An Urgent Call for Fair Working Conditions in Africa

In Africa, digital labour platforms provide employment opportunities for the continent's young and rapidly growing workforce but **most platform workers are also subject to unfair working conditions**. This has been confirmed by research from the Fairwork project in Ghana, Kenya, Nigeria, South Africa, Tanzania, and Uganda. This two-pager summarizes a Policy Brief written by the Africa Unions and Worker Representatives (APWR) working group, which was formed following a workshop facilitated by Fairwork. **It highlights five key challenges that platforms workers face and offers practical solutions to tackle them.**

The **Challenges**

High commission rates
No ride-hailing platform in any of the six countries included in this brief could evidence providing their workers with an hourly minimum wage after costs. The lack of a low and standardised commission rate creates an opportunity for platforms to implement variable commission figures, exacerbating workers' race to the bottom.

Lack of risk mitigation policies and safety nets
Only three of 40 platforms across six African countries rated in the latest Fairwork research, scored any points for Principle 2: Fair Conditions. There are currently no policies that mandate platforms to provide workers with risk mitigation strategies or a safety net to ensure no disadvantage due to accidents or sickness.

Contracts are not subject to the governing laws and court jurisdictions
Several platforms, especially those operating in multiple countries (such as Uber), do not align their contracts with existing laws in the countries in which they operate. This makes it difficult for platform workers or union representatives to challenge any breach of contractual obligations in their respective court jurisdictions.

Lack of proactive policies to prevent discrimination
Constitutional provisions for anti-discrimination policies are usually designed without considering platform work and are anyway unenforceable. Fairwork research suggests only three platforms operating in the six countries included in this brief were able to evidence policies and practices to tackle dissemination.

Unions or worker-led associations are not recognised
In the African platform economy, workers or worker representatives are rarely included in the decisions affecting their work, exacerbating exploitation by platforms. This stems from the lack of policies that recognise platform workers or incorporate platform work into countries' labour acts.

Very few platforms in Africa scored any points for Principle 2: Fair Conditions

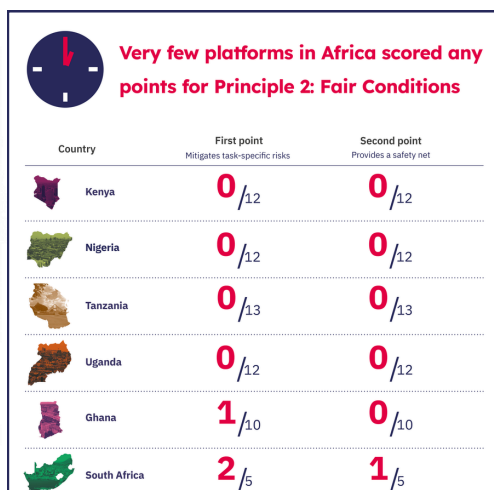| Country	First point Mitigates task-specific risks	Second point Provides a safety net
Kenya	0/12	0/12
Nigeria	0/12	0/12
Tanzania	0/13	0/13
Uganda	0/12	0/12
Ghana	1/10	0/10
South Africa	2/5	1/5

Figure 1. Share of platforms across Africa in all sectors rated in the most recent cycle of Fairwork research (2022 or 2023) that earned points for Principle 2: Fair Conditions, points one and two.

Of all ride-hailing platforms rated across six countries in Africa, only one evidenced anti-discrimination policies

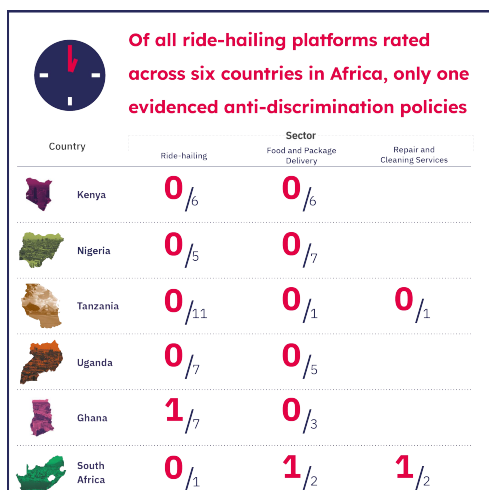| Country	Ride-hailing	Food and Package Delivery	Repair and Cleaning Services
Kenya	0/6	0/6	
Nigeria	0/5	0/7	
Tanzania	0/11	0/1	0/1
Uganda	0/7	0/5	
Ghana	1/7	0/3	
South Africa	0/1	1/2	1/2

Figure 2. Share of platforms across Africa by sector that were able to evidence anti-discrimination policies and/or practices (point 4.2 of the Fairwork Principles), based on the most recent cycle of Fairwork research (2022 or 2023).

Only three ride-hailing platforms rated engaged with workers' associations or supported freedom of association

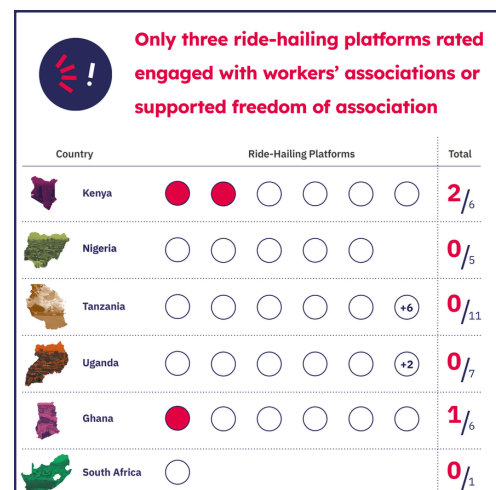| Country	Ride-Hailing Platforms	Total
Kenya	● ● ○ ○ ○ ○	2/6
Nigeria	○ ○ ○ ○ ○	0/5
Tanzania	○ ○ ○ ○ ○ (+6)	0/11
Uganda	○ ○ ○ ○ ○ (+2)	0/7
Ghana	● ○ ○ ○ ○ ○	1/6
South Africa	○	0/1

Figure 3. Share of platforms in the ride-hailing sector across Africa that evidenced engagement with workers' associations or support for freedom of association or collective worker voice, based on the most recent cycle of Fairwork research (2022 or 2023).

The Recommendations

The APWR calls on regional institutions and national government agencies to consider the following recommendations.

Standardise commission rates

Government agencies must **establish policies that will ensure unified commission rates.** These policies should be based on meetings with relevant stakeholders such as platform workers, union representatives, platform management, and appropriate government agencies and should be subject to bi-annual reviews.

Following the establishment of these policies, there should be **punitive enforcement mechanisms** in place for platforms that circumvent or breach the rules.

Mandate platforms to provide risk mitigation strategies and safety nets

Government agencies should develop **policies that outline the responsibility of digital labour platforms to their workers** including basic requirements for risk mitigation strategies and safety nets. Proof of such policies and protections must be submitted upon registering.

Government agencies must monitor platforms to **ensure that the companies adhere** to these regulations. A fundamental requirement must be included but will vary across worker benefits.

Ensure contracts and/or terms and conditions are subject to the Law of the Land

Government agencies must ensure that platforms have terms and conditions that indicate that the governing law in the country in which they operate is **subject to the respective constitutional laws.**

Relevant government agencies should periodically commission platforms to share platform worker sample contracts and review them. Platforms found in breach of their contractual obligations should **face repercussions**.

Mandate platforms to integrate anti-discrimination policies, and protect workers who speak up

Government agencies must make it a requirement for platforms to **include anti-discrimination policies in their terms and conditions and hiring statements** and outline measures for punishing offenders.

Platforms should be asked to submit to **regular audits** to ensure that algorithms do not create additional obstacles for workers coming from disadvantaged communities.

Relevant government agencies should **enforce punitive measures** for platforms that do not possess anti-discrimination policies or follow them. And should protect workers who speak up against discrimination.

Make provisions for the recognition of worker associations, unions and collective bargaining rights

Relevant government agencies must ensure platform **unions are integrated into the national employment or Labour Acts.** This should come in addition to recognising platform worker status and relevant benefits.

Government agencies should ensure that workers are free to form a union or join an existing one in their category of work, irrespective of their employment status, to ensure that unions can legally negotiate with platforms.

If there is a delay in integrating platform unions into the Labour Act, governments should, in the meantime, enable platforms to negotiate with registered collective worker groups based on pay, commissions, working hours, discipline, dispute resolution procedures, etc.

Regional institutions, such as the African Union, and national government agencies, such as ministries of labour, should pursue regular discussions and plans to implement policies regulating African digital labour platforms.

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