'. Geneva: International Labour Organization. p. 1 Available at: https://www.ilo.org/travail/info/publications/WCMS_443267/lang--en/index.htm.

5. Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.

6. The ILO defines minimum wage as the "minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract." Minimum wage laws protect workers from unduly low pay and help them attain a minimum standard of living. The ILO's Minimum Wage Fixing Convention, 1970 C135 sets the conditions and requirements of establishing minimum wages and calls upon all ratifying countries to act in accordance. Minimum wage laws exist in more than 90 per cent of the ILO member states.

7. In addition to direct working hours where workers are completing tasks, workers also spend time performing unpaid activities necessary for their work, such as waiting for delivery orders at restaurants and travelling between jobs. These indirect working hours are also considered

part of active hours as workers are giving this time to the platform. Thus, 'active hours' are defined as including both direct and indirect working hours.

8. In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local minimum wage after costs in their active hours; or (b) provide summary statistics of transaction and cost.

9. Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.

10. In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local living wage after costs in their active hours; or (b) provide summary statistics of transaction and cost data evidencing all workers earn a minimum wage after costs.

11. Where the platform directly engages the worker, the starting point is the ILO's Occupational Safety and Health Convention, 1981 (C155). This stipulates that employers shall be required "so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health", and that "where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health."

12. The ILO's Maritime Labour Convention, 2006 (MLC 2006), Reg. 2.1, and the Domestic Workers Convention, 2011 (C189), Articles 7 and 15, serve as helpful guiding examples of adequate provisions in workers' terms and conditions, as well as worker access to those terms and conditions.

13. Workers should have the option of escalating grievances that have not been satisfactorily addressed and, in the case of automated decisions, should have the option of escalating it for human mediation.

14. For example, "[the platform] 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."

15. See ILO (2021) World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work International Labour Office – Geneva

Credits and funding

Authors

Ananya Raihan, Raiyaan Mahbub, Jinat Jahan Khan, Matthew Cole, Murali Shanmugavelan and Mark Graham.

Fairwork Team

Daniel Abs, Pablo Aguera Reneses, Daniel Abs, Pablo Aguera Reneses, Iftikhar Ahmad, Gina Alaschkar , Maria Belen Albornoz, Luis Pablo Alonzo, Moritz Altenried, Oğuz Alyanak, Branka Andjelkovic , Thomas Anning-Dorson, Marcos Aragão, María Arnal, Arturo Arriagada, Daniel Arubayi , Tat Chor Au-Yeung, Marina Benedine, Ariane Berthoin Antal, Alessio Bertolini, Gautam Bhatia, Virgel Binghay, Richard Boateng, Manuela Bojadzijev, Macarena Bomhomme, Ameline Bordas, Maren Borkert, Álvaro Briales, Joseph Budu, Callum Cant, Rodrigo Carelli, Eduardo Carrillo, Chris King Chi Chan , Henry Chavez, Aradhana Cherupara Vadekkethil, Andrea Ciarini, Matthew Cole, Antonio Corasaniti, Pamela Custodio, Olayinka David-West, Nadia De Jesus, Luisa De Vita, Markieta Domecka, Marta D'Onofrio, Darcy du Toit, Veena Dubal, James Dunn-Willimason, Trevilliana Eka Putri, Nagham El Houssamy, Haya El Zayat, Batoul ElMehdar, Elisa Errico, Fabian Ferrari, Patrick Feuerstein, Roseli Figaro, Milena Franke, Sandra Fredman, Jackeline Gameleira, Pia Garavaglia, Beatriz Garcia, Chana Garcia, Sharon Geeling, Navneet Gidda, Shikoh Gitau, Slobodan Golusin , Saúl Gomez, Mark Graham, Markus Griesser, Rafael Grohmann, Martin Gruber-Risak, Julieta Haidar, Khadiga Hassan, Richard Heeks, Mabel Rocío Hernández Díaz, Luis Jorge Hernández Flores, Victor Manuel Hernandez Lopez, Benjamin Herr, Kelle Howson, Francisco Ibáñez, Shahidul Islam, Tanja Jakobi, Athar Jameel , Hannah Johnston, Zeynep Karlidag, Lucas Katera, Srujana Katta, Mishal Khan, Maja Kovac, Martin Krzywdzinski, Amelinda Pandu Kusumaningtyas, Arturo Lahera-Sánchez, Joy-Eveline Leeuw, Sebastian Lew, Jorge Leyton, Tatiana López Ayala, Raiyaan Mahbub, Amruta Mahuli, Melissa Malala, Oscar Javier Maldonado, Laura Clemencia Mantilla León, Claudia Marà, Paolo Marinaro, Ana Flavia Marques, Margreta Medina, Caterina Morbiato, Jamal Msami, Hilda Mwakatumbula, Baraka Mwaura, Mounika Neerukonda, Ana Negro, Sidra Nizambuddin, Thando Nkohla-Ramunenyiwa, Claudia Nociolini Rebechi, Kemi Ogunyemi, Caroline A Omware, Balaji Parthasarathy, Francesca Pasqualone, Obed Penu, Leonhard Plank, Valeria Pulignano, Jack Linchuan Qiu, Ananya Raihan, Antonio Ramírez, Juan-Carlos Revilla, Alberto Riesco-Sanz , Nabiyla Risfa Izzati, Nagla Rizk, Cheryll Ruth Soriano, Nancy Salem, Julice Salvagni , Derly Yohanna Sánchez Vargas, Maricarmen Sequera, Murali Shanmugavelan, Ruth Tarullyna Simanjuntak, André Sobczak, Shanza Sohail, Janaki Srinivasan, Zuly Bibiana Suárez Morales , David Sutcliffe, Pradyumna Taduri, Kristin Thompson, Kiko Tovar, Pitso Tsibolane, Wing Yin Anna Tsui, Funda Ustek-Spilda, Jean-Paul Van Belle, Giulia Varaschin, Eduardo Vargas, Paola Vidriana, Laura Vogel, Jing Wang, Robbie Warin and Nadine Weheba.

External scoring reviewers

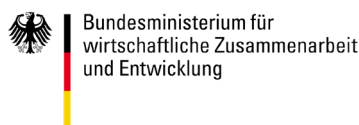Ariane Berthoin Antal and Oğuz Alyanak
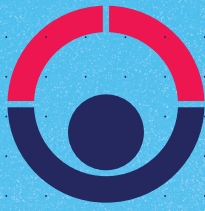
Conflict of interest statement

None of the researchers have any connection with any of the platforms and the work undertaken received no funding or support in kind from any platform or any other company, and we declare that there is no conflict of interest.

A COLLABORATION BETWEEN

FUNDED BY

Fairwork

Find out more

🔍 **fair.work**

✉️ **info@fair.work**

f **@TowardsFairWork**

🐦 **@TowardsFairWork**