



## Working Conditions in the Global Platform Economy

# Fairwork 2022 Translation & Transcription Platform Report

# Executive Summary

**The Fairwork 2022 Translation and Transcription Report assesses and scores basic standards of fairness in working arrangements on online remote translation and transcription platforms. We evaluate nine platforms according to the five Fairwork principles — fair pay, fair conditions, fair contracts, fair management, and fair representation – and assign each platform a score out of ten points.**

For each principle, a platform can be awarded up to two points, if we found enough evidence that the platform meets all relevant thresholds. The platforms studied in this report were selected based on their global reach and their position as market leaders.

As this year's scores show, in general, platforms are still not close to safeguarding the basic standards of fair work expressed in the five Fairwork principles. That said, while no platform was able to evidence that they meet all basic standards of fair work defined in the five Fairwork principles, two platforms stood out by meeting the basic standards for a majority of the principles, and achieving a relatively high score out of ten. These platforms are Translated, with eight points, and TranscribeMe,

with seven points. The next highest scoring platforms, Gengo and Lionbridge, only received two points, followed by Scribie, with one point. Four platforms (GoTranscript, Rev, Transperfect, SmartCat) did not score a single point, meaning that we did not have sufficient evidence that these platforms met the criteria for any of the five Fairwork principles.

For the two best scoring platforms, we were able to evidence that they met the Fairwork minimum thresholds with regards to (inter alia) ensuring workers were paid for completed work, mitigating precarity and labour oversupply (in the case of Translated), and work-related risks and harms to workers. Moreover, we found evidence that both platforms provide accessible and clear contracts as well as channels for





workers to appeal unfair decisions, and that they have a policy to mitigate the risk of discrimination against workers by the platform or clients.

However, for the majority of platforms scored, a lot of work remains to be done to ensure these basic standards of fair work. In particular, we were not able to award a point for fair contracts to any other platform due to the prevalence of clauses that require workers to agree to binding arbitration and to waive their right to participate in class action lawsuits, and the absence of reasonable notification periods for changes to platforms' terms and conditions. Another significant challenge in the sector remains to ensure fair pay for online translation and transcription workers: For eight out of the nine platforms, we could not evidence that the vast majority of workers earn at least their local minimum wage after costs in their active hours on the platform. Wage pressure on workers is exacerbated by global competition on these platforms and the oversupply of workers in the sector, especially following the increase in numbers of remote workers driven by the COVID-19 pandemic. As a result, pay rates on transcription and translation platforms do not allow workers to generate a decent income, especially for workers from higher income countries. On some platforms, workers spend on average one fifth of their total work time on unpaid activities such as applying or looking for jobs, which further reduces workers' net

earnings. This status quo benefits platforms and clients – a reserve pool of labour drives prices down and means orders can get fulfilled very quickly. As such, platforms often encourage this labour oversupply. To ensure fair pay and conditions – platforms should actively balance supply and demand by managing new worker sign-ups.

Lastly, across all evaluated platforms workers do not have access to fair representation and collective bargaining – a fundamental right guaranteed by the UDHR and ILO conventions. We were unable to evidence meaningful mechanisms for collective worker voice or bargaining on any platform studied. This is partly due to the regulatory void within which most cloudworkers, including online translators and transcriptionists, operate: as freelancers, these workers are usually not covered by national labour rights to collective representation and the geographical fragmentation and atomisation of workers on cloudwork platforms poses further barriers for collective organising. In this light, to ensure that workers have access to fair representation, platforms need to take proactive measures to mitigate the isolation and atomisation of workers, and to create spaces for collective dialogue and bargaining, for example with national and international associations of freelance translators.

Although there is a long way to go to reach

a scenario of platforms fully complying with minimum standards of fair work, some platforms have been adopting changes to improve working conditions, in dialogue with Fairwork. The platforms Translated and TranscribeMe have implemented additional measures to, among other things, protect workers from health and safety risks related to potentially disturbing content of audio files or documents to be transcribed or translated.

**This report focuses on translation and transcription platforms as a specific subset of cloudwork platforms, i.e. digital labour platforms for tasks that can be performed remotely. The findings and rating presented in this report are therefore part of Fairwork's cloudwork research and ratings work, which can be accessed at:**

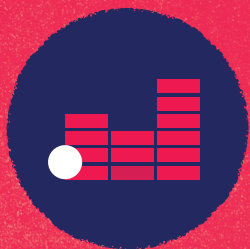
**[www.fair.work/cloudwork](http://www.fair.work/cloudwork)**

## KEY FINDINGS

As reflected in our league table, the platforms we scored remain far from realising the basic standards of fair work expressed in the Fairwork principles. These findings are reflected in the points awarded to platforms. For each principle – each having two thresholds – a maximum of two points could be achieved by each platform, if all criteria for both thresholds were met. Only platforms that were awarded the point for the first threshold of a principle (e.g. 1.1) were able to receive the point for the second threshold (e.g. 1.2).

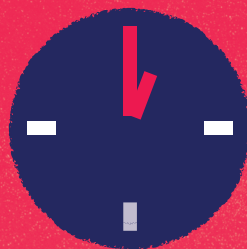
No platform was able to score all ten points, meaning that they could evidence all basic standards. However, two platforms, Translated and TranscribeMe, stood out by meeting the basic standards for at least three of the Fairwork principles. These two platforms lead this year's league table with eight and seven points, respectively. They are followed by Gengo and Lionbridge with two points each, and Scribie with one point. Four platforms (GoTranscript, Rev, Transperfect, SmartCat) did not score a single point, meaning that we did not have sufficient evidence that these platforms met the criteria for any of the five Fairwork principles.





### Fair Pay

Four platforms – Translated, TranscribeMe, Gengo and Lionbridge – were awarded a point for the threshold 1.1, based on evidence that they had systems in place to ensure that workers were paid in a timely manner for all the work they completed. Of these, only one platform, Translated, was awarded the additional point for threshold 1.2 for presenting evidence in form of aggregated earnings data which allowed us to verify that the vast majority of active translators on the platform earn at least their local minimum wage.



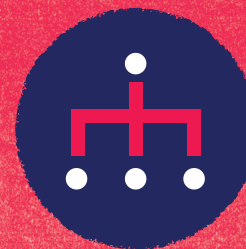
### Fair Conditions

Three platforms (TranscribeMe, Translated and Lionbridge) were awarded a point for the threshold 2.1, because we were able to evidence that these platforms take measures to avoid unreasonable levels of competition between workers, as well as overwork. These measures include restricting sign-ups of new workers as well as matching workers with jobs on the platform, thereby reducing unpaid labour time spent on looking for jobs. Of these platforms, Translated and TranscribeMe were also awarded a point for threshold 2.2, because we were able to evidence active measures to protect workers from work-related health and safety risks, such as psychological stress from exposure to explicit or disturbing content in audio files or text documents.



### Fair Contracts

Only two platforms, Translated and TranscribeMe, were awarded points for fair contracts. These platforms received points for both thresholds (3.1 and 3.2). For both platforms we could evidence that contracts are written in clear language, accessible to workers, consistent with workers' terms of engagement on the platform, and that contracts do not contain a clause requiring workers to waive their right to legal recourse.



### Fair Management

We were able to evidence that three platforms (TranscribeMe, Translated and Scribie) met all our criteria for threshold 4.1. For these platforms, we were able to verify that workers can communicate with a human platform representative and that there are officially documented and effective processes for workers to appeal decisions such as bad reviews and ratings, or disciplinary actions. Moreover, we found evidence that workers receive explanations for all punitive actions. Two of the platforms that scored a point for 4.1, TranscribeMe and Translated, received an additional point for threshold 4.2, because we were able to evidence the existence of a policy to mitigate the risk of discrimination against workers by the platform or clients.



### Fair Representation

Unfortunately, we were not able to award points for fair representation to any of the researched platforms due to a lack of evidence of dispute resolution processes in which workers have access to an independent advocate, and of platforms engaging in collective dialogue and/or bargaining with collective worker associations.



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# EDITORIAL

**Language services represent a growing segment of the global cloudwork market, that is, work that can be performed remotely via a digital work platform. With advancements in computing and connectivity, services such as translation, transcription or subtitling can easily be carried out by a globally distributed workforce**

Hence, outsourcing of language services to digital labour platforms has become increasingly popular in a wide range of sectors: transcribers working on platforms help law firms to transcribe court cases, turn recordings from medical consultations into written records for documentation purposes, document emergency calls for local authorities, or generate minutes for business meetings. Transcription is also vital for academia: interviews or other audio research data sources need to be transcribed for analysis and publication. The same goes for translation: global businesses require localisation of their websites to address customers in various markets. Similarly, multinational, globally distributed teams in all kinds of organisations require internal processes and documents to be available in a number of languages. Easily accessible language services are therefore in high demand in a wide range of business sectors. Digital translation and transcription work

platforms intermediate this type of service. By pooling workers with different language skills from a variety of countries, they provide clients with a simple one-stop shop for all their language needs.

While the rise of digital labour platforms is welcomed by customers around the globe due to the convenience and cheap services they offer, the impacts on transcribers and translators are not so easy to pin down. Freelancing work arrangements have been common in the translation and transcription sector outside of and prior to the rise of digital labour platforms. On the one hand, these platforms now open the market for language services (in which demand is relatively concentrated in the Global North) to a wider range of workers, often in low- and middle-income countries' emerging economies, offering livelihood prospects which were not previously available, and generating additional income. On the other hand, the

emergence of digital labour platforms is intensifying global competition between workers and shifting the balance of power in favour of clients.

This process, and the implications for workers, is mediated by digital labour platforms whose operations and processes not only create a “planetary labour market”<sup>1</sup> for language services in the first place, but whose business models and practices also decisively shape how and under which conditions clients and workers can access this market: Platforms define the terms of exchange largely unilaterally and often employ non-transparent algorithms to set prices or manage work allocation. As a result, significant information asymmetries exist between platforms and their clients and workers, resulting in a power imbalance that ultimately affects working conditions for translators and transcribers.

This report sheds light on the different ways in which digital labour platforms organise work processes and mediate relations between clients and workers, highlighting the variegated outcomes for workers in this sector. By evaluating working conditions on nine major digital translation and transcription platforms against five principles of fair work, concerning pay, working conditions, contracts, management

processes, and collective representation, we show whether and how digital labour platforms ensure basic standards of fair work.

By highlighting the differences between the labour and business practices of major translation and transcription platforms, and the consequences for workers, we aim to raise awareness among consumers of the conditions of platform labour and the consequences of their consumption choices. As the results of this report highlight, there are significant differences in platforms' practices and, as a result, in working conditions for translators and transcribers. Organisational and individual consumers can help to promote fairer business models and practices in the platform economy by making informed decisions on what platforms to use in their operations. Beyond consumer pressure, stronger regulation is needed to enhance protections for cloudworkers, who still frequently fall through the cracks of national and international labour law frameworks. We hope that this report will serve as a valuable guideline for organisations, regulators, and – not least – for platforms who want to help promote fair work in the platform economy.

# INTRODUCTION:

## Online translation and transcription platforms – A growing cloudwork sector

**Cloudwork has expanded rapidly in recent years, with around 163 million registered workers across the globe in 2020.<sup>2</sup> Cloudwork is a term used to describe remote work via online platforms that can be performed by workers irrespective of their location – as long as they have an internet connection.**

As such, cloudwork is different from other types of platform work, which require workers to be in a specific place and is therefore ‘geographically tethered’ – such as ride-hailing, food delivery, and domestic services. In contrast, cloudwork platforms connect workers and clients across the world, allowing an NGO in the US to hire a web designer from Nigeria to build their new website, or a company in Germany to hire a composer from Brazil to create their new jingle.

One sector within cloudwork that has seen particularly steep growth over the past years is the language services sector. With the global expansion and digitalisation of businesses, more and more companies require translation and localisation services to

make their websites and services accessible to an international clientele. Also, most recently, during the COVID-19 crisis, online entertainment through streaming platforms as well as e-learning have both experienced a boom, further fuelling the demand for transcription and subtitling services. As streaming and web content platforms have expanded to reach billions of people around the world, expectations on these platforms to remove accessibility barriers for disadvantaged people are also increasing. In the US, the company Gimlet Media, a podcast division of Spotify, faced a class-action lawsuit for failing to provide transcripts to their podcasts hosted on Spotify and thus creating access barriers for deaf and hearing-impaired persons.<sup>3</sup>

In the face of this growing demand for translation and transcription, the number of digital labour platforms offering these services has mushroomed over the past decade, with prominent players including the US-based platforms Rev.com and TranscribeMe, the Italy-based platform Translated, and Gengo, headquartered in Japan. These platforms link individual and organisational clients usually headquartered in the Global North with freelance transcribers and translators across the world. Interestingly, while the demand for transcription and translation services is concentrated in countries in the Global North, the workers carrying out these tasks via online platforms are predominantly based in Asian and African countries. According to data from the Online Labour Index,<sup>4</sup> more than half of the global online workforce performing ‘translation and writing’ tasks is located in only four countries: Bangladesh, India, Pakistan and Kenya. For the skilled, English-speaking population in these countries, work on online translation and transcription platforms provides an increasingly attractive income source with comparably low entry

barriers. For transcription platforms, all that workers need to pass the entry tests are good listening comprehension skills, excellent orthography, and the ability to implement each platform’s specific style guidelines. On online translation platforms, entry barriers tend to be a bit higher, with many platforms – but not all – requiring workers to upload a CV and proof of prior translation experience.

Transcription and translation platforms are attractive to workers for three reasons: Firstly, in particular for workers in low- and middle-income countries, they provide access to jobs outsourced by clients from the Global North, which are paid in US dollars or euros. This means that work on online transcription and translation platforms potentially allows workers in low income countries to generate a significantly higher income than would be the case for comparable work on the local labour market.<sup>5</sup> Second, independently of their geographical location, transcription and translation platforms also provide higher flexibility than many jobs in traditional labour markets, even though platform workers’ time autonomy is in reality often constrained



due to e.g. limited availability of work or algorithmic rating mechanisms disadvantaging workers with limited availability.<sup>6</sup>

Nevertheless, platforms may still provide income opportunities for workers with care duties – and hence for women, who typically shoulder the larger part of reproductive labour – or workers with disabilities, who may not be able to work in standard nine-to-five work arrangements. Lastly, as opposed to other types of online platform work, online translation and transcription platforms often provide upskilling opportunities for workers who are willing and able to invest (usually unpaid) time in studying for and taking qualification tests for higher skilled tasks. Workers who are prepared to do this can move from general to specialised fields, such as legal or medical, or climb up the career ladder to become reviewers or editors – tasks that usually come with higher payment rates. It is important to note, however, that qualifications gained on one specific platform are usually not transferable to others, thereby creating lock-in effects for workers.

There are, however, also downsides to working in this expanding cloudwork sub-sector. As with most platform work, work on translation and transcription platforms is often characterized by insecurity due to fluctuations in demand, and workers' independent contractor status excluding them from benefits and protections such as sick

pay or paid parental leave. Moreover, working in relative isolation from home can lead to feelings of depression and anxiety, especially when paired with high work intensity, performance pressure, and algorithmic management. The COVID-19 crisis has not only fuelled the demand for online translation and transcription services, but also increased worker supply on translation and transcription platforms due to the relatively low entry barriers for workers. The resulting heightened competition has raised pressure on workers in the sector to improve their productivity while maintaining or even lowering payment rates, and it has increased unpaid labour time spent on searching and tendering for jobs. As a result, especially workers from higher income countries need to work an increasing number of hours on many translation and transcription platforms to earn their local minimum wage.

Nevertheless, as we will show in this report, platforms actively set rules and shape working conditions of translation and transcription workers. Better and worse practices exist, for example, with regard to mechanisms of job allocation and management of labour supply. While some platforms do not actively manage worker supply and job allocation, and instead rely on a 'first come, first served' basis or on tendering systems, other platforms have introduced mechanisms to match jobs with workers according to their work capacities and skill sets, thereby reducing unpaid work

time spent on searching and applying for jobs. Where such algorithms are used, it is paramount, however, that platforms make the criteria underpinning algorithms transparent, and that they take active measures to avoid algorithms producing inequitable outcomes for workers from historically or currently disadvantaged groups. Also, in the field of managing client-worker relations differences between platforms' practices exist: Whereas some platforms allow workers to appeal work rejections in a clear and non-arduous process, other platforms allow clients to indiscriminately reject completed work and refuse payment. These two examples provide a small glimpse into better and worse platform practices in the online translation and transcription sector.

In the remainder of this report, we present our findings from the evaluation of nine major translation and transcription platforms: Translated, GoTranscript, Gengo, Scribie, Rev, TranscribeMe, TransPerfect, Lionbridge and SmartCat. After introducing the Fairwork Project, the five Fairwork principles and our methodology, we illustrate how these platforms performed across the five principles. We showcase the two best scoring platforms of the study – the translation platform Translated and the transcription platform TranscribeMe – and give insights into what can be considered as good practices in the sector. We then take a deep dive into

the challenges for securing fair pay on online translation and transcription platforms.

To give visibility to the workers behind the platforms and to highlight their diverse experiences, the report then tells the stories of three workers: A translator from Nigeria, a transcriber from Kenya, and a subtitler from Spain. The report concludes by discussing pathways for change.

# The Fairwork Project

**The Fairwork project studies working conditions on digital labour platforms and rates individual platforms based on their fairness to workers. Its goal is to highlight the best and worst practices in the platform economy and to show that better and fairer platform jobs are possible. Fairwork, at its essence, is a way of imagining a different and fairer, platform economy than the one we have today. By evaluating platforms against measures of fairness, we hope to not just show what the platform economy is, but also what it can be.**

The project is based at the Oxford Internet Institute, University of Oxford, and at the WZB Berlin Social Science Center, and is financed by the German Federal Ministry for Economic Cooperation and Development (BMZ), commissioned by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

Fairwork has developed a set of five principles of fair gig work, coalescing around the pillars of Fair Pay, Fair Conditions, Fair Contracts, Fair Management, and Fair Representation. The five principles were initially developed in 2018 at a multi-stakeholder workshop at the International Labour Organisation.

Follow-up workshops were then held for local stakeholders in Berlin, Bangalore, Cape Town, and Johannesburg.

## The Fairwork Framework

The project has developed slightly different benchmarks of fairness criteria for geographically tethered work and cloudwork, in acknowledgment of small variations in the risks and harms facing workers in these two categories of work. Since work on online translation and transcription platforms represents a sub-sector of the

broader cloudwork sector, in the research underpinning this report the cloudwork principles were applied. The cloudwork principles were developed in 2020, and submitted to a process of further consultation with stakeholders, including platform workers, trade union representatives, and researchers. The principles are periodically updated through a democratic process of revision within the Fairwork network to ensure they remain attuned to the key challenges facing platform workers. One of these renewal processes occurred in 2021, resulting in updated standards for this year's report. Further details on the thresholds for each principle, and the criteria used to assess the evidence we collect to score platforms, can be found in Appendix I.

## The Five Principles for Fair Cloudwork

In the following, we provide a summary of the five Fairwork principles for cloudwork, which provide the base for the translation and transcription platforms rating presented in this report. Each principle encompasses a range of criteria, which are divided into two thresholds. For a detailed list of the criteria and thresholds in each principle, please

consult the Appendix.

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

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

**Fair Contracts:** Terms and conditions should be accessible, readable, and comprehensible. Workers should have legal recourse if the platform breaches these conditions, and contracts should not require workers to waive this right. Contracts should also be consistent with the worker's terms of engagement on the platform, and if the worker is classified as independent, they should know how their work will be used and not be subject to non-compete clauses. In addition, contracts should ensure that they are free to choose



the tasks to work on, determine their own schedules, and refuse tasks without penalty.

**Fair Management:** There should be a documented process through which workers can be heard by a human representative, can appeal decisions affecting them in non-arduous procedures, and be informed of the reasons behind those decisions. There should be an identifiable and documented anti-discrimination policy, and mechanisms to enforce it in order to ensure equity in the management of workers on a platform. Work allocation and management methods must be specified, and changes must be subject to consultation.

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

## Methods

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.

**Desk Research:** The team scrapes publicly available information in order to establish the range and types of the platforms that will be rated. The nine cloudwork platforms offering translation and transcription services evaluated in this report were selected on the basis of their size and popularity, as well as due to other considerations, such as having been identified as particularly fair or unfair in worker reports on the translators' forum ProZ. Desk research also serves to identify any public information that could be used to score

a platform, for instance documented platform policies, the provision of particular services to workers, or ongoing disputes. Through desk research we also review all available contractual terms between platforms and

Fairwork principles. This step provides insights into the operation and business models of the platforms, and opens up a dialogue through which platforms can agree to implement changes. For this report and set



workers, which most platforms host on their interfaces.

**Platform manager evidence:** The second method involves approaching platforms for evidence. Platform managers are interviewed and evidence is requested for each of the

of ratings, we were able to engage in dialogue and receive evidence from three platforms: TranscribeMe, Translated and Scribie. In cases where platform managers do not agree to engage with Fairwork, scoring is limited to evidence obtained through desk research and worker surveys.



**Worker Surveys:** The third method involves platform workers completing an online survey. The rating presented in this report is based on data collected between February and July, 2022. We sampled up to 60 workers per platform, aiming for a relatively even distribution of workers by continent. After cleaning the data, we were left with responses from 401 workers in 88 countries. Out of these, 188 work mainly in transcription and 213 mainly in translation. These responses provide the basis for the findings presented in this report.

Survey participation was limited to workers with a reasonable amount of experience or time on the platform, with the threshold being set at three months. Completing the survey took workers between 30 and 45 minutes, for which they were compensated with a payment of 15 Euros. Participants were recruited through a pre-survey questionnaire asking workers for general demographic data such as country of origin, age, gender, working experience on the platform and skill-level. The link to the pre-survey questionnaire was shared in more than 180 different Facebook and LinkedIn groups for transcribers and translators, as well as on the translator forums ProZ and TranslationDirectory. From the more than 1200 responses to the pre-survey questionnaire, participants for the main survey were selected according to a purposeful sampling approach aiming

at reflecting a broad range of experiences and skill levels. In addition, three platforms distributed the survey link to translators and transcribers via their internal mailing lists and Slack communities. For these platforms, respondent samples were created through a blend of workers recruited on- and off-platform. For all surveys, we implemented various measures to ensure the confidentiality of participants' responses, such as storing response data on a secure server and according to GDPR guidelines.

These surveys do not aim to build a representative set of experiences, but instead seek to understand the work processes and how they are carried out and managed, as well as to identify and probe key emerging themes for digital labour platform research. The survey responses allow the project team to understand the recurring challenges faced by workers, identify patterns and common experiences, and to verify the platform policies and practices that are in place.

## Putting it all together

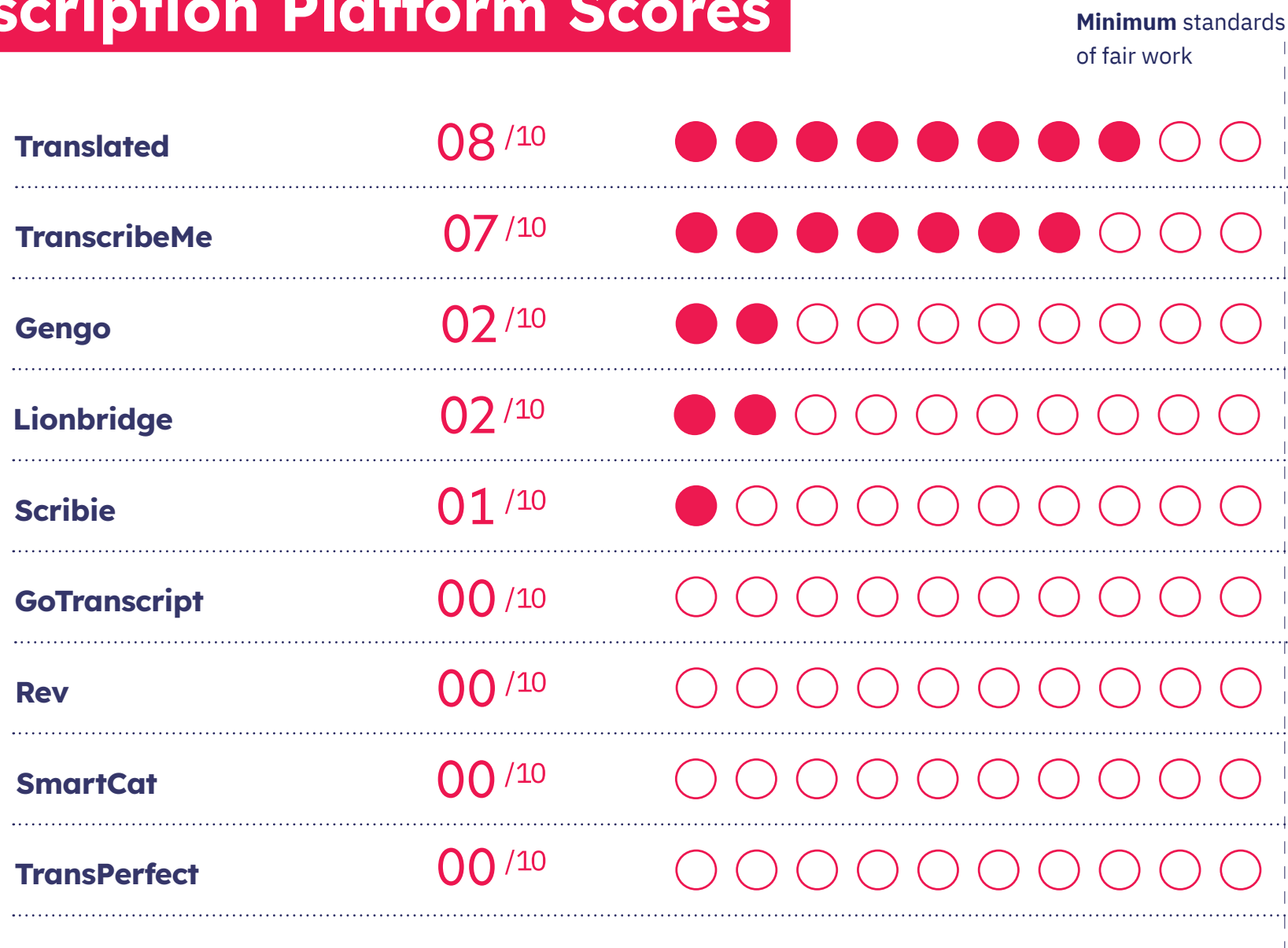
This threefold approach to our research provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect evidence from multiple sources. Final fairness scores are decided collectively by the core Fairwork team based on all three forms of evidence. The scores are

then peer reviewed by members of the wider Oxford Fairwork team, and two reviewers from Fairwork's country teams. This provides consistency and rigour to the scoring process. Points are only awarded if clear evidence exists for each threshold examined.

## How we score

Each Fairwork principle is broken down into two points: a first and a second point. The second can only be awarded if the first point has been fulfilled. Every platform receives a score out of 10. Platforms are only given a point if we have reliable evidence that they meet the Fairwork 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 the research team did not find any evidence and/or they were unable to prove its compliance.

# Fairwork 2022 Translation and Transcription Platform Scores



# How platforms performed on the five principles

As the league table of platform scores shows, there are significant differences in how platforms performed on each principle. While we were unable to evidence that any platform meets all the basic standards of fair work defined in the five Fairwork principles, two platforms stood out by meeting the basic standards for at least three of the Fairwork principles. These platforms are the online translation platform Translated, with eight points, and the online transcription platform TranscribeMe, with seven points. None of the other platforms scored more than two points, with four platforms not scoring a single point. The league table therefore highlights not only the differences between platform practices and working conditions but also the need for raising labour standards across the sector.



## Fair Pay

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

Out of the nine platforms assessed, for four – Translated, TranscribeMe, Gengo and Lionbridge – we were able to evidence that they had systems in place to ensure that workers are paid in a timely manner for all the work they complete, which was not disputed by evidence from our worker survey. This included systems to guard against unfair rejection of work by clients, and other instances of non-payment.

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

Ensuring that all workers earn at least their local minimum wage for all their active hours remains one of the main challenges across the sector. The ability of online translation and transcription platforms to draw on a global workforce segmented by significant wage differentials across countries allows platforms and clients to push for low payment rates, which do not allow workers (in particular from higher wage countries) to generate an income equivalent to the local minimum wage. This race to the bottom in terms of price is particularly accentuated on transcription platforms, since these platforms have lower entry barriers compared

to translation platforms and therefore command a larger labour supply. Platforms have the power and algorithmic capabilities to prevent such a race to the bottom through implementing systems to ensure that all workers earn their respective local minimum wage. However, for the studied platforms, we were not able to evidence such systems. Only one translation platform, Translated, was able to evidence in the form of aggregated earnings data that the vast majority of active translators on the platform earn at least the local hourly minimum wage.





## Fair Conditions

### Threshold 2.1 - Precarity and overwork are mitigated (one point)

The majority of surveyed workers on translation and transcription platforms regularly engage in unpaid tasks, such as checking or applying for jobs, taking unpaid qualification tests, curating their profile or communicating with clients and project managers. Unpaid labour on translation and transcription platforms contributes to worker precarity by reducing workers' net hourly earnings. The share of unpaid labour time as a proportion of in total working time reported by surveyed workers varies however greatly across platforms, ranging from 3% on Translated to almost one fifth of workers' total working time on Rev, with the most cited unpaid activity being looking for jobs. In addition, 70% of respondents across all platforms stated that the competition has increased since they started working, with half of all respondents stating that this has decreased job availability on the platform. Against this background, platform practices and mechanisms to actively manage supply and demand by limiting new worker signups in response to demand conditions, as well as the allocation of work by fairly distributing

tasks across the workforce, are important to mitigate precarity and overwork on translation and transcription platforms. Nevertheless, we were only able to evidence that such measures were in place for three platforms: On Translated and Lionbridge, individual translators are matched with jobs and receive job offers via email, thereby sparing workers from having to search for available jobs. On TranscribeMe, the worker pool is segmented into different workflows, thereby limiting competition between workers in each workflow.

### Threshold 2.2 - Health and safety risks are mitigated (one additional point)

The most commonly reported health and safety risk for workers on translation and transcription platforms was psychological stress due to exposure to explicit, violent or otherwise disturbing content. For two platforms that were awarded point 2.1, Translated and TranscribeMe, we were able to evidence measures to mitigate these risks. TranscribeMe has a clause in their client terms and conditions which prohibits the uploading of harmful, abusive or harassing content. In dialogue with Fairwork, TranscribeMe has furthermore introduced clear penalties (file deletion and/or account termination) in the case of violation. Similarly, following engagement with Fairwork, Translated has introduced a clause in the

terms and conditions requiring clients to flag potentially sensitive or disturbing content when uploading a file, which sends a trigger warning to translators for jobs involving such content. In addition, for both platforms we were able to evidence comprehensive data protection policies specifying the details of collecting, storing and processing of worker data and measures to protect workers' data privacy.



## Fair Contracts

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

Only two platforms (TranscribeMe and Translated) were awarded a point for this threshold. Workers on both platforms can access the reasonably comprehensible Terms of Service (ToS) in English at any time via the website. Moreover, both platforms, following dialogue with Fairwork, introduced a four-week notification period before any changes to the terms and conditions come into effect. To maintain this threshold, platforms also have to satisfy the condition that any changes to the terms and conditions do not reverse existing accrued benefits and reasonable expectations on which workers have relied. We were unable to award point 3.1 to any other platform, either due to the lack of evidence for such a notification period or because of the existence of clauses requiring workers to waive their right to due legal recourse, such as binding arbitration clauses or waiver of class action rights clauses.

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

Both platforms that received a point for 3.1, were also awarded the point for 3.2. We were able to verify that both Translated and TranscribeMe met all our criteria including not imposing non-compete clauses on workers, and ensuring that workers can refuse tasks without any consequences for their standing or reputation on the platform. This was not disputed by worker evidence. In addition, following dialogue with Fairwork, both platforms introduced additional measures to encourage clients to provide translators and transcribers with information in the order process about how the final transcription or the translated/transcribed document will be used.



### Fair Management

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

An important criterion for fair management is that workers receive explanations for disciplinary actions and that there is a clearly documented and communicated process through which workers can contest quality ratings or reviews of their work that they perceive as unfair, as well as other penalties, including account suspension or deactivation. In addition, to meet this threshold, workers need to be able to communicate with a human representative of the platform. Based on these criteria, we were able to award the point for 4.1 to four platforms, TranscribeMe, Translated, Gengo and Scribie. For the other platforms we did not have sufficient evidence that all of these criteria were met.

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

Of the four platforms that satisfied 4.1, two were also awarded an additional point for 4.2. Both Translated and TranscribeMe have anti-discrimination clauses in their terms and conditions stating that neither clients nor the platform shall discriminate against workers on the ground of criteria such as gender, race, religion or sexual orientation. For these platforms, we were also able to verify that information is made available to workers about how work is allocated, including where algorithms are used – which promotes fairness and reduces the possibility of discrimination. For instance, Translated provides workers with detailed information about their ranking and matching algorithm.



### Fair Representation

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

Unfortunately, we were not able to award this point to any of the assessed platforms, because we did not find evidence that any of them commit to a process of dispute resolution in which workers have access to an independent advocate who is freely chosen by the worker, or by an independent workers' body.

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

As with point 5.1, we were unable to award this point to any of the assessed platforms. We found no evidence that any of the assessed platforms officially recognise and bargain with an independent, collective body of workers, or formally communicate their willingness to do so.



# PLATFORM IN FOCUS: Translated

**Translated is an Italian company based in Rome that has existed since 1999. The company specialises in translation services but also offers a range of other services such as subtitling, voice overs and interpreting services. Translated's clients range from individual clients to large multinational corporations such as Google, Expedia, AirBnB, IBM and Uber.**

Translated also develops translation technology, including the open source computer-assisted translation tool 'MateCat', the computer-assisted subtitling tool 'MateSub', and the machine translation tool 'Modern MT'. About 85% of the platform's revenues however still come from human language services; first and foremost, translation.

About 180,000 freelance translators are registered with the platform, however the active pool comprises only around 10,000 workers – counting the number of translators who have worked for the platform in the past three years. Translated's pool of workers is global, but nevertheless regionally concentrated: Over 60% of active translators on the platform are based in Europe, with

leading countries being Italy, Spain, France, Germany and the UK, while translators from Latin American countries account for almost 25% of Translated's active freelance workforce. Asian, African and North American translators, in turn, each only account for roughly 5% of Translated's active pool of translators.

## Fair Pay

The payment process on Translated is digitally integrated into the platform and follows a monthly cycle. At the end of each month, translators receive an email notification to submit their invoice for all completed work electronically via their profile page on the platform. Based on that, payments are then made within 10 days via

wire transfer or PayPal. After a translation has been submitted, there is a time frame of four hours within which translators are able to revise or correct translations that are deemed to not meet the quality standards. Through this practice, Translated is able to avoid discounts in translators' payments due to sub-par quality.

Translators are able to set their own rates per translated word when signing up on the platform and to change them flexibly at any time. Translated continuously reviews translators' earnings data and based on the top earning translators recommends an optimal rate range that will allow workers to maximize their earnings. Data from a survey we conducted with 54 translators working on Translated indicates that workers strategically change their rates to increase their earnings – either by setting a lower rate to increase their job volume (a strategy applied especially by translators who are new to the platform), or by setting higher rates to reflect higher levels of experience, e.g. after having completed a considerable number of jobs on the platform. Almost 30% of the surveyed translators indicated that they have increased their average pay rates somewhat or a lot since first starting on the platform. At the same

time, about 60% of respondents indicated that their rates have stayed the same and 10% even indicated that they had to lower their rates due to the increased competition for jobs on the platform since the Covid-19 pandemic.

Another aspect impacting workers' earnings that according to our respondents has mixed effects is the use of machine-translation technology. Translated has developed its own CAT tool 'MateCat', which is in turn integrated with Translated's machine translation tool ModernMT. MateCat suggests translation matches for text segments by selecting the most appropriate matches from a public translation databank or by creating new machine translations. Depending on the accuracy of the suggested translation calculated by MateCat, workers are paid a specific rate ranging from 100% of the original rate per word for segments for which no translation match could be found, to only 30% for text segments for which a translation is already in the databank, i.e. text segments that have been translated before. Whereas this machine-enhanced translation process potentially allows workers to increase their productivity and can thereby increase workers' earnings, some workers also report



that the suggested translations are not always useful and do not help them to save time and thus to enhance their productivity. There is hence a danger that instead of allowing workers to increase their earnings, reduced rates for machine translation in fact further contribute to wage pressures on translators.

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*“There is a forced 15% reduction in payment for ModernMT. It’s a service I don’t use or care about. Most of the time, I just click CTRL+A and delete the machine’s suggestions or type my translation before the machine’s suggestions show up. I don’t understand why my rate is being reduced for a service which is useless for me.”*

**Translator, Malta**

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*“There are too many translation matches paid at only 30% of the original word rate, for example when the translation already exists in the translation memory. But I still read – READING TAKES TIME as well as translation. Like there are 1000 words paid, although I READ 2000 words.”*

**Translator, France**

Notwithstanding these critical points, overall the evidenced earnings from our survey with translators as well as from aggregated wage data provided by the platform indicate that the vast majority of translators on the platform are in fact able to earn an hourly income that is equal or higher than their respective local minimum wage. It needs to be acknowledged, nevertheless, that setting higher rates goes along with the risk of receiving fewer job offers. According to comments received from survey respondents, it is not always transparent for workers how exactly changes to their rates affect their ability to get jobs on the platforms.

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*“In general, payments are still on the fair side for now. But as the purchasing power decreases all over the world, the numbers won’t be fair for long. Of course, we can always increase our rates. But since we don’t know if the company can afford it, we risk missing out on jobs after a price increase.”*

**Translator, Malta**

In particular, workers with language pairs with low demand and workers who are new

on the platform reported that they have to set relatively low rates to receive jobs on the platforms. In the face of rising living costs, it may therefore become more difficult for workers to set rates that allow them to make a decent income. Hence, for the future, we expect Translated to introduce more far-reaching mechanisms and/or policies to ensure that all workers earn at least their local minimum wage.

## Fair Conditions

One of the biggest challenges for ensuring fair working conditions and for mitigating overwork and precarity on online translation platforms is to efficiently manage demand and supply, as well as work allocation processes, to reduce unpaid working time spent on looking and bidding for jobs. To tackle this challenge, Translated has developed an algorithmic management system called ‘T-Rank’. The T-Rank algorithm matches translation jobs placed by customers on the website with translators, taking into account individual translators’ self-reported availability and daily work capacity, skill profile and experience, price rates and workload. When a translator is matched with a job, they receive an email notification

including information on the offered pay rate (usually in line with the translator’s indicated pay rate), volume and time frame for the job, and are then able to accept or decline the job. As a result, unlike on other platforms, workers do not need to invest unpaid labour time to browse through listed jobs to find and apply for jobs that match their profile.

In addition to short-term jobs, Translated also has a large volume of mid- or long-term projects with corporate clients, for which special teams of freelance translators are built, who then commit to working a specific number of weekly hours for the project. As a result, the data from our survey with Translated workers indicated a comparatively low timeshare spent by workers on unpaid activities: Whereas on average, surveyed workers on translation and transcription platforms spent 11% of their total working time on unpaid activities, predominantly on looking or applying for jobs, on Translated the average ratio of unpaid labour in relation to paid labour indicated by respondents was only 3%, with the most frequently cited unpaid activity being ‘Curating my profile’. Whereas the T-Rank system hence is an efficient mechanism for reducing overwork and precarity, it however also increases



access barriers for newcomers on the platforms, since the algorithm rewards higher skill levels and work experience.

Translated also takes proactive measures to mitigate health and safety risks for workers. In dialogue with Fairwork, Translated has introduced a clause in their client Terms of Service that forbids the uploading of documents with hateful or derogatory content. In addition, Translated asks clients to flag potentially triggering or sensitive material upon placing an order, so that the responsible project manager can include a trigger warning once the job is offered to a translator.

## Fair Contracts

Each translator signing up with Translated needs to agree to the general Terms and Conditions. The T&C are written in clear and comprehensible language and are accessible to workers on the Translated website at any time. Workers are not subjected to non-compete clauses and retain the right to choose their own working hours and to reject jobs. Following dialogue with Fairwork, Translated has also introduced an extended notification period of four weeks before any changes in the T&C are brought into effect. Moreover, Translated has taken additional measures to encourage clients to provide contextual information for translators when

uploading a file for translation, such as information on the targeted audience, and whether the translated document will be for public or private use.

## Fair Management

Translators are able to get in touch with project managers at any time to ask for additional contextual information on a job, if needed, or to appeal reviewer decisions. The performance of translators is continuously assessed by reviewers against the specific quality framework applied to each project. Based on the revisions and errors marked by reviewers, translators receive a quality score for each translation, which is then weighted and aggregated into a general, individual quality score. The quality score is important since a higher quality score increases a translator's chances of being matched with a job through the algorithmic management system T-Rank. To support translators in improving their quality score, translators receive a detailed quality report for each completed translation. Moreover, translators are able to appeal revisions or evaluations that they deem unjustified. The specific process through which translators can submit an appeal, however, varies across projects: Whereas for some projects, a formalized and automated process exists, in other projects translators can contact their respective project manager, who will then double-check

the review and take a final decision.

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*“For different accounts, there are different appeals processes. For example, one project provided an arbitration form to log the disputable score rating. Another project does not use an arbitration form like this, but we can write emails or send messages to the Language Lead to file arbitrations.”*

**Translator and proofreader, China**

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*“I have only had contact with the appeal process available to translators who wish to challenge decisions by the reviewers. One client we are working for does have such a process, the others do not. When available, the process consists of submitting a linguistic arbitration form which is quite tedious to fill in, where we insert the link to each instance that we are challenging, and we write down our explanations. For other clients (who do not have an appeal process in place), we can still contact the Language Lead and report an issue or ask for clarification, but this is even more tedious than the more automated process that I described above. However, I appreciate the transparency of the platform (we always have access to our revised work, and we can see for ourselves every single edit made by the reviewer). In addition, while the appeal process is not a breeze, it does exist in one form or another.”*

**Translator and proofreader, Romania**



To enhance the communication about the appeal process to workers, Translated has – based on feedback from the Fairwork team – introduced a special section in their FAQ page for translators laying out the quality assessment and appeal process. Also following consultations with Fairwork, Translated has introduced an anti-discrimination policy to mitigate the risk of discrimination against translators by platform staff or clients. In the future, we expect Translated to make the structured appeals process through an arbitration form available to workers in all projects.

## Fair Representation

Translators working on mid- or long-term projects for bigger clients are able to communicate with each other in Slack channels, which are moderated by platform community managers. These collective communication channels are predominantly used to address job-related queries. 18% of respondents also indicate that they use these channels to discuss pay rates or problems associated with unfair treatment by the platform. However, while workers' ability to contact and communicate with each other is an important prerequisite for fair representation, managed work chats do not go far enough to satisfy the Fairwork criteria. We were not able to evidence any mechanisms for collective dialogue or

bargaining between translators and the platform management. Also, currently, there is no appeal process in place in which workers have access to representation by an independent advocate or workers' body. Therefore, we were not able to award Translated any scores for fair representation. At the same time, among the surveyed translators, there is a quite strong expression of the desire to organise: 57% of respondents believe that a collective representation structure would help translators to improve pay rates and conditions.

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*"I have no specific complaint regarding Translated.com. However, I believe that a collective representation may have a good effect both for the translators and the platform. It is easy to ignore or simply dismiss the complaint of one person by severing their access to the platform. A collective representation is stronger and can contribute to improve relations between platform, workers and clients."*

**Translator, Brazil**

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*"Collective representation ensures that all parties benefit. It's not about taking advantage of our position. It's about ensuring that all parties are on an equal footing. If the company has some setbacks, I'm willing to take a temporary income cut. But it also ensures that when things are going well, everyone benefits. If I make such requests on my own, I think it would be harder to achieve anything. As a group, results might be better."*

**Translator and proofreader, Malta**



# PLATFORM IN FOCUS: TranscribeMe

**TranscribeMe started out in 2011, primarily as a platform built to deliver text transcription for audio and video using crowdsourcing. Over the years, the company has expanded its services to encompass a variety of language services, including different types of transcriptions and translation as well as data annotation for AI training. TranscribeMe's workforce is global, with the majority of workers being based in North America.**

The work process on TranscribeMe for transcriptions is organised as a mix of micro- and macro-tasking. Each audio file is broken down into chunks of 5 to 10 minutes, which are then made available to Transcribers through a first-come, first-served system. Afterwards, the single transcripts produced by individual transcribers are merged and, in most cases, reviewed by a quality assurer and a reviewer. To ensure that transcription jobs match workers' skill levels, TranscribeMe employs a crowd management system that structures different types of transcription, quality assurance and review tasks in different workflows. Workers start in the general transcription pool. There, the worker has to complete a certain number of tasks

which are reviewed for quality. Once the worker meets a certain quality threshold, they are invited to take an exam to join different teams. Workers can, for example, join a team for specialised, higher-level transcriptions or they can become a quality assurer and after that a reviewer.

## Fair Pay

TranscribeMe is integrated with PayPal and workers are free to withdraw payments at any time. The payment system is largely automated and integrated with a third-party provider. Evidence from our survey with 57 TranscribeMe workers shows that workers rarely experience payment delays. Moreover,

TranscribeMe takes over PayPal transfer fees, ensuring that workers receive their full earnings. However, TranscribeMe is not able to guarantee that all workers make at least their local minimum wage. In our survey with 57 workers, a clear North–South divide can be observed: Whereas 82% of workers from Asia, Africa and Latin America earn at least their local minimum wage when working on TranscribeMe, this holds true for only 22% of workers from Europe, North America and Australia. Whether workers are able to make a fair income also depends on their skill level. For general transcribers, it is harder to earn an income that is equivalent to their minimum wage levels, because the payment is relatively low at US\$ 15 per audio hour. Given that it takes between three to six hours to transcribe one audio hour, the effective hourly wage for general transcription comes down to US\$ 2.5-5. In contrast, workers with higher skill levels performing quality assurance or reviewing tasks, or carrying out specialized transcriptions (e.g. medical and legal), receive higher rates and are able to generate a better income. Moreover, the quality of the audio files has an impact on workers' earnings: Since workers are paid per audio minute, bad audio quality significantly decreases workers' earnings, since they take longer to transcribe.

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*“Compared to the industry standard at my skill level, this seems to be the average, if not higher. TranscribeMe actually pays higher than other platforms I have worked on. There's a caveat, though, that my answer is relative to my skill level. Lower skill levels, especially the lowest one (general transcription at \$15 per audio hour), have been met with numerous complaints from several members of our community that it does not pay enough especially if you compare it to the amount of time you put in.”*

**Quality Assurer, Philippines**

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*“I would say I am paid fairly for my work. Although it is not much in USD, but when converted to my home currency, it covers my needs.”*

**Transcriber, Nigeria**



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*“Because of the high-quality standards set by TranscribeMe, it takes a long time to complete each job correctly, especially if the audio quality is poor or the subject matter requires a lot of research. Because we are paid per audio hour and not per hour worked, the payment for each job usually comes out to less than minimum wage per hour worked.”*

**Transcriber, United States**

## Fair Conditions

To ensure work availability and reduce unpaid search time for workers, TranscribeMe has developed a so-called crowd management system, that encompasses different workflows that workers can join under the condition that they pass the entry exam. By segmenting the labour pool into specialized sub-pools, TranscribeMe is able to reduce competition between workers and thereby to reduce unpaid labour time spent on looking for jobs. Workers who cannot find a job on the platform can also message the support team, who will direct them to a workflow with open jobs. Nevertheless, workers who have

access to only a limited number of workflows due to their lower qualification level can still sometimes experience limited work availability on the platform.

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*“The level of available work depends on what team we’re on and what client contracts TranscribeMe has at the time, so it varies a lot. Most of the time, if you’re in the right team you have work available.”*

**Transcriber, United States**

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*“The reason for getting access to more jobs is an increase in my skills which resulted in passing tests and getting invited to new groups. This resulted in better pay because I can do jobs that are rated higher and I can work more hours.”*

**Quality Assurer, Spain**

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*“The general pool has thousands of members who have to sit and wait for a considerable amount of time for a single two-minute audio job. The number of QAs [Quality Assurers] is only in the hundreds, so there’s generally more work for everyone. The current state of the economy has recently drastically decreased the amount of work available for everyone across the board, though.”*

**Quality Assurer, Philippines**

TranscribeMe also takes important measures to protect workers from health and safety risks. To ensure that workers are not exposed to distressing content, the platform has integrated a clause in the Terms and Conditions for clients that prohibit users from uploading any content that can be deemed unlawful, harmful, defamatory, harassing or offensive. In addition, when files with triggering content need to be transcribed, such as emergency calls, this is usually flagged to workers upfront and they can then decide whether they want to take the job or not.

## Fair Contracts

With regard to fair contracts, TranscribeMe has specific Terms of Service for its crowd workers, which are written in clear and comprehensible language and which are fully accessible to workers on the website. Following a recommendation by Fairwork, TranscribeMe has introduced a 30-day notification period for making any changes to the Terms of Service.



## Fair Management

TranscribeMe allows workers to communicate with project managers and support team members through their internal social network at any time, in the case of workers needing guidance or experiencing problems on the platform. Moreover, there is a structured appeal process in place that workers can use to appeal against reviewers' decisions to reject a completed job, e.g. due to sub-par quality. In this case, TranscribeMe's central team members review the case and can reverse the rejection if they find that the job was completed in good faith and that it meets the minimum quality requirements to get accepted. 82% of the surveyed workers who have used the appeal process find that it is fair for workers, functions well and is easy to use. To mitigate the risk of discrimination against workers, the platform has a comprehensive anti-discrimination policy that states that TranscribeMe shall not discriminate on the basis of characteristics such as race, colour, religion (creed), gender or age. Lastly, TranscribeMe regularly conducts surveys with workers to gather feedback on how to improve work processes. As a result of workers' feedback, TranscribeMe has for

example introduced a dark mode for the platform interface, to help workers save energy and reduce eye strain.

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*“I once appealed a rejection and I was promptly informed of the exact reasons for which this had occurred. This was a learning process for me because the rejection was justified.”*

**Transcriber, Italy**

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*“I only used it once when I was a transcriber and one of my jobs was not corrected properly by the QA. The process was easy and intuitive and I received a quick answer and solution. The result was fair.”*

**Transcriber, Spain**

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*“If you have a job rejected by a QA that doesn't seem fair, you can email or message an Admin to look into it and they can reverse the decision for you or explain to you why the decision was made by the QA, etc. There is a button on the platform that you can click on that allows you to send an email immediately to the applicable admins who may be over what you have a question about. You can also private message an admin on our chat forum at any time and they are usually quick to respond or direct you to who can help you with your query.”*

**Transcriber, United States**

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*“A job task I did was rejected unfairly as I had done it as per the style guide provided. I was easily able to reach the administrators for appeal, and they responded in a timely manner acknowledging that the job had been unfairly rejected. I was paid for the job task soon after.”*

**Transcriber, Kenya**

## Fair Representation

Workers are able to communicate with each other on the platform in a public forum but also through private chats. Workers use these communication channels predominantly to discuss transcription-related queries or to exchange tips on how to pass exams and get jobs on the platform. Almost half of the surveyed respondents state that they also use these communication channels to discuss problems such as unfair ratings or payment issues with their co-workers. No respondent states that they have been discouraged from collective organisation on the platform. However, currently, TranscribeMe does not offer workers access to an independent advocate in the case of disputes between workers and the platforms and does also not engage in any kind of collective dialogue or bargaining with an independent collective worker body. Therefore, we were not able to award TranscribeMe any point for fair representation. Surveyed TranscribeMe workers show a mixed attitude with regard to the need for collective dialogue and bargaining. The two main reasons individual workers gave for a lack of interest in joining a collective worker representation body are the feeling that overall conditions at TranscribeMe



are already quite good compared to other platforms, and the assumption that collective representation is not possible due to workers' status as independent contractors. At the same time, almost half of the workers see potential benefits in collective labour representation, especially with regard to preventing a race to the bottom fuelled by global competition in the transcription sector.

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*“As independent contractors, we do not experience the same amount of benefits and representation that regular employees get: permanent raises, bonuses, healthcare, etc. This contractual system or gig culture, although it has numerous perks, can sometimes be predatory in nature where companies take advantage of paying workers very little and not giving anyone benefits since everyone is considered a contractor. Of course, this is heavily affected by US laws, and it is completely understandable that contractors would not be feasibly eligible for a lot of benefits regular employees enjoy, especially for contractors who live overseas. Still, a workers' union of sorts would be great to ensure that we would continue to be paid fairly for our work. I've heard stories of some other transcription companies drastically and suddenly cutting transcribers' rates, and collective representation would, at minimum, prevent such a thing from happening within TranscribeMe. Maybe if laws on contractual workers in California (where TranscribeMe is based) improve, a workers' union would also be advantageous to ensure that the company would adhere to such laws for all of its workers, US-based or otherwise.”*

**Quality Assurer, Philippines**





## THEME IN FOCUS

# Fair Pay on Translation and Transcription Platforms

**Our research on working conditions on translation and transcription platforms has indicated that a significant challenge for fair work in the sector is to guarantee fair pay for all workers. We found that the ability of workers to make a dignified living through working on online translation and transcription platforms depends on their geographical location, as well as on the skill requirements for different tasks, which in turn both influence the level of worker over-supply.**

Platforms deliberately exploit geographical wage differences and the resulting race to the bottom dynamics to offer their clients lower rates. At the same time, our results also show that platforms' business practices make a difference: the way in which platforms manage the supply of workers and demand, as well as the allocation of work and the mechanisms through which pay rates are determined on platforms, significantly impact workers' access to fair pay. In this regard, we

observed significant differences between the transcription and translation platforms we examined.

Transcription platforms typically require no specialised qualification from workers to sign up; all workers need to do is to pass an entry exam in the form of a sample transcription of a short audio file, in which they prove that they can apply the style guidelines of the platform. Work on transcription platforms

is therefore accessible to skilled workers regardless of their specific professional area and experience. As a result, especially during the COVID-19 pandemic, transcription platforms have become a livelihood alternative for professionals from various sectors who either lost their jobs or were forced to stop working due to lockdown or other pandemic restrictions. This was the case, for example, for two workers we interviewed for this study, a social worker from Brazil and a psychologist from Spain. Given the global workforce on transcription platforms – with a significant share of workers from Asian and African countries<sup>a</sup> – transcription platforms are able to set rates that are far below hourly minimum wages in European or North American countries. Usually, rates for transcriptions are set based on the audio hour.

Among the transcription platforms we assessed, the rates per audio hour ranged from US\$ 5-18 per audio hour for general

transcriptions (depending on the platform) to up to US\$ 60 per audio hour for higher-level transcription requiring specialised skills and knowledge, such as legal or medical transcription or for reviewing and quality assessment tasks. Given that it generally takes between 3 to 6 hours to transcribe one audio hour (depending on the quality of the audio file and the experience of the transcriber), general transcription jobs at the lower end of the pay scale, in particular, do not allow transcribers in higher-wage countries to generate earnings equivalent to their local minimum wage. Difficulties for workers to generate a decent income are further aggravated by the way in which the work process is organised on most transcription platforms. To guarantee clients maximum speed, each audio file is split into 5-10 minute chunks paying sometimes as low as US\$ 0.5, which are then put into a pool, from which transcribers can claim them to work on in a first-come, first-served basis. After completing a job for US\$ 0.5, which



may take a worker up to 30 minutes, workers hence need to go back to the pool and – if there are no jobs available – wait for the next slice of audio to be fed into the system. It is only at the proofreading and review level that the transcription chunks are reassembled into a single file, allowing reviewers to carry out jobs with a longer duration, and at a higher pay rate.

Out of the 188 transcription workers we surveyed, around 75% of the respondents from Asia and Africa, and about 85% of the respondents from Latin America reported earnings from their platform work which meet or surpass the local minimum wage rates. For workers from lower-wage countries, transcription platforms can therefore offer attractive income opportunities, especially

when they manage to move to higher skill levels, as exemplified by a 28-year-old, male worker from India working as a transcription proof-reader on the platform Scribie:

For transcription workers from higher income countries the picture looks slightly different.

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*“I aim to do correspondence courses and appear for highly competitive government exams in my country. A conventional 9 to 5 job simply wouldn’t have allowed me the time to pursue that. Working on Scribie for 3-4 hours a day gives me more money than what is the average middle class salary working 9 to 5, five days a week in my country. Hence, Scribie was my best option.”*

Only 20% of our survey respondents from Europe and 12% of our respondents from North America reported earnings equivalent to a local minimum wage. The business model of transcription platforms hence relies on a practice that has been termed ‘territorial extraction’<sup>9</sup>: they purposefully exploit the over-supply of labour as well as territorial wage differentials in planetary labour markets to push for lower pay rates. In this vein, workers from one platform, Scribie, indicated that the platform cut the minimum rates for general transcription from US\$ 10 to US\$ 5 during the COVID-19 pandemic, exploiting

the influx of workers from various sectors looking for an alternative income source.

On translation platforms, by contrast, we observed very different platform practices regarding the setting of pay rates, and the management of labour supply and demand. The most common practice observed was for platforms to define the pay rate per word unilaterally, with workers being able to apply or bid for jobs if they find the rate acceptable. Of the 213 online translators we surveyed, 43% stated that the platform sets the payment rate, while only 24% stated that they have the power to set their own rates. Even fewer translators (12%) stated that they have been able to re-negotiate rates set by the platform or by clients. These numbers illustrate the significant power that platforms exercise over translators’ pay rates. On some platforms, customers are able to stipulate pay when they post jobs. This model was observed to generate the lowest price rates: The absence of a minimum pay rate set by the platform leads to job offers being posted for rates as low as US\$ 0.009 per word, which was the lowest rate for a job observed on SmartCat during the desk research. At an output of 500 words per hour– the average indicated by translators in our survey – this would amount to an income of US\$ 4.50 per hour, not taking into account unpaid labour time spent on looking and applying for jobs. Lastly, on one platform, (Translated) workers





can set their own pay rate and are then matched with clients offering a compatible pay rate through an algorithmic management system. The ability to set their own rate can potentially allow workers to level their rates with the respective cost of living in their country, thereby allowing workers to earn a decent wage. However, since the algorithm also factors in experience and work quality, new workers on the platform in particular can be forced to set rather low rates to get matched with any jobs in the first place, as this statement by a worker from Lithuania indicates:

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*“Initially, when I registered with the platform, I have chosen the lowest rate (0.025 EUR per word) since it was still higher than I was paid in my home country. I had not received almost any work at this rate (I believe this was because I was new on the platform), however, when I received an invitation to join one of the teams for one huge project (which has been my main source of income ever since), I continued working with the same low rate, but increased it to 0.045 EUR/word after some time. Last week, following years of experience, high quality score and seeing the quality of other translators, I decided to increase my rate to 0.05 EUR/word. I am still figuring out whether this change has decreased my workload or not.”*

The worker’s statement further illustrates that while a worker’s ability to set their own rates (as opposed to arrangements in which platforms set the rates unilaterally) allows for a sort of upward mobility in terms of earnings, the capability of workers to control their earnings is still limited by the power of the platform to mediate market relations between clients and workers – without making the terms of mediation fully transparent. Due to this information asymmetry, workers are hence always confronted with the insecurity of potentially receiving less work, if they raise their pay rate. Hence, it can’t be the responsibility of the individual worker to achieve a decent income from online translations through correctly setting their own rate. Instead, platforms need to take adequate measures such as wage floors or guaranteed minimum rates to avoid a race to the bottom in terms of wages.

In total, compared to pay on transcription platforms, reported earnings by the workers we surveyed on translation platforms were higher: The vast majority of surveyed translators from Asia (89%) and Latin America (94%) and almost three-quarters of respondents from Africa (74%) reported earnings equivalent to or higher than their local minimum wage. While these numbers are lower for surveyed translators from Europe (65%) and North America (55%), compared to transcription jobs, translation

nevertheless still provides better income opportunities for workers from higher-income countries.



## WORKERS' STORIES

**The labour process on cloudwork platforms, including translation and transcription platforms, can often be depersonalised and hidden. When a worker is on the other side of the world and represented only by a profile on a platform interface, their stories and experiences become obscured.**

In cases where the platform acts as an intermediary between clients and workers, often no information at all about the workers who are producing the transcripts and translations is revealed to the client. The relative ease of soliciting jobs on cloudwork platforms can help to disembed and disconnect the work from its origin – that is, the worker. Therefore, making space for cloudworkers to tell their experiences is an important part of the Fairwork project. The following stories are based on exploratory interviews with workers conducted in November and December 2021. The stories are summaries of the interviewed workers' own words. Names and personal details have been changed to preserve the interviewees' anonymity.

## Meet Akeyo<sup>10</sup>

**Akeyo (f), Age 30**



**Kenya**



**Transcriber  
for GoTranscript**

I have a bachelor's degree in education, and I am a trained teacher for high school kids in Christian religion and Kiswahili. Unfortunately, job opportunities for teachers in Kenya are few, especially in the public sector, so when I graduated I decided to try online transcription platforms. I currently live with my partner, who is also working as an online transcriber. He is an accountant and started because he was having a hard time finding a job after the company he worked for went bankrupt.

On GoTranscript, audio files are divided into five- or ten-minutes pieces and are assigned

to transcribers on a "first come, first served" basis. Transcribers with higher ratings can access files faster, so it is important to be well-rated. The number of available jobs also increases when a transcriber does a lot of "difficult" files, which give them points to unlock urgent job postings. This can make it stressful, but overall, I am quite happy with the job.

We are paid per audio minute and the average rate is 2.33 USD per ten audio minutes. This is about \$100 per week, although it varies, sometimes it might jump to \$150 or 200. As a household, my partner and I make around 800 USD per month, which in Kenya is very good money. We live a good life; we have our apartment and a dog. The job caters for our house, for our groceries, it caters for everything, including health. In Kenya, health insurance is covered by the National Hospital Insurance Fund (NHIF), which costs around 5 USD per month, not a lot with our pay.

I also like working as a freelance transcriber because it is flexible, you are your own boss, you can manage your time the way you want. If I want, I can wake up at 10 or 12. If I decide not to work for one day, I know I will



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**"Sometimes there are malicious reviewers. Once I was rated 5 and was still deducted money. I complained with the support, but nothing happened in the end."**

not make money, but I like that it is up to me to decide.

The one main negative issue for me is with GoTranscript's worker support. When I have questions about an audio file or need further instructions I contact the support team, but their response times are very variable. Often, they only answer after the deadline to complete the task has passed. Then I have to finish the job while missing important information, which can turn into bad reviews. Bad reviews are especially annoying because they affect your rating. It is not the end of the world, but it is easier to go down than to go up. Reviewers can also deduct money from you. Sometimes there are malicious reviewers, too. Once I was rated 5 and was still deducted money. I complained with the support, but nothing happened in the end.

In the future I think I would like to go back to teaching. It would be better, especially when you are employed by the government, because you have extra security and are paid more. My partner is still actively looking for a job as an accountant, but right now I am overall satisfied with my work on GoTranscript, so I am not.





# Meet Ana

**Ana (f), Age 45**



**Spain**



**former subtitler  
for Rev**

I am a professional translator with a degree in translation and interpreting and I worked several years in the field. I also more recently graduated in psychology and, since 2016, started practising as a clinical psychologist. I have been working as a translator on the side, though, to gain some extra income. However, when the COVID-19 pandemic hit, the psychological centre I was working with closed and I had a large drop in clients. The translation company I was working for did not have enough jobs to offer, so I turned to online freelancing.

I mainly worked on Rev as English/Spanish translator for subtitles. The platform has a “first come, first served” system, so there is a list of jobs coming in and you have to click on them fast. You must catch a project as soon as it comes, because if you don’t, somebody else will take it. I had never worked in such conditions before, it was awful. I remember having the platform’s interface open on my computer for around 14 hours a day. Almost all the time I was awake, I was sitting in front of the computer. I would say around 60% of my working time was spent just looking for jobs, which of course was unpaid time. I felt like I didn’t have a life, I felt like a robot. And I am used to working a lot, I am not afraid of working long shifts, as long as it pays off.

When I started working for Rev, they paid \$1.50 per audio minute, which at the time was around €1. It was a third of the rate I used to make as a professional translator. On top of that, your rate can be reduced by reviewers if you make mistakes, which was very frustrating. I was doing around \$600 per month, and it was above average for the platform. I think it was mostly because translating had always been my job and I

knew how to do it, so I was quick, but also because I spent my entire life looking at the screen.

Rev did not offer me any training. Fortunately for me, I knew a lot about subtitling by then, so it was not a big problem for me. It is an intuitive platform to work with, but every time I had a question, I had to go on the help tab and work it out on my own. I would have loved to have an email address and a contact person. There was nothing like that, if you had a question there was nobody to ask for, you could just do it as well as you could. At the beginning, a reviewer goes through all your projects, so you get some feedback. But there were no clear guidelines. I found that very uncomfortable, I needed to get good reviews, because I needed to work and working in these conditions made me feel blackmailed and gave me anxiety.

In terms of quality, I think Rev is not as demanding as other companies I have worked at, but one cannot make many mistakes either. One day my account was just blocked, I tried to open the website and I couldn’t, I received no explanation whatsoever. I

wrote them an email to complain and never received an answer. I have worked in tough conditions since I was very young, but at least I knew I had the Spanish law to protect me. On Rev I got the feeling that I was just a helpless number, it was a horrible feeling. Luckily, these days I am able to work as a psychologist. But if I ever find myself in need, I hope to never work for Rev again.





# Meet Nathaniel

**Nathaniel (m),  
Age 32**

**Nigeria**

**translator  
for Lionbridge**



I have a Bachelor's and a Master's degree in linguistics and Igbo language. I've been working as an English-Igbo translator since 2013. I started working on online translation platforms by chance – I found a job advertisement while surfing on the net and I applied. I currently work for multiple platforms, including Lionbridge, and for a few national companies.

I choose to work with online platforms for the wider client pool they offer. I recently did a project with a US-based client, which was really exciting. Moreover, they offer some

extra protection for freelance translators. I do not like being in direct contact with a client, because if they decide not to pay, you are alone and you either harass them or lose money. Good translation platforms have official policies in place, and do not delay payments. Once it is time to be paid, you get paid.

Lionbridge pays quite well for me. The hourly rate is \$12 and the per word rate is about \$ 0.15. You are given a set number of hours to complete a project, with the chance to ask for an extension. Usually the allotted hours are enough, so it pays well. However, I do not think I would be able to make a living on Lionbridge alone. As a translator you do not have a job board, you are assigned jobs and you can accept or refuse them. If you refuse too many you might get less job offers. Since January, I have not been receiving many jobs, so I am working on multiple platforms.

Another thing that I really like from Lionbridge is that translators are assigned a project manager. So, if there is any issue with a client not being satisfied or missing information or questions, I can contact them. They also give

feedback on the jobs.

One thing I do not like about the field is new emerging platforms that offer incredibly low rates. They offer as low as two cents per word - that is ridiculous. When you pay somebody 2 cents per word for a job, the quality will be terrible. I do not accept such jobs and I do not encourage translators to do it.

As of now, I think I will continue working as an online translator. What I like about my job is that, when I translate, I feel that I'm bridging a gap, getting to a wider audience. The Igbo language is a language that is only spoken in the South-eastern part of Nigeria and people do not know it, so when translating it, I give people a wider access to it. That is what gives me joy and why I've always wanted to be a translator.

**“One thing I do not like about the field is new emerging platforms that offer incredibly low rates. They offer as low as two cents per word - that is ridiculous. I do not accept such jobs and I do not encourage translators to do it.”**



## Worker Resources: Useful tools and links

**Given the long-standing tradition of translation work as freelance work, several organisations and federations exist that seek to organise and/or foster networks among translators and to give translators a collective voice. Some prominent ones are:**

**Audio Visual Translators Europe (AVTE)**

is the European federation of national associations and organisations for media translators. Currently, it comprises 22 organisations from 20 European countries. AVTE coordinates efforts to create good working conditions for media translators. According to its own reports, it promotes networking and the exchange of information between the affiliated associations and various EU institutions and legislators. The AVTE has also released a Machine Translation Manifesto defining several core demands for a translator-friendly use of machine-translation tools. Website: <https://avteurope.eu/>

**Pan-American Audiovisual Adaptation and Translation Association (PANAVAT)**

aims to represent and protect the interests of Audiovisual Translation professionals in the Americas. To this end, according to its own reports, PANAVAT also aims to support the professional development of its members, and to create strong relationships with other professional bodies, education institutions, and other industry stakeholders in the region and internationally. Website: <https://panavat.org/>

The **Society of Authors (SoA)** is a UK-based trade union for writers, illustrators and literary translators. Translators who join the SoA automatically become a member of its sub-division for Translators, the Translators Association, which aims to act as a collective voice for translators in the UK. Website: <https://societyofauthors.org/>

**Fédération Internationale Traducteurs (FIT)** is an international grouping of associations of translators, interpreters and terminologists with more than 100 affiliated associations, representing more than 80,000 translators in 55 countries, according to its own reports. The declared goal of the Federation is to promote improved conditions for translators in all countries and to uphold translators' rights and freedom of expression. Website: <https://www.fit-ift.org/>



# IMPACT AND MOVING FORWARD

## Platform changes

**As part of Fairwork's action research approach, we have sought to engage in a constructive dialogue with all platforms assessed in this report. As an outcome of this engagement, two platforms have implemented important changes based on feedback from Fairwork; changes that have contributed to fairer working conditions on these platforms.**

### Translated:

- Included a clause in the Terms and Conditions prohibiting clients from uploading hateful or derogatory content, and requiring clients to flag potential triggering material upon placing the order request.
- Extended the notice period for changes to Terms and Conditions from seven days to four weeks.
- Implemented additional measures to encourage clients to provide contextual information for translators, e.g. about the intended audience of the document to translate, whether it is public or private, potential trigger warnings etc.
- Updated FAQ section with comprehensive information about the quality assessment framework and the process for appealing reviews.
- Included a non-discrimination clause in the Terms and Conditions to mitigate the risk of platform employees or clients discriminating against workers.

### TranscribeMe:

- Added a line to the worker FAQs to inform workers lacking work about the possibility of contacting the support team to be directed to a workflow with available jobs.
- Added a sentence to clients' Terms and Conditions stating the penalties applied to clients who violate the prohibition to upload potentially harmful, abusive or harassing content.
- Introduced a notice period of four weeks for changes to the Crowdfunder Terms of Service.
- Implemented additional measures to encourage clients to provide contextual information for transcribers about how the transcript will be used.



## Pathways of change

**For workers, cloudwork in general has lower barriers to entry than conventional employment. This is also the case for the translation and transcription sector. Of the surveyed 213 translators working on online platforms, 62% indicated that they are self-taught and only 35% reported having a degree or an official qualification as a translator.**

At the same time, organisational and individual consumers are increasingly using online platforms for translation, transcription and other cloudwork services. Based on the desk research conducted for this report, we identified 526 organisations listed as customers by the nine translation and transcription platforms we assessed. These organisations come from diverse areas, including law practice, education, government administration, technology and advertising, and comprise major global players such as AirBnB, WaltMart, SAP and Chrysler, to name just a few.

What makes online translation and transcription platforms so attractive for these organisations? By drawing on a global pool of workers, these platforms are able to complete large projects within short

timeframes. Moreover, by seizing economies of scale and by purposefully exploiting geographical wage differentials and instilling competition between workers from different regions through digital arbitrage, platforms are able to offer ever lower rates to their clients. The costs are, however, borne by the workers. Platforms are able to offer low prices by avoiding any fixed costs for labour and instead sourcing labour power from ‘on demand’ labour pools. Since workers on cloudwork platforms are usually freelancers, these workers are usually dis-embedded from national labour laws and therefore not covered by basic rights and benefits such as minimum wages or paid sick or paternal leave. As a result, while cloudwork in the translation and transcription sector can provide new, attractive income opportunities, especially to workers from lower income

countries, work still remains precarious and insecure.

In numerous countries regulations are being passed to offer gig workers stronger rights and protections. However, these regulations are often focussed on workers in the delivery and ride-hailing sectors. Therefore, additional regulation proposals at the national and international levels are needed to improve the conditions for cloudworkers. The proposal for an EU directive on improving working conditions on platform work<sup>11</sup> is a first step in this direction. It proposes some important

obligations for platforms that would also benefit cloudworkers, such as the obligation for platforms to create ways for workers to ‘contact and communicate with each other’ through the platform infrastructure without these interactions being monitored by the platform itself. In our survey of 401 workers from nine online translation and transcription platforms, less than half the workers (40%) stated that they are able to communicate with their co-workers through the platform. Cloudwork can hence be a very isolated type of work, without opportunities for workers to exchange experiences, support each other

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**Since workers on cloudwork platforms are usually freelancers, these workers are usually not covered by basic rights and benefits. As a result, while online translation and transcription platforms can provide new, attractive income opportunities, especially to workers from lower income countries, work still remains precarious and insecure.**



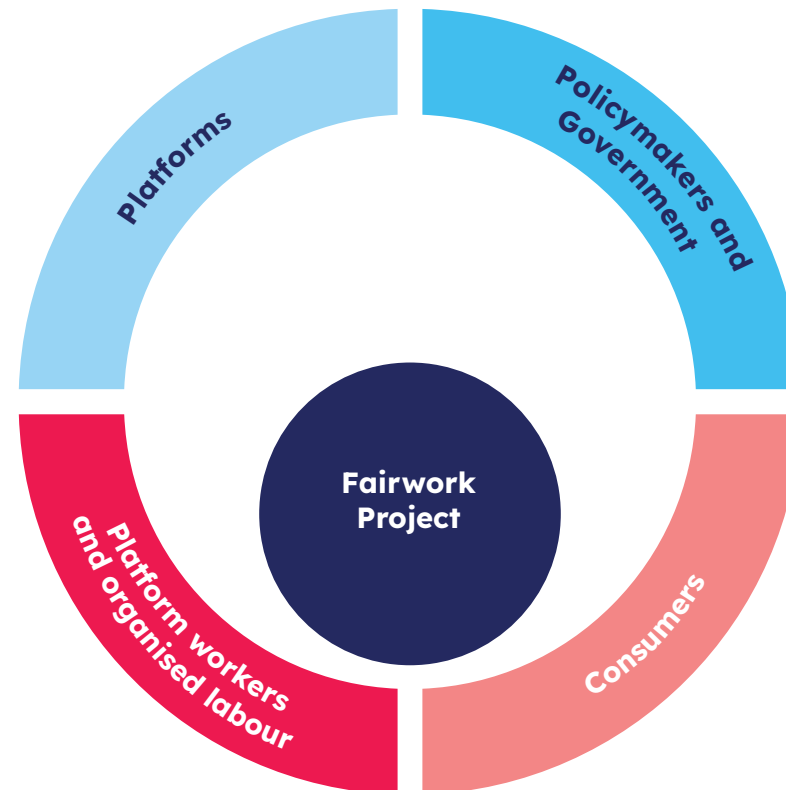
and organise collectively. Where workers had access to collective communication channels, they reported using them, for example, to discuss payment rates or problems with the platform (each 21%). Should the EU directive be passed, the mandatory introduction of collective communication channels could remove barriers for collective organisation of cloudworkers. However, the proposed EU directive still does not go far enough: To bring about substantial improvements for cloudworkers, including translation and transcription workers, regulation is needed that grants these workers fundamental rights such as the right to a minimum wage and to collective bargaining. Regulation is also needed at the global and not just at the EU level, given the fact that a large share of cloudwork platforms, including translation and transcription platforms, are headquartered in the US, and that worker pools are global with more than half of the 'writing and translation' workforce being located in Asian countries.<sup>12</sup>

While stronger regulation is one pathway for improving the conditions and rights of cloudworkers, an equally important pathway is to engage with platforms directly to promote and incentivize good labour practices and changes towards fairer work. As highlighted in the previous section, as a result of our engagement with platforms in the research process, two of the nine translation

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**As a result of Fairwork's engagement with platforms, two of the nine assessed platforms implemented important changes that make work on these platforms fairer for workers. However, the large number of platforms scoring fewer than 3 points illustrates that much still needs to be done to ensure fair conditions for workers.**

Figure 1: Fairwork's Pathways to Change



and transcription platforms we assessed implemented important changes that make work on these platforms fairer for workers. However, the large number of platforms scoring fewer than 3 points (i.e. seven of nine) illustrates that much still needs to be done to ensure fair conditions for workers in the sector.

Finally, consumers can play an important role in sending signals to platforms that not only price matters but also how platforms treat their workers. In particular, universities, businesses and other organisations that frequently use translation and transcription platforms can contribute to positive change towards fairer work by committing to use platforms with fairer labour practices. In this report, we have highlighted the variation existing across translation and transcription platforms and showcased better and worse practices. We call upon organisations to use the ratings to make informed and socially responsible decisions when contracting translation or transcription services via online platforms and to make their commitment public by joining the Fairwork Pledge, presented in more detail in the next section.



# 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 the five Fairwork principles.

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.

A diverse range of stakeholders can promote actions to support the Fairwork Pledge. NGOs and charities can help committing to only using platforms scoring at least 7/10 in the most recent applicable Fairwork

ratings or other platforms that comply with the Fairwork principles. Government and administrative bodies can create policies that favour well-rated platforms in public funding or licensing agreements. Companies can make Fairwork principles and ratings a criterion when contracting services (e.g. translation, transcription or data entry and cleaning services) via digital platforms. For academic institutions, research ethics bodies, in particular, may increasingly be involved in decisions around research involving cloudworkers.



**MORE INFORMATION ON THE PLEDGE, AND HOW TO SIGN UP, IS AVAILABLE HERE:**

**FAIR.WORK/PLEDGE**



## Fairwork Partners

Learning Lions

WZB Berlin Social Science Center

Meatspace Press

Solidarity Centre ALF-CIO

Labour and Tech Research Network

## Fairwork Supporters

Alternative Policy Solutions

Oxford Diocese Board of Finance

Audencia Business School

Good Business Charter

International Institute Information Technology  
Bangalore (IIITB)

New Economics Foundation

napro at University Duisburg Essen

BMZ Digital Centres

Pakirma Humanity Foundation

Gramvaani

Caribou Digital

Digital Lions

Nhumandanismanlik Turket

School of Geography and Environment,  
University of Oxford

Geography Department of  
the University of Kentucky

American Association of Geographers,  
Digital Geographies Specialty Group

CTS Lab

Berlin Senate Administration for Integration,  
Work and Social Affairs

ISF Munchen

Alternative Policy Solutions

Public Policy India

NETRI Foundation

Internet Freedom Foundation

Ministério Público do Trabalho

Economics Study Center (ESC)

BRAC Institute of Governance and  
Development (BIGD)



# APPENDIX

## Fairwork Scoring System

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 stakeholder meetings held in India (Bangalore and Ahmedabad), South Africa (Cape Town and Johannesburg) and Germany (Berlin).

These principles have been adapted to the realities of Cloudwork and fine-tuned through a process of further consultation with stakeholders including worker representatives, researchers, and labour lawyers. The criteria for each principle was voted on and finalised by the Fairwork team.

This document explains the Fairwork Scoring System for Cloudwork Platforms. Each Fairwork principle is divided into two thresholds. Accordingly, for each principle, the scoring system allows one 'basic point' to be awarded corresponding to the first threshold, and an additional 'advanced point' to be awarded corresponding to the second

threshold (see Table 1). The advanced point under each principle can only be awarded if the basic point for that principle has been awarded. The thresholds specify the evidence required for a platform to receive a given point. Where no verifiable evidence is available that meets a given threshold, the platform is not awarded that point.

**A platform can therefore receive a maximum Fairwork Score of 10 points.**

### Principle 1: Fair Pay

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

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

**The platform must satisfy ALL of the following:**

- There is a mechanism to ensure workers are paid.
- Non-payment for completed work is not an option for clients<sup>13</sup>.
- Payments are made within an agreed timeframe.
- Workers can choose to be paid in a recognised national currency.
- Workers can request funds from their account on a regular basis with reasonable withdrawal thresholds.

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

*The rate of pay after costs (like platform fees) must meet the minimum legal threshold in the place where the worker works, regardless of whether the worker earns an hourly wage, or engages in piece-rate work.*

**The platform must satisfy EITHER 1) or 2) depending on their payment model:**

1. For hourly-paid work, workers earn at least their local minimum wage after costs.
2. For piece-rate work:
  - The vast majority of workers earn at least their local minimum wage after costs<sup>14</sup>, and
  - A reasonable estimate of the time it takes to complete each task is provided to each worker before they accept the work.

### Principle 2: Fair Conditions

**Threshold 2.1 - Precarity and overwork are mitigated (one point)**

*Workers may spend a significant amount of their working day applying for jobs, especially if they are competing with a lot of other workers. This can include sending credentials to prospective clients, or developing pitches. This constitutes working time, but it is time*



*that the worker is not being paid for. In order to reduce this unpaid working time, platforms should ensure that jobs are available to workers on the platform, and there is not an unmitigated oversupply of labour.*

**The platform must satisfy the following:**

- The allocation of work and/or supply of new workers is managed to promote job availability, and reduce unpaid work and overwork<sup>15</sup>.

**Threshold 2.2 - Healthy and safety risks are mitigated (one additional point)**

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

**The platform must satisfy ALL of the following:**

- There are policies to protect workers from risks that arise from the processes of work.
- There are processes for job-related health and safety risks (including psychological risks) to be identified and addressed.
- Risks related to a specific job are flagged to workers before they accept the job (such

as indicating that they might be exposed to violent content).

- There are clear reporting channels and documented penalties for clients who jeopardise workers' health and safety.
- There are adequate and ethical data privacy and security measures applicable to workers, laid out in a documented policy<sup>16</sup>.

**Principle 3:  
Fair Contracts**

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

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

**The platform must satisfy ALL of the following:**

- The contract is written in clear and comprehensible language that the worker could be expected to understand.
- The contract is available for workers to access at all times.

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

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

*Platforms mediate the contact and the transaction between workers and clients. Therefore they have a responsibility for oversight of the relationship between workers and clients, and to protect workers' interests. This also includes a duty of care in ensuring that direct contracts (such as NDAs) raised between clients and workers do not unfairly disadvantage the worker or reduce the worker's labour market prospects. Additionally, where workers are self-employed, contracts should allow for freedom to choose their own working schedules, and the jobs they accept or refuse on the platform.*

**The platform must satisfy ALL of the following:**

- Clients are encouraged to inform workers about how their work will be

used.

- The worker is not subject to non-compete clauses.

**EXCEPT, in cases where the worker is in a standard employment relationship the platform makes clear to workers that:**

- Working schedules cannot be imposed upon workers<sup>17</sup>.
- The worker retains the freedom to choose which tasks to accept or refuse.
- Refusal of offered tasks by workers does not punitively impact a workers' rating or reputation.

**Principle 4:  
Fair Management**

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

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



**The platform must satisfy ALL of the following:**

- There is a channel for workers to communicate with a human representative of the platform. This channel is documented in policies that are easily accessible to workers, and communications are responded to within a reasonable timeframe.
- Workers receive an explanation for all punitive actions including reductions in their rating/platform standing, non-payment, work rejections, penalties, account blocks, deactivation and any other disciplinary actions.
- Explanations for punitive actions and work rejections include information on how they can be appealed.
- The process for workers to appeal punitive actions and work rejections is non-arduous, documented in the contract, and available to workers who no longer have access to the platform.

*different user groups, and that workers are assured that they will not be disadvantaged through management processes.*

**The platform must satisfy ALL of the following:**

- There is a policy which guarantees that the platform will not discriminate against persons on the grounds of racial, ethnic, social or minority background, caste, religion or belief, political or any other opinion, language, gender, gender identity, sex, sexual orientation, disability, age, geographical location, or any other status.
- There are mechanisms to reduce the risk of clients discriminating against workers on any basis listed above.
- The platform specifies the methods used to manage and allocate work (including when algorithms are used). Substantive changes to methods of managing and allocating work are preceded by a worker consultation.

## Principle 5: Fair Representation

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

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

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

**The platform must satisfy ALL of the following:**

- The platform commits to a process of dispute resolution in which workers have access to an independent advocate who is freely chosen by the worker, or by an independent workers' body<sup>18 19</sup>.
- Freedom of association is not inhibited and groups of workers are not disadvantaged in any way for communicating their concerns, demands and wishes to management.

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

*The ability for workers to organise and collectively express their voice is an important prerequisite for fair working conditions. Workers must be able to assert their demands through*

*a representational body which is free from any influence by platform management. Where such a body does not exist, it is incumbent on platforms to ensure workers' voices can be represented by encouraging its formation.*

**The platform must satisfy EITHER 1), 2) or 3):**

1. It is democratically governed by workers.
2. It publicly and formally recognises an independent collective body of workers, an elected works council or trade union, and has not refused to participate in collective representation or bargaining. New workers are advised of the existence of this body, and of how to join.
3. If such a body does not exist, it formally communicates to workers its willingness to recognise, or bargain with, a representative body of workers or trade union.



# CREDITS AND FUNDING

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## A COLLABORATION BETWEEN



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# ENDNOTES

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**8** See data by the Online Labour Index for online labour supply in the category 'Writing and Translation': <http://onlinelabourobservatory.org/oli-supply/>

**9** See Howson, K, Johnston, H, Cole F, et al. (forthcoming) Unpaid labour and territorial extraction in digital value networks. *Global Networks*.

**10** Workers' names have been pseudonymised to preserve workers' anonymity.

**11** [https://ec.europa.eu/transparency/documents-register/detail?ref=SWD\(2021\)397&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2021)397&lang=en)

**12** <http://onlinelabourobservatory.org/oli-supply/>

**13** As a guideline for ensuring non-payment is not an option, see criteria developed by Harmon and Silberman in their 2018 'Rating working conditions on digital labour platforms', as follows:

In cases where rejection mechanisms exist for delivered work:

Workers should be able to contest rejection decisions.

Workers receive a clear and reasonable explanation for any rejections

Workers may attempt to redo rejected work at least once

If the worker contests the rejection decision, the case is reviewed (a second time) by a neutral third party, who makes a binding decision; the platform agrees not to punish the worker in any way if the third party decides in favor of the worker

If the work is rejected it is not able to be used by the client.

**14** This can be evidenced either through a policy, or by provision of aggregated earnings data. The 'vast majority' of workers is understood as 85% or more of all workers engaged on the platform. This is in recognition of the fact that all the time between when a worker starts and submits a task may not necessarily be working time. We compare worker's piece-work earnings against minimum wages based

on UK government guidelines. The calculation is as follows:

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

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

Therefore,  $A^* = 0.83A$

Local minimum hourly wage = M,

This figure varies across jurisdictions.

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

Fair piece rate corresponding to the minimum wage =  $F = (M \div 0.83A)$ .

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

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

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

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

**18** Some platforms have committed to using the

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

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





Fairwork

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