

Fairwork

A NEED FOR PRO-WORKER CHANGE

Uganda Ratings 2023



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Executive Summary

In 2023, Fairwork conducted the first year of research in Uganda among twelve selected digital platforms. The selected platforms are in the sectors of ride hailing and food delivery. The research and rating of platforms was done as per the five Fairwork principles.

While many workers earn the minimum wage in Uganda, findings revealed that they incur high costs including fuel, vehicle rental and maintenance. Workers that participated in this research reported instances of robbery, harassment and non-payment, demonstrating a need for effective safety mechanisms to be instituted by platforms. Many workers are unaware of the contracts or terms and conditions they work to, or are unable to engage with these in any meaningful way, as most contracts were written in English. The workers we spoke to discussed unfair management systems, including discrimination. Women workers in particular experience sexual harassment and violence with no clear mechanism of redress. Finally, no evidence of platforms formally assuring freedom of association and the expression of collective worker voice was found.

Despite platforms positioning themselves as worker friendly, the research could find no evidence of fair working conditions per Fairwork's five principles of fair work. For example, the platform SafeBoda was launched with safety in mind. It's a platform that promises safe transportation to both motorcycle taxi or "boda boda" drivers and customers. The platform launched with the intention of overcoming high fatality rates in road accidents in Uganda by providing safety training to drivers and promoting the use of helmets.¹ However, we did not find evidence that the platform instituted fair working conditions according to any of the Fairwork principles. Reports from 2022 also indicate that there are very few women working on the platform—only three, of SafeBoda's 26,000 workers.²

The women workers on all platforms we spoke to reported experiencing lack of safety in different ways. Workers reported harassment including being attacked, robbed, sedated and strangled. Given the lack of meaningful safety measures, women workers self-regulate their hours by not working at night, meaning loss of income during peak food delivery times. Some workers resort to their own safety measures including joining a Whatsapp group in which there are other platform workers who can track their movements during working hours, particularly at night. Workers share their live locations in the group so that others can check on them if they have been stationary for a long period of time, which would be unusual in ride-hailing or food delivery work where workers are continually on the move.

Platforms were rated as per the five fair work principles and out of the twelve platforms only Glovo scored points this year (two points out of ten). All the other nine platforms did not score any points due to lack of evidence that they met the principles' thresholds.

While platforms often prioritise the customer experience, we need to see them enabling fair working conditions for all workers. We invite platforms and stakeholders to engage with us going forward to build a fairer ecosystem for location-based platform workers in Uganda.

DESPITE PLATFORMS POSITIONING THEMSELVES AS WORKER FRIENDLY, THE RESEARCH COULD FIND NO EVIDENCE OF FAIR WORKING CONDITIONS

Towards Decent Labour Standards in the Platform Economy

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

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

The Fairwork project is coordinated from the Oxford Internet Institute and the WZB Berlin Social Science Center. Our growing network of researchers currently rates platforms in 38 countries across 5 continents. In every country, Fairwork collaborates closely with workers, platforms, advocates and policymakers to promote a fairer future of platform work.

Fairwork **countries**

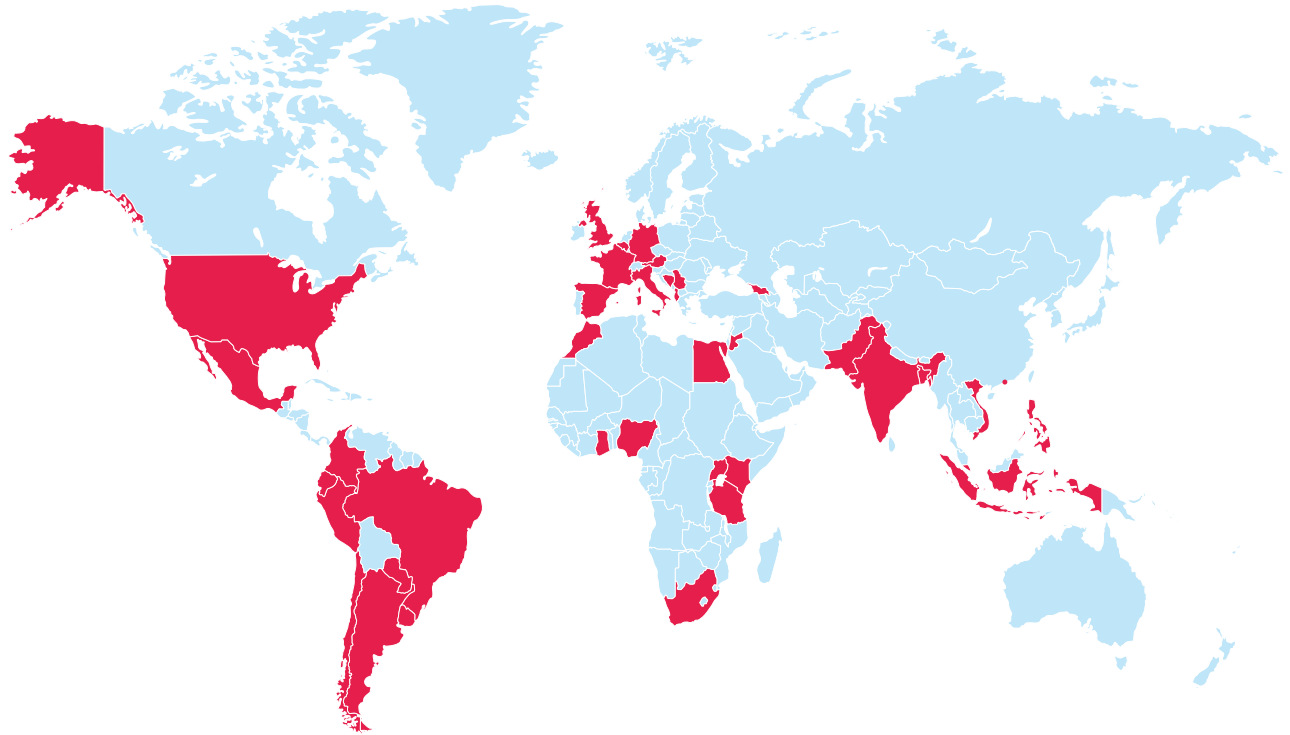


Figure 1. Fairwork currently rates platforms in 38 countries worldwide.

AFRICA

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

ASIA

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

EUROPE

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

SOUTH AMERICA

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

NORTH AMERICA

Mexico, USA

The Fairwork Framework

The five Fairwork principles were developed through multiple multi-stakeholder workshops at the International Labour Organisation. To ensure that these global principles were applicable in the Ugandan context, we have subsequently revised and fine-tuned them in consultation with platform workers, platforms, trade unions, regulators, academics, and labour lawyers.



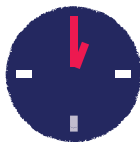
STEP 1

The five principles



Fair Pay

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



Fair Conditions

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



Fair Contracts

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



Fair Management

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



Fair Representation

Platforms should provide a documented process through which worker voice can be expressed. Irrespective of their employment classification, workers should have the right to organise in collective bodies, and platforms should be prepared to cooperate and negotiate with them.



STEP 2

Methodology Overview

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

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

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

Desk research

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

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

Platform interviews

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

Worker interviews

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

Workers are approached using a range of different channels.

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

Putting it all together

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

How we score

Each of the five Fairwork principles is broken down into two points: a first point and a more second point that can only be awarded if the basic point has been fulfilled.

Every platform receives a score out of 10. Platforms are only given a point when they can satisfactorily demonstrate their implementation of the principles. Failing to achieve a point does not necessarily mean that a platform does not comply with the principle in question. It simply means that we are not—for whatever reason—able to evidence its compliance.

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

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



Country Background

Uganda's informal economy is estimated to make up to \$37 billion³ of the country's GDP. Moreover, approximately 4.3%⁴ of the labour force is unemployed. The large informal sector and the shortage of formal employment opportunities paves the way for many to take up gig work, with the International Labour Organisation (ILO), estimating that informal sectors employ about 60% of Uganda's working population. Historically, gig work has been synonymous with informal employment, consisting of a labour market characterized by short-term or freelance work arrangements, where individuals are hired on a per-task basis rather than being employed full-time. The government has taken steps to promote the formalization of the informal sector, which may include efforts to regulate and provide support for gig workers in the future.

The emergence of platform work has transformed how people engage with and perceive "gig work" and informal labour. In 2021, 60% of Ugandan youth were involved in gig work in one way or another, aided by the digital shift towards platform work opportunities.⁵ Platform work for many young people represents flexible work conditions away from structured office jobs, and provides much-needed job opportunities. This rise in the platform economy in Uganda has been backed by increased advancement in internet services, networks and technologies, including digital banking and payment services.

The platform economy is particularly focused on the sectors of ride-hailing and delivery. *Boda bodas* or bike taxis are a significant mode of transportation for the majority of people

in Ugandan cities. *Boda-bodas* transport passengers, goods and services and are a preferred mode of transport because of their flexibility to navigate through traffic jam and narrow roads impassable by commuter taxis.⁶ Furthermore, during the Covid-19 lockdown, when movement and passenger transportation became limited, demand for delivery services increased the visibility of major international and local technology companies such as Glovo, Quicksend and Delivery Yo, to name a few, popular examples. The services of platform workers were particularly crucial during this time. Platforms provided market vendors with an opportunity to expand their services and customer base, with minimal contact. For workers, it was also an opportunity to earn an income,⁷ whereas for customers the platform economy offered convenience. Local technology

companies in Uganda also began expanding their services beyond Kampala, the country's capital, demonstrating the merging of technology, digital economies and traditional informal economies.

The platform economy has significantly influenced the organisation, practices and cultures of work in Uganda. It has been referred to as an avenue of employment amid an unemployment crisis. Despite the growth and influence of platform work in Uganda, labour regulation, laws and policies continue to lag. Given the large number of the country's working population engaged in this form of work, official government and internal platform policies will need to be brought in to protect them from exploitative labour practices.



The Legal Context

Uganda's employment laws are designed to protect the rights of workers and regulate the relationship between employers and employees. Before understanding where the gig economy stands in the employment realm, it is important to highlight some of the employment laws in Uganda, which employees benefit from by being recognised as workers under the law.

The Employment Act, 2006 is the primary legislation governing employment relationships in Uganda. It covers various aspects of employment, including employment contracts, working hours (a maximum of eight hours per day, or as otherwise agreed), leave entitlements, termination of employment, and minimum employment standards. It stipulates that employers are required to provide written employment contracts to their employees within the first month of employment. The contract should include essential details such as job description, salary, working hours, leave entitlements, and termination procedures.

Moreover, the employment laws set certain minimum standards that employers must adhere to. These include provisions on minimum wage, overtime pay, annual leave, sick leave, public holidays, and maternity leave. The specifics of these standards may vary depending on the sector and nature of work.

The law prohibits discrimination in employment based on factors such as gender, race, religion, disability, or political affiliation. It promotes equal opportunities for all employees and provides mechanisms for addressing grievances related to discrimination. It also aims to improve female workforce participation.

As part of occupational Health and Safety regulations, employers have a duty to provide a safe and healthy working environment for their employees. They are required to take measures to prevent workplace accidents, provide necessary safety equipment, and comply with health and safety regulations. The National Social Security Fund (NSSF) is a mandatory social security scheme in Uganda, where employers are required to contribute a percentage of their employees' wages to the

NSSF, which provides retirement benefits, medical care, and other social security benefits.

Platforms that operate in Uganda include ride-hailing services like SafeBoda and Uber, online freelance marketplaces like Upwork and Freelancer, and delivery services like Jumia Food and Glovo. These platforms provide opportunities for individuals to offer their skills or services on a flexible basis. Theoretically this allows for workers to choose when and where they work, have multiple income streams, and balance work with other commitments.

There are no specific regulations in Uganda that specifically address the gig economy and the digital labour platforms within it. However, *ideally*, the existing labour laws and regulations *should* apply to platform workers as well. We discuss below some key aspects of regulation of the gig economy in Uganda.

The Employment Act, 2006 does not explicitly address gig workers. However, its provisions on employment contracts, minimum employment standards, working hours, and termination of employment can apply to those gig workers who are understood to be employees. Most platform workers, however, are considered to be self-employed.

Similarly, the National Social Security Fund (NSSF) is a mandatory social security scheme in Uganda. The extent to which gig workers are covered by these social security benefits may vary, as it depends on the nature of their working arrangements and whether they are classified as employees or self-employed.

Platform workers in Uganda are required to comply with tax regulations. They are responsible for reporting their income and fulfilling their tax obligations, such as filing tax returns and paying income tax. Usually, a tax known as withholding tax is 'paid' by an independent contractor when they get a 'gig'.

Regulation is needed to curb the challenges that keep cropping up in this sector. These include issues of job security, uncertain income stability, lack of social protection such as a safety net, and potential exploitation of workers.



T. Schneider / Shutterstock

As the gig economy continues to evolve, there is a need for the government and relevant authorities to introduce specific regulations or guidelines to address the unique challenges of gig work and the platform workers within it.

Moreover, platform workers must be informed about any developments in the labour laws and there must be continued effort towards ensuring that their rights and entitlements as workers are upheld.

Fairwork Uganda Scores 2023

Minimum standards
of fair work

Glovo	2 ^{/10}	● ● ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Bolt	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
DeliveryYo	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Easy Matatu	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Jumia	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Little	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Lolo	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Quicksend	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
SafeBoda	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
SPESHO	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Tuko Food Delivery	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○
Uber	0 ^{/10}	○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○ ○

THE BREAKDOWN OF SCORES FOR INDIVIDUAL PLATFORMS IS AVAILABLE AT
WWW.FAIR.WORK/UGANDA

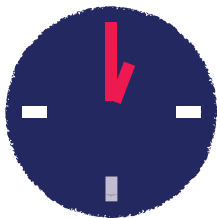
Explaining the scores



Fair Pay

Platforms that ensure workers are paid at least the local minimum wage after work-related expenses are subtracted from workers' earnings can gain one point for this principle. An additional point is awarded to platforms that ensure workers are paid the local living wage, after costs.

This year, no platforms could evidence that all workers were paid the minimum wage or living wage after costs.



Fair Conditions

Platforms that show they are aware of workers' risks and provide steps to mitigate them can meet up to two points awarded for fair conditions.

No platform met all of the thresholds for this principle this year. It is worth noting, however, that Glovo does have some safety measures that workers can benefit from. These include organising activities with road safety experts, providing reflector jackets, offering real-time support and an SOS button.



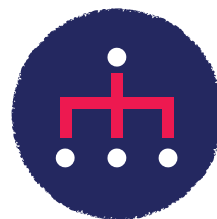
Fair Contracts

For platforms to meet the first point in this principle, they must demonstrate that the contracts or terms and conditions are clear and accessible to all workers, that they are consensual and that they don't include unfair clauses.

This year Glovo was awarded the first point for this principle for its clear and accessible worker contracts.

For the other platforms, we were unable to find evidence that contracts were fair, consensual and without unfair clauses.

No platforms were awarded the second point for this principle which asserts that risk and liability of engaging in work is shared by both platform and worker.



Fair Management

To meet the points in this principle, platforms must demonstrate that workers are not arbitrarily deactivated, and that there is an avenue for workers to meaningfully appeal disciplinary actions. Platforms should have clear anti-discrimination policies, institute mechanisms to reduce discrimination against workers, and seek to build fairness into algorithmic processes of remuneration or work allocation.

This year, Glovo evidenced that there was an avenue for workers to meaningfully appeal disciplinary actions and was awarded the first point for this principle.

None of the other platforms were able to evidence and of the thresholds of the points for fair management. Workers from one platform, Delivery Yo, reported a helpful portal through which issues on the platform could be resolved. The platform is considering documenting this worker portal officially in their worker terms and conditions/ contracts which would meet one of the thresholds for Fair Management.



Fair Representation

For platforms to get the first point for Fair Representation, platforms should assure freedom of association and expression of collective worker voice. For the second point, platforms need to support democratic governance, for example a cooperative model.

No platforms were able to meet the thresholds for this principle.

Workers' Stories

Gonza*, ride-hailing and courier driver

Gonza began his journey as a platform worker four years ago in ride-hailing and delivery service. He gained a diploma in accounting and is an electrician when he is not working on the platform. Gonza owns a car, and was advised by a friend that he could benefit from being a platform worker to earn extra income besides his main job. Gonza works 12 hours a week for the platform company, every evening on weekdays, and all day on weekends. When Gonza began working with the platform company four years ago, the cost of living in Kampala was much lower than it is today. But recently, the rising costs of maintenance, fuel, airtime, taxes, unpaid working and increasing commission rates prevent Gonza from being able to take care of himself and his family. He told us that “when you are young without responsibilities and family, maybe your earnings will be enough. But with a family you need side jobs and longer hours to make a living”.

On joining the platform, Gonza and his colleagues were promised safety, protection and insurance. However, when Gonza was robbed and tried to use the insurance provided by the platform to recover the losses, he was asked to submit video evidence, which he did not have. Gonza's colleagues have experienced similar situations. While Gonza's frustrations continue to grow, he is still unable to bargain collectively for fear of disciplinary action being taken by the platform company against its workers. He does not like his job, but finds it preferable to working for other platforms. He also needs it to survive, but is looking for alternative work.

Okello*, courier driver

Okello is a rider subcontracted for a delivery service platform, for which he has worked for two years. After high school he moved to Kampala from Wakiso to earn money to send back home and experience a better standard of living. He found out about platform work on a social media platform, and decided to rent a motorbike and apply to be a delivery driver. Okello works 20 hours a week, but is never paid on time—making it challenging for him to settle the loan on his bike or send money back home. When Okello is paid, the sub-contractors through whom he works in the platform, deduct their commission from his earnings before giving him the balance.

Okello hopes to pay off his bike loan by the end of 2023, but faces multiple challenges including having to work more hours, being forced to take responsibility for losses, destroyed items, product theft, and when customers give counterfeit money. Okello was not provided a contract at the beginning of his work, and new work policies are changed and implemented without either reasonable notification or his consent. He and many delivery drivers are afraid to collectively bargain, having witnessed colleagues being deactivated and dismissed.

***Inspired by the experiences of multiple workers.**

THEME IN FOCUS

Women in the Gig Economy

Through the course of our research, there was a significant gap in the number of women we interviewed as part of the fieldwork. Of the 90 platform workers we interviewed, all apart from two identified as men, leaving us questioning the extent to which women undertook platform work in Uganda. That said, most platform work in Uganda is limited to delivery services and ride hailing, with little to no presence of domestic or care work platforms, which traditionally rely on “feminised labour”.

Women’s participation in just and equal labour opportunities has long been a contested subject and practice within feminist activism and labour policies. In this section, we discuss the gendered harms and discrimination resulting from the unfair power dynamics in platform work, as experienced by women in Uganda. Given the stark difference in the number of men and women who we were able to recruit to participate in this research, we conducted additional focus group discussions with women workers to



capture their experiences. The following section discusses the experiences of these women.

According to the interviews and focus groups, gender discrimination often shows up as cultural biases such as incidents where customers cancelled their ride requests when they realised their driver was a woman. The ride-hailing workers we spoke to reported that customers assumed the cars they drove were owned by the platform company, undermining these women. They told us that many people in Uganda believe that women should not be platform workers, where platform work in this context is synonymous with ride hailing and delivery services—that is, “masculine labour”.

The unbalanced power dynamic between women workers and customers was also evident in worker accounts of experiencing violence and threats of violence. These women reported that customers understood the vulnerability of being a woman working in the gig economy, and took advantage of these vulnerabilities by threatening to not pay after a service or requesting additional tasks such as bringing delivery products into their homes. One worker told us “You can drop someone, especially those who tell you to enter the gate and turn [the car around] from inside, and then when you enter inside the gate, you are held at gunpoint, so you have to choose between money and your life”.

The workers we spoke to in the focus group discussions reported being sexualized by customers, and experiencing extreme levels of disrespect. Such experiences are gender specific, with customers believing that they will not face repercussions if they violate women workers’ personal boundaries. One of our interviewees reported that male platform workers don’t face the same level of sexual harassment and boundary violation that women experience, because they are ‘strict’ and able to stand their ground. Women workers reported that male customers were mostly perpetrators of various forms of sexual violence whereas female customers mostly disrespected them, and ignored their personal rules and boundaries, which included not littering in their cars. Most male customers also refused to pay women after services were completed.

The experiences of violence, harassment and discrimination shared by our female interviewees and focus group members demonstrate how much women’s safety—and participation in labour activities of any kind, though particularly those perceived as predominantly masculine—

is linked to restrictions around accessing and moving freely within public spaces. ‘Feminised’ labour often involves work done in spaces perceived as “private”—that is, within the home, or spaces of care—contributing to the feminisation of privacy. Female platform workers challenge this dynamic, as well as what Professor Pumla Dineo Gqola refers to as the female fear factory, where women are punished for accessing “masculine goods”, which includes labour that requires continuous and open use of public spaces. Customers who understand these dynamics are able to harass women workers, believing that there will be no accountability from either the platform company or the people around. One of the interviewees told us “Even if you show them love and care, they still harass you and find something to complain about”.

Some interesting dynamics can be found in the women participants’ stories. Women sex workers, according to some women platform workers, preferred to use the ride-hailing services provided by male platform workers to avoid judgement from women. Some women customers also prefer male platform workers, if they are unable to pay in cash, as they can pay for services through sexual favours or believe that men will be emphatic towards them. Such instances create a situation where women customers prefer male platform workers. Women customers also are more likely to be unwilling to pay the full amount or give a tip to women drivers. The women workers referred to this as the “unfair advantage” their male colleagues got at their expense.

Being a woman platform worker meant getting fewer clients, because of gendered cultural biases; not able to work during unsafe, but higher-paying, peak hours; and not able to sustain platform work when the various costs outweigh the benefits.

Most of the workers we spoke to said that reporting issues to the platform was unhelpful as either no measures were taken. Some pointed out that when passengers refuse to pay after a completed service, there was a period where they were able to report this to the platform and get reimbursed, however the option has now been removed. Thus far, the onus of staying safe is solely on the platform workers.

Most of the women workers we spoke to shared that they navigate safety by not taking night shifts, sharing their live location with other workers in their Whatsapp group chats, having pepper spray, and using weapons to defend

themselves such as spanners and sticks. One woman worker told us: “There was a time I met thieves, and there is an option for calling the support centre on the app, but they do not respond to the call in time”.

Another woman added that:

“Sometimes you call [the help centre] but they tell you that the office is closed, yet you [may] have met thieves. My friend went to pick up a woman client... [My friend would] position the front mirror in a way that you are able to see the client seated in the back. But the client grabbed the seatbelt and started strangling the driver. The advantage is that my friend had a wheel spanner with her since she was driving at night. So she grabbed the wheel spanner which was nearby and hurt the client who was trying to strangle her. The thief had no choice but to run”.

Another threat that women told us about was customers using sedatives on drivers, which limits their ability to fight back. These experiences and threats of harm have forced many women platform workers to quit.

These womens’ accounts also highlight tensions between privacy, security and safety. For instance, drivers of all genders have begun installing CCTV cameras in their cars to have evidence when reporting violence. The cameras are not preventative, but women drivers nevertheless consider it a safety mechanism. Though it also represents the surveillance of customers, who may not have much power to object. Moreover, such surveillance raises the level of evidence required to pursue cases of violence, and disadvantages those workers who are unable to capture these incidents of violence on video. Nevertheless, such measures are spreading and recently Uber is also calling for the use of cameras in their driver safety policies, though it is unclear if they are willing to pay for them.⁸

The threats these workers are required to navigate are structural and need to be addressed through both gender-centric platform design and policies. In addition, it should be remembered that many vulnerable customers both prefer and rely on women platform workers. As these workers abandon platform work as a result of gender-based violence, aggression and discrimination, these customers’ ability to use these services is also impeded.

In sum, platform work for women in Uganda is a dangerous practice due to a socio-political and economic system that is designed and organised on the lines of gendered violence, marginalisation, and economic control. By not addressing women’s safety threats through their governing policies and design decisions, platforms are simply allowing and facilitating these forms of violence.

Pathways of Change

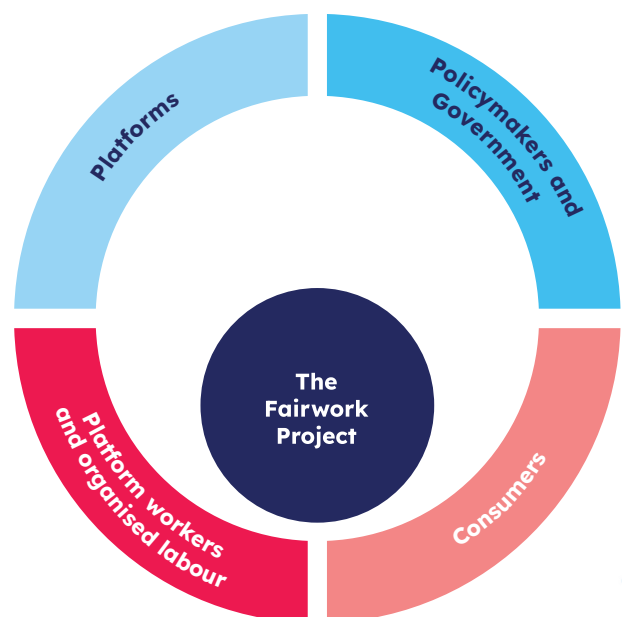
Fairwork's theory of change relies on a humanist belief in the power of empathy and knowledge. If they have the economic means to choose, many consumers will be discerning about the platform services they use. Our yearly ratings give consumers the ability to choose the highest scoring platform operating in a sector, thus contributing to pressure on platforms to improve their working conditions and their scores. In this way, we leverage consumer solidarity with workers' allies in the fight for fairer working conditions. Beyond individual consumer choices, our scores can help inform the procurement, investment and partnership policies of large organisations. They can serve as a reference for institutions and companies who want to ensure they are supporting fair labour practices.

This is the first annual round of Fairwork ratings in Uganda, and while we found the state of the platform economy in the country to be in immediate need of pro-worker change, we hope in future years our research will enable more collaboration for this change to happen. In this regard, we see four pathways to change (Figure 2).

Our first and most direct pathway to improving working conditions in digital labour platforms is by engaging directly with platforms operating in Uganda. Many platforms are aware of our research, and eager to improve their performance. For example, we engaged directly with Glovo, SafeBoda and DeliveryYo to discuss possible changes to their policies that could secure them an improvement in their scores.

Secondly, consumers can look at our ratings, in Uganda and elsewhere, to make conscientious decisions about which platforms are most fair to workers, and therefore which platforms to use.

Figure 2: Fairwork's Pathways to Change

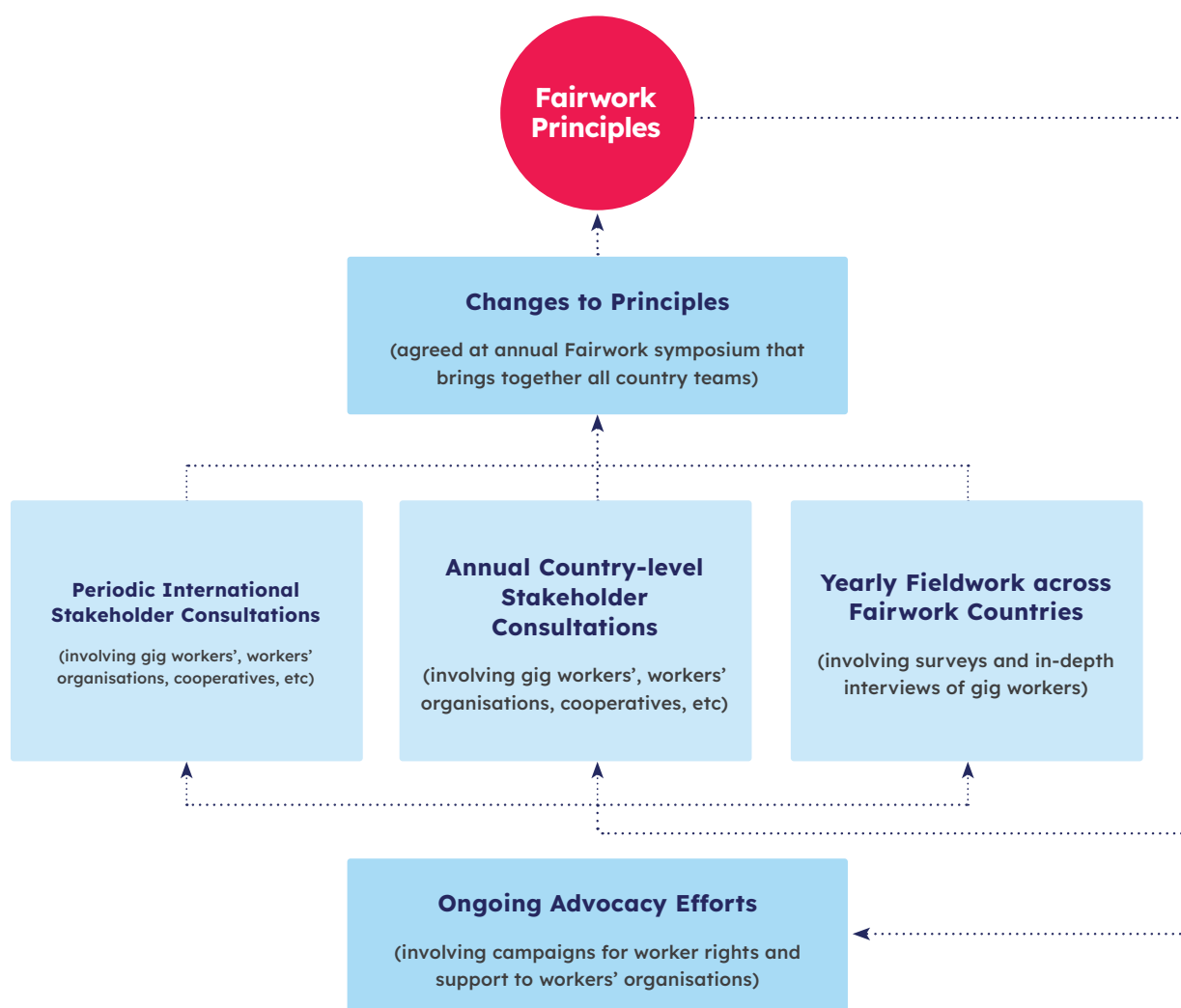


We also engage with policy makers and government to advocate for extending appropriate legal protections to all platform workers, irrespective of their legal classification. A representative from the Ministry of Gender, Labor and Social Development attended our Fairwork Uganda stakeholder meeting. They highlighted the work of the Ministry in developing the second generation of the decent work country programme, which focuses on four priority areas:

1. Promoting jobs and enterprise.
2. Promoting rights at work.
3. Extending social protection.
4. Promoting social dialogue.

Finally, and most importantly, workers and their organisations are at the core of Fairwork's model. Our principles have been developed and are continually refined in close consultation with workers and their representatives (Figure 3). Our fieldwork data, combined with feedback from workshops and consultations involving workers, informs how we systematically evolve the Fairwork principles to remain in line with their needs. We have conducted multiple events to speak to workers in Uganda, including a focus group with seven female platform workers, and a knowledge sharing event whereby 18 workers were able to learn in more detail about their rights in relation to gig work, with this information further shared with their networks.

Figure 3: Fairwork Principles: Continuous Worker-guided Evolution



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



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The Fairwork Pledge

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

The pledge constitutes two levels. This first is as an official Fairwork Supporter, which entails publicly demonstrating support for fairer platform work, and making resources available to staff and members to help them in deciding which platforms to engage with. A second level of the pledge entails organisations committing to concrete and meaningful changes in their own practices as official Fairwork Partners, for example by committing to using better-rated platforms where there is a choice.

More information on the Pledge, and how to sign up, is available at fair.work/pledge.

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FAIR.WORK/PLEDGE



APPENDIX

Fairwork Scoring System

Which companies are covered by the Fairwork principles?

The International Labour Organisation (ILO) defines a “digital labour platform” as an enterprise that mediates and facilitates “labour exchange between different users, such as businesses, workers and consumers”.⁹ That includes digital labour “marketplaces” where “businesses set up the tasks and requirements and the platforms match these to a global pool of workers who can complete the tasks within the specified time”.¹⁰ Marketplaces that do not facilitate labour exchanges—for example, Airbnb (which matches owners of accommodation with those seeking to rent short term accommodation) and eBay (which matches buyers and sellers of goods)—are obviously excluded from the definition. The ILO’s definition of “digital labour platform” is widely accepted and includes many different business models.¹¹

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

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

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

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

How does the scoring system work?


The five Principles of Fairwork were developed through an extensive literature review of published research on job quality, stakeholder meetings at UNCTAD and the ILO in Geneva (involving platform operators, policymakers, trade unions, and academics), and in-country meetings with local stakeholders.

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

The second point under each Principle can only be awarded if the first point for that Principle has been awarded. The thresholds specify the evidence required for a platform to receive a given point. Where no verifiable evidence is available that meets a given threshold, the platform is not awarded that point.

A platform can therefore receive a maximum Fairwork score of ten points. Fairwork scores are updated on a yearly basis; the scores presented in this report were derived from data pertaining to the months between September 2022 and August 2023.

Table 1 Fairwork: Scoring System

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

Maximum possible Fairwork Score



Principle 1: Fair Pay

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

Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance, and maintenance on a vehicle.¹² Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.¹³ Workers also absorb the costs of extra time commitment, when they spend time waiting or travelling between jobs, or other unpaid activities necessary for their work, such as mandatory training, which are also considered active hours.¹⁴ To achieve this point platforms must ensure that work-related costs do not push workers below local minimum wage.

The platform takes appropriate steps to ensure both of the following:

- Payment must be on time and in-full.
- Workers earn at least the local minimum wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.¹⁵

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

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

The platform takes appropriate steps to ensure the following:

- Workers earn at least a local living wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.^{16,17}

Principle 2: Fair Conditions

2.1 – Mitigates task-specific risks (one point)

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

The platform must satisfy the following:

- Adequate equipment and training is provided to protect workers' health and safety from task-specific risks.¹⁸ These should be implemented at no additional cost to the worker.
- The platform mitigates the risks of lone working by providing adequate support and designing processes with occupational safety and health in mind.

2.2 – Ensures safe working conditions and a safety net (one additional point)

Platform workers are vulnerable to the possibility of abruptly losing their income as the result of unexpected or external circumstances, such as sickness or injury. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control. However, platform workers usually don't qualify for protections such as sick pay, because of their independent contractor status. In recognition of the fact that most workers are dependent on income they earn from platform work, platforms should ensure that workers are compensated for loss of income due to inability to work. In addition, platforms must minimise the risk of sickness and injury even when all the basic steps have been taken.

The platform must satisfy ALL of the following:

- Platforms take meaningful steps to ensure that workers do not suffer significant costs as a result of accident, injury or disease resulting from work.
- Workers should be compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.
- Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.
- The platform implements policies or practices that protect workers' safety from task-specific risks.¹⁹ In particular, the platform should ensure that pay is not structured in a way that incentivizes workers to take excessive levels of risk.

Principle 3: Fair Contracts

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

The terms and conditions governing platform work are not always clear and accessible to workers.²⁰ To achieve this point, the platform must demonstrate that workers are able

to understand, agree to, and access the conditions of their work at all times, and that they have legal recourse if the other party breaches those conditions.

The platform must satisfy ALL of the following:

- The party contracting with the worker must be identified in the contract, and subject to the law of the place in which the worker works.
- The contract/terms & conditions are presented in full in clear and comprehensible language that all workers could be expected to understand.
- Workers have to sign a contract and/or give informed consent to terms of conditions upon signing up for the platform.
- The contracts/terms and conditions are easily accessible to workers in paper form, or via the app/platform interface at all times.
- Contracts/terms & conditions do not include clauses that revert prevailing legal frameworks in the respective countries.
- Platforms take adequate, responsible and ethical data protection and management measures, laid out in a documented policy.

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

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

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

- Every worker is notified of proposed changes in clear and understandable language within a reasonable timeframe before changes come into effect; and the changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.
- The contract/terms and conditions neither include clauses which exclude liability for negligence nor

unreasonably exempt the platform from liability for working conditions. The platform takes appropriate steps to ensure that the contract does not include clauses which prevent workers from effectively seeking redress for grievances which arise from the working relationship.

- In case platform labour is mediated by subcontractors: The platform implements a reliable mechanism to monitor and ensure that the subcontractor is living up to the standards expected from the platform itself regarding working conditions.
- In cases where there is dynamic pricing used for services, the data collected and calculations used to allocate payment must be transparent and documented in a form available to workers.

Principle 4: Fair Management

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

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

The platform must satisfy ALL of the following:

- There is an easily accessible channel for workers to communicate with a human representative of the platform and to effectively solve problems. This channel is documented in the contract and available on the platform interface. Platforms should respond to workers within a reasonable timeframe. There is a process for workers to meaningfully and effectively appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. This process is documented in a contract and available on the platform interface.²¹
- In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.
- Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.

4.2 – Provides equity in the management process (one additional point)

The majority of platforms do not actively discriminate against particular groups of workers. However, they may inadvertently exacerbate already existing inequalities in their design and management. For example, there is a lot of gender segregation between different types of platform work. To achieve this point, platforms must show not only that they have policies against discrimination, but also that they seek to remove barriers for disadvantaged groups, and promote inclusion.

Platforms must satisfy ALL of the following:

- The platform has an effective anti-discrimination policy laying out a clear process for reporting, correcting and penalising discrimination of workers on the platform on grounds such as race, social origin, caste, ethnicity, nationality, gender, sex, gender identity and expression, sexual orientation, disability, religion or belief, age or any other status.²²
- The platform has measures in place to promote diversity, equality and inclusion on the platform. It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief.
- Where persons from a disadvantaged group (such as women) are significantly under-represented among a pool of workers, it seeks to identify and remove barriers to access by persons from that group.
- If algorithms are used to determine access to work or remuneration or the type of work and pay scales available to workers seeking to use the platform, these are transparent and do not result in inequitable outcomes for workers from historically or currently disadvantaged groups.
- It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.

Principle 5: Fair Representation

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

Freedom of association is a fundamental right for all workers, and enshrined in the constitution of the International Labour Organisation, and the Universal

Declaration of Human Rights. The right for workers to organise, collectively express their wishes—and importantly—be listened to, is an important prerequisite for fair working conditions. However, rates of organisation amongst platform workers remain low. To achieve this point, platforms must ensure that the conditions are in place to encourage the expression of collective worker voice.

Platforms must satisfy ALL of the following:

- There is a documented mechanism²³ for the expression of collective worker voice that allows ALL workers, regardless of employment status, to participate without risks.
- There is a formal, written statement of willingness to recognise, and bargain with, a collective, independent body of workers or trade union, that is clearly communicated to all workers, and available on the platform interface.²⁴
- Freedom of association is not inhibited, and workers are not disadvantaged in any way for communicating their concerns, wishes and demands to the platform, or expressing willingness to form independent collective bodies of representation.²⁵

5.2 – Supports democratic governance (one additional point)

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

The platform must satisfy at least ONE of the following:

1. Workers play a meaningful role in governing it.
2. In a written document available at all times on the platform interface, the platform publicly and formally recognises an independent collective body of workers, an elected works council, or trade union. This recognition is not exclusive and, when the legal framework allows, the platform should recognise any significant collective body seeking representation.²⁶

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1 Rasmussen, Simon. 2019. "From boda boda rider to business empire; amazing story of SafeBoda". The Observer (Uganda). Retrieved August 13, 2023 (<https://observer.ug/businessnews/59751-from-boda-boda-rider-to-business-empire-amazing-story-of-safeboda>).

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9 ILO (2021). "World Employment and Social Outlook: The role of digital labour platforms in transforming the world of work". Geneva: International Labour Organization. Retrieved August 13, 2023 (https://www.ilo.org/global/research/global-reports/weso/2021/WCMS_771749/lang-en/index.htm).

10 ILO (2021). "World Employment and Social Outlook: The role of digital labour platforms in transforming the world of work". Geneva: International Labour Organization. Retrieved August 13, 2023 (https://www.ilo.org/global/research/global-reports/weso/2021/WCMS_771749/lang-en/index.htm).

11 De Stefano, Valerio. 2016. "The rise of the 'just-in-time workforce': On-demand work, crowdwork and labour protection in the 'gig-economy'". Geneva: International Labour Organization. Retrieved July 31 (https://www.ilo.org/travail/info/publications/WCMS_443267/lang-en/index.htm).

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

13 The ILO defines minimum wage as the "minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract". Minimum wage laws protect workers from unduly low pay and help them attain a minimum standard of living. The ILO's Minimum Wage Fixing Convention, 1970 C135 sets the conditions and requirements of establishing minimum wages

and calls upon all ratifying countries to act in accordance. Minimum wage laws exist in more than 90 per cent of the ILO member states.

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

15 In addition to direct working hours where workers are completing tasks, workers also spend time performing unpaid activities necessary for their work, such as waiting for delivery orders at restaurants and travelling between jobs and undertaking mandatory training (i.e., training activities that must be completed for workers to continue accessing work on the platform). These indirect working hours are also considered part of active hours as workers are giving this time to the platform. Thus, 'active hours' are defined as including both direct and indirect working hours.

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

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

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

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

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

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

22 In accordance with the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and applicable national law.

23 A mechanism for the expression of collective worker voice will allow workers to participate in the setting of agendas so as to be able to table issues that most concern them. This mechanism can be in physical or virtual form (e.g. online meetings) and should involve meaningful interaction (e.g. not surveys). It should also allow for ALL workers to participate in regular meetings with the management.

24 For example, "[the platform] will support any effort by its workers to collectively organise or form a trade union. Collective bargaining through trade unions can often bring about more favourable working conditions".

25 See the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (C087), which stipulates that "workers and employers, without distinction, shall have the right to establish and join organisations of their own choosing without previous authorisation" (Article 2); "the public authorities shall refrain from any interference which would restrict the right or impede the lawful exercise thereof" (Article 3) and that "workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority" (Article 4). Similarly the ILO's Right to Organise and Collective Bargaining Convention, 1949 (C098) protects the workers against acts of anti-union discrimination in respect of their employment, explaining that not joining a union or relinquishing trade union membership cannot be made a condition of employment or cause for dismissal. Out of the 185 ILO member states, currently 155 ratified C087 and 167 ratified C098.

26 If workers choose to seek representation from an independent collective body of workers or union that is not readily recognized by the platform, the platform should then be open to adopt multiple channels of representation, when the legal framework allows, or seek ways to implement workers' queries to its communication with the existing representative body.

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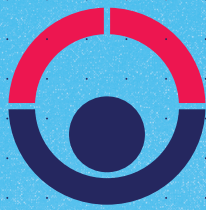
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