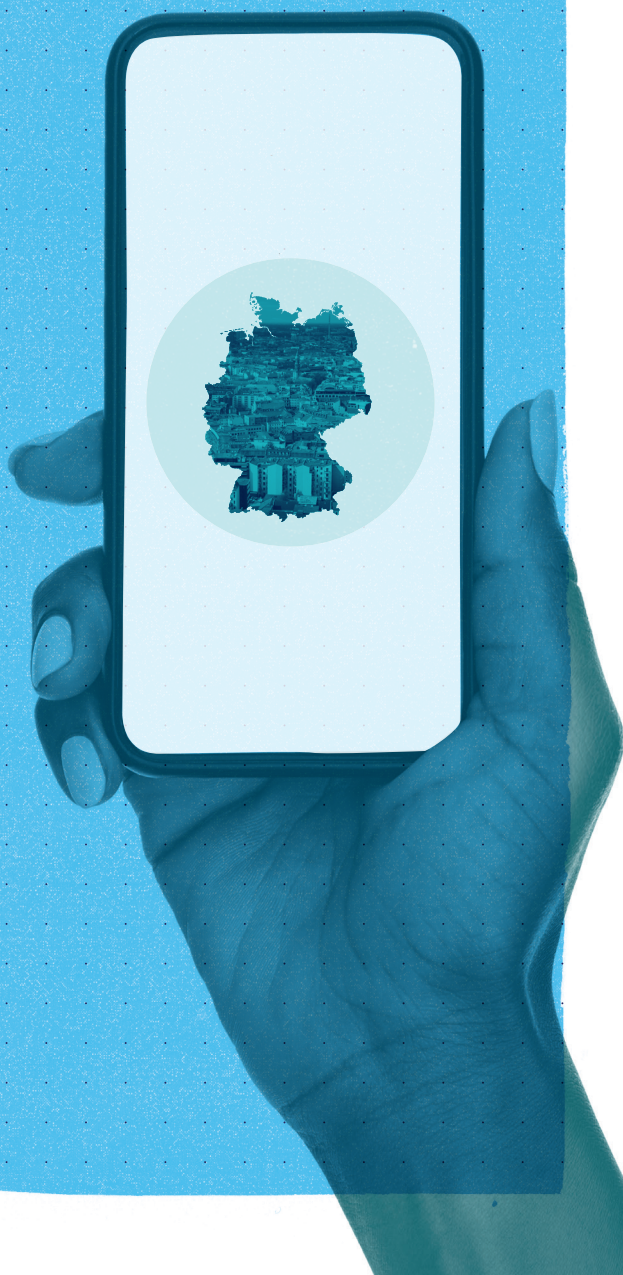


Fairwork

**LABOUR STANDARDS IN THE
PLATFORM ECONOMY**

Fairwork Germany Ratings 2025



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Fairwork Germany is supported by...



Dr. Michael Schäfer¹

State Secretary and Head of Office in the Federal Ministry of Labour and Social Affairs

Platform work simplifies our lives day by day and offers opportunities, for example for innovative business models. However, fair working conditions and social security must also be guaranteed for persons performing platform work. The current Fairwork report for Germany provides important insights in this dynamically developing sector. It pays particular attention to the working conditions at intermediaries and subcontractors, which are currently gaining in importance in platform work. The Federal Ministry of Labour and Social Affairs wants to promote the sustainable growth of platforms on the basis of a level playing field. One milestone in this regard is the EU Platform Work Directive, which came into force at the end of 2024 and will be transposed into national law by the end of 2026.



Cansel Kiziltepe²

Senator for Labour, Social Affairs, Equality, Integration, Diversity and Anti-Discrimination

Berlin stands for social justice and decent work – including in the platform economy. As Labour Senator, I am particularly committed to shaping new forms of work in a way that ensures fair and secure working conditions for everyone. The latest Fairwork Report 2025 makes one thing clear: while there has been some progress, serious shortcomings remain. Some platforms continue to offer regular employment contracts, but the subcontracting model is becoming increasingly widespread – often leading to precarious and opaque working conditions for workers. Not a single platform was able to provide convincing evidence of adequate health and safety protections or algorithmic transparency.

These findings are a clear call to action for policymakers. The upcoming transposition of the EU Platform Work Directive into national law offers a crucial opportunity to make platform work fair, safe, and future-proof. Berlin will advocate strongly for binding rules and effective enforcement. Business models based on insecure and unfair working conditions must become a thing of the past.



Prof. Dr. h.c. Nicola Fuchs-Schündeln, Ph.D.³

President of the WZB Berlin Social Science Center

The Social Science Research Center Berlin (WZB) is proud to be one of the hosting institutions of the Fairwork project. With the Fairwork Germany Report 2025, the project presents its third report on the situation and working conditions in the German platform economy. The results show that the working conditions, which have always been precarious, have continued to deteriorate in this growing sector of the economy over the past three years: in the area of delivery and ride-hailing services, non-transparent networks of subcontractors have emerged, in the case of domestic work services, the risks for self-employed workers remain high, the algorithmic management systems are opaque and difficult to understand, and finally, the sector lacks structures of collective representation. The research of the Fairwork project has an impact on current debates on rights and protections for platform workers; it aims to make platform work fairer by promoting fairer standards. The Fairwork project is thus exactly in line with the mission of the WZB: It conducts excellent research that contributes to the improvement of our society.

Executive Summary

This third Fairwork report on Germany reaffirms Fairwork's commitment to evaluating digital labour platforms in light of ever-changing socioeconomic and political contexts.

Over the past few years, the German platform economy has seen significant developments, with new platforms entering the market and others exiting, reshaping competition across various sectors. One of the most notable shifts has occurred in the delivery sector, where a move from direct employment to subcontracting has made working conditions more precarious for many platform workers. The 2025 Fairwork Germany ratings reveal that many platform workers continue to face unfair working conditions and remain without adequate social protections. These findings carry significant implications for the ongoing debate on the transposition of the European Platform Work Directive into German legislation, as the policymakers' interpretation of this legislation will determine the extent to which platform workers can access decent work conditions.

This report evaluates seven of Germany's most prominent digital labour platforms against five Fairwork principles: fair pay, fair conditions, fair contracts, fair management, and fair representation. The five principles are divided into two thresholds. One point is awarded for meeting the first threshold, and a second point can be awarded if there is verifiable evidence and the first threshold has been met. Each platform is assigned a score of 0 to 10 based on the evidence of its practices.

This year's Fairwork Germany report does not indicate much progress towards fairer working conditions. On the contrary, a decline is observed across all Fairwork principles when compared with the findings from the 2020 and 2021 reports. Only Flink was able to demonstrate that its workers earn at least the statutory minimum wage for the entire time worked after work-related costs, which stands at €12.82 per hour as of May 2025. Lieferando, Flink and Helping could prove that they have clear and

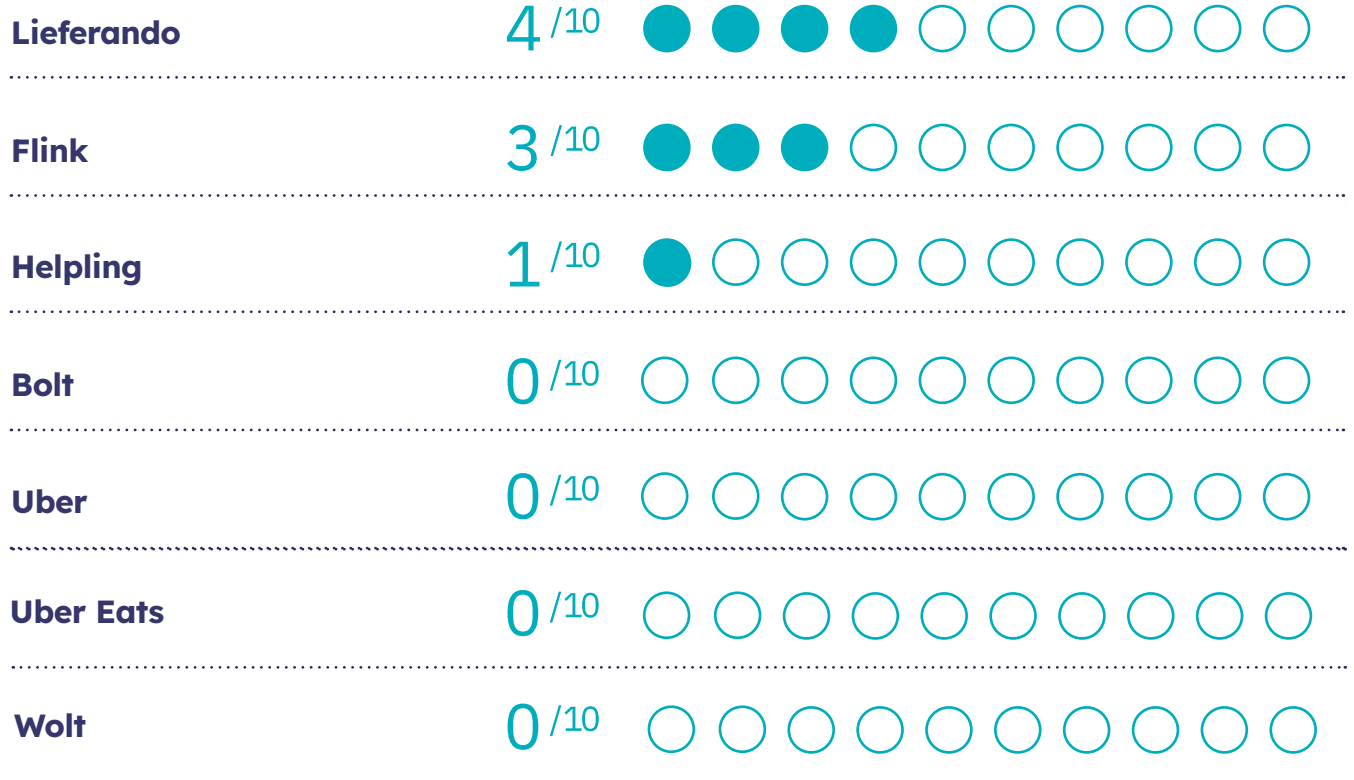
accessible contracts/terms and conditions. Lieferando and Flink could evidence an effective system of due process for decisions affecting workers. Only Lieferando was able to show that a mechanism exists for facilitating collective worker voice. However, none of the platforms assessed could provide evidence of taking adequate measures to mitigate task-specific occupational risks; nor could they demonstrate that they ensure algorithmic transparency for workers.

The 2025 Fairwork ratings for Germany shed light on persistent challenges in the country's platform economy, particularly in relation to labour standards and regulatory enforcement. In the care and domestic work sectors of the platform economy, workers continue to be treated as independent contractors, an arrangement that carries well-documented negative consequences for their working conditions. The developments in the ride-hailing and food delivery sectors underscore the importance of effective regulation of intermediaries and subcontractors in employment practices. Moreover, across all the platforms investigated, workers are subject to algorithmic management systems that are often opaque.

As Germany prepares to transpose the European Platform Work Directive over the next two years into national law, it will be crucial to address false self-employment, operationalise effective governance mechanisms for labour intermediaries and subcontractors, reinforce platform accountability for labour practices, and promote algorithmic transparency, if we are to achieve fair and decent work in the platform economy.

Fairwork Germany Scores 2025

Minimum standards
of fair work



THE BREAKDOWN OF SCORES
FOR INDIVIDUAL PLATFORMS IS AVAILABLE AT:

[WWW.FAIR.WORK/EN/RATINGS/GERMANY](https://www.fair.work/en/ratings/germany)

Key Findings



FAIR PAY

Only one of the platforms assessed — Flink — could evidence that they ensure workers' gross pay is at or above the minimum wage, which is €12.82/hour in Germany at the time of writing in June 2025. When assessing minimum wage thresholds, the Fairwork scores considered not only the amount paid to the worker for all hours worked, but also the cost of providing task-specific equipment and paying for work-related costs out of pocket. The scores also factored in waiting times between jobs. When extending this net calculation to consider the real living wage (assessed by wageindicator.org as €15.40/hour for Berlin⁴), no platform was awarded a point.



FAIR CONDITIONS

Out of the seven platforms scored this year, none was able to demonstrate that they take sufficient action to mitigate task-specific risks. Specifically, platforms were expected to ensure free safety equipment, emergency response systems, and free insurance covering health & safety, third-party liability, and personal equipment used for work. Since no platform was awarded a point for the first threshold, there was also no point awarded to any platform for the second threshold.



FAIR CONTRACTS

Platforms in Germany follow diverse business models, resulting in a wide range of contractual arrangements, and thus, evidence of a basic level of fairness in their contracts is varied. Three platforms, Flink, Helpling and Lieferando, could be shown to have clear and accessible contracts/terms and conditions, and were awarded the first point for having fair contracts. However, no platform was able to evidence that it meets the second threshold, particularly that it provides algorithmic transparency, does not impose unfair contract terms on its workers, and does not unreasonably exclude liability on the part of the service user and/or the platform.



FAIR MANAGEMENT

Only two platforms, Flink and Lieferando, could evidence an effective system of due process for decisions affecting workers; that is, providing a clear and documented process for workers to meaningfully appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. Only one platform, Lieferando, could also evidence equity in the management process. They have issued public statements in support of equality, diversity and inclusion (EDI), and implemented meaningful policies to combat discrimination, thus meeting the threshold for the second point.



FAIR REPRESENTATION

Collective organisation and representation are fundamental rights for workers. Only one platform – Lieferando – could evidence that there is a mechanism for the expression of collective worker voice. Unfortunately, no platform was able to provide evidence that workers play a meaningful role in governing the platform, and no platform showed a willingness to engage with an independent union.

EDITORIAL

Evasive Manoeuvres – The German Platform Economy in the Face of the EU Platform Directive

It was in 2022 when the Fairwork Project published the last ratings for the platform economy in Germany. In the last three years, the German platform economy has undergone substantial changes, with new platforms entering the market and others exiting, altering the competitive landscape in many sectors.

In the grocery delivery sector, Getir and Gorillas, two major platforms rated in 2022, have left the German market. Lieferando and Wolt, the dominant players in the food delivery sector rated in 2022, have since been joined by their global rival Uber Eats, which has started operations in Germany. Meanwhile, FreeNow has left the market of ride-hailing services provided by private hire companies, while Bolt, the Estonian ride-hailing platform, has newly entered the German market, competing with Uber in this segment of the platform economy. A Berlin-based ride-hailing platform, Bliq, has also very recently entered the market, operating in Berlin, Düsseldorf, Frankfurt, and Cologne since 2024.

Regarding the platforms' business models, the situation in care and domestic work, as well as in the ride-hailing sector of the German platform economy, remains relatively stable. Platforms in care and domestic work continue to operate mainly with independent contractors, and platforms in the ride-hailing sector remain reliant on private hire companies as subcontractors (often referred to as fleet partners or third-party logistics, 3PL). But there has been a significant change in the delivery sector.

While it was still true in 2022 to say that most delivery platforms operated with directly employed couriers, this has changed for some platforms. Over the last

three years, Wolt has transitioned to a hybrid model that combines directly employed couriers and those hired by subcontractors working for Wolt. Uber Eats implemented the subcontractor model from the start when it entered the German market. With Getir and Gorillas having left, Lieferando and Flink remain the only platforms in this year's sample in Germany that are still operating with directly employed couriers. However, for Lieferando, there are already signs that this might change in the near future. After laying off all employed couriers, Lieferando has already started breaking away from the employment model in Austria, switching to independent contractors. As a spokesperson for Lieferando said, this is due to the competitive disadvantage of the employment model compared to the independent contractor model.⁵ While there are no signs of Lieferando switching to the independent contractor model in Germany, platforms operating with subcontractors seem to have a similar competitive edge, putting severe pressure on Lieferando's existing business model. In March 2025, the news broke that Lieferando had begun experimenting with the subcontractor model in the Berlin district of Spandau to evaluate its performance. While this, for now, according to

Lieferando, only represents an experiment to benchmark its own logistics operations, and it is not planning to completely substitute the employed couriers with subcontracted labour,⁶ it still indicates the pressure exerted by the competition between these two models, spurring concerns that Lieferando might switch to operating with subcontractors soon.

So, at least for the two major sectors of the German platform economy—delivery and ride-hailing—working with subcontractors appears to be the major trend affecting working conditions in these areas of the platform economy.

The difference between these two models—direct employment and subcontracting—has a significant impact on workers, as this year's scores clearly show. Employment contracts provide workers with the usual benefits associated with an employment contract, like entitlement to the legal minimum wage, social security contributions, health and safety provisions, and the right to collective bargaining, to name just a few. The



wal_172619 / Pixabay

two platforms operating with an employment model, Lieferando and Flink, rank highest in this year's league table; although there's also a clear demonstration that employment contracts alone do not safeguard fair working conditions, given both platforms fall short of several thresholds despite the employment relationship with their couriers.

The subcontractor model, as currently operated in the German platform economy, does not secure fair work standards either, with no platform operating with subcontractors being awarded a single point this year. This is due to the informal and often irregular situation for subcontracted workers. While subcontractors are formally expected by the platforms to employ their workers, the reality, as far as Fairwork was able to evidence, is very different.⁷ Some workers were found to be working without a contract, or provided with official employment contracts but treated as individual contractors, and some workers working on limited contracts were found to be being paid informally for many more hours than stated in the contract. The workers interviewed for this study were often not provided with any health and safety contributions, or covered by any insurance when working, and often had to use their own equipment (or rent the equipment for a fee), with no means to appeal management decisions or benefit from collective representation (see the section "Theme in focus" for a more detailed elaboration of the subcontractor model).

These results have significant implications for the ongoing discussion regarding the transposition of the European Platform Work Directive (PWD). The PWD was adopted in 2024 and is supposed to be transposed into national law within two years.⁸ The PWD's focus is on determining the correct employment status of workers in the platform economy by introducing a presumption of employment of workers that platforms can rebut. Two further important aspects of the PWD are the provisions on transparency of algorithmic management systems and workers' data rights. The aspect of subcontracting in the platform economy receives less attention. It is only in Article 3 of the PWD that the role of intermediaries and subcontractors is mentioned, requiring member states to implement systems that establish joint liability of platforms and intermediaries for working conditions.

THE DIFFERENCE BETWEEN DIRECT EMPLOYMENT AND SUBCONTRACTING HAS A SIGNIFICANT IMPACT ON WORKERS, AS THIS YEAR'S SCORES CLEARLY SHOW.

The results of this year's Fairwork Rating for Germany confirm that the correct classification of workers and algorithmic transparency remain important issues. All the workers in the care and domestic work sector of the platform economy interviewed for this study were still being treated as independent contractors (despite the known negative effects on working conditions) and workers in all sectors of the platform economy are governed by algorithms that are often opaque to them. The situation in the ride-hailing sector and the developments in food delivery clearly indicate that effective regulation of intermediaries and subcontractors may be as important as determining the correct employment status and ensuring algorithmic transparency for the future of platform labour in Germany when transposing the PWD in the next two years.⁹

Therefore, the Fairwork Germany team highly appreciates that the Federal Ministry of Labour and Social Affairs (BMAS) has decided to fund the Fairwork Germany Ratings for 2025 and 2026 to gather insights into the status of the German platform economy and inform the debate on the transposition of the PWD that will have significant consequences for determining the path of platform labour in Germany.

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 can 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 by the Oxford Internet Institute, University of Oxford, and the WZB Berlin Social Science Center. Our network of researchers has rated platforms in 38 countries across five continents. In every country, Fairwork collaborates closely with workers, platforms, advocates and policymakers to promote a fairer future of platform work. In Germany, this research is led by researchers at the Berlin Social Science Center (WZB) as part of a joint research project with colleagues from the XU Exponential University of Applied Sciences, funded by the Federal Ministry of Labour and Social Affairs (BMAS).

Fairwork Countries

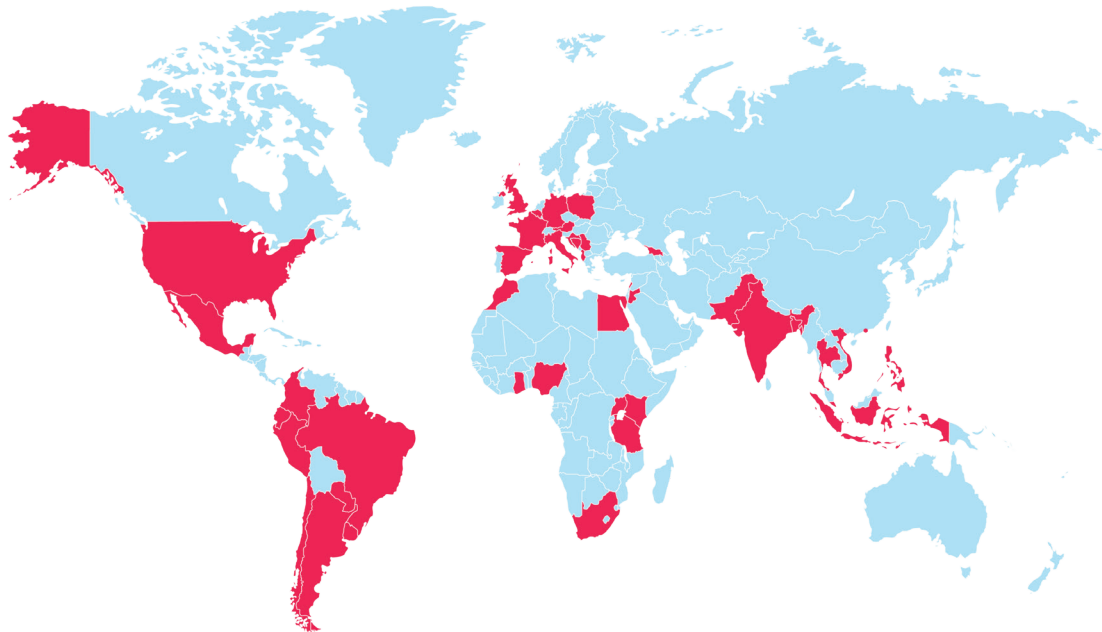


Figure 1: Fairwork Countries map

AFRICA

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

ASIA

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

EUROPE

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

SOUTH AMERICA

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

NORTH AMERICA

Mexico, US

The Fairwork Framework

Fairwork evaluates the working conditions of digital labour platforms and ranks them on how well they do. To do this, we use five principles that digital labour platforms should ensure to be considered as offering ‘fair work’. The five Fairwork principles were developed through a multi-stakeholder workshop at the International Labour Organisation (ILO), and many more workshops in various countries. In the years since then, the principles and their operationalisation have been further fine-tuned. Further details on the thresholds for each principle, and the criteria used to assess the collected evidence to score platforms, can be found in the Appendix.

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 should be 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 should be transparent and result 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 on digital labour platforms: desk research, approaching platforms for evidence, and worker interviews. Through these three methods, we seek evidence on whether platforms operate in accordance with the five Fairwork Principles.

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 gather and analyse a wide range of publicly available documents including contracts, terms and conditions, published policies and procedures, as well as digital interfaces. Desk research also flags 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.

Once the list of platforms has been finalised, each platform is invited to participate in Fairwork's annual ranking study and provided with information about the process. For this report, seven platforms operating in Berlin were identified and selected for the sample.

Platform evidence

The second method involves approaching platforms for evidence. Platform management is invited to submit evidence and discuss the platform's degree of compliance with each of the Fairwork principles. Evidence may include published policies and/or standard operating procedures, public commitments, and website/app functionality. This evidence 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

managements do not agree to participate in the research, we limit our scoring to evidence obtained through desk research and worker interviews.

Worker interviews

The third method is interviewing platform workers and their representatives directly. For this report, 48 interviews were conducted in Berlin, one of Germany's main markets for the platform economy. In some cases, additional interviews were conducted in other cities to crosscheck results. These interviews do not aim to be a statistically representative set of experiences. Rather, they are worker case-studies to examine platforms' policies and practices in the field as they pertain to the Fairwork principles. Specifically, they seek to gain insight into how work is carried out, and how work processes are managed and experienced, on platforms. The interviews situate platform work in the careers of workers by understanding their motivation for entry into a platform, how long they envision undertaking work on the current platform before seeking an alternative either on another platform or in a different sector, and how their experience of platform work is shaped by their interaction with fellow workers and the external labour. These interviews also enable Fairwork researchers to see copies of the contracts issued to workers and to access the app interface, including payout and support screens. This method alerts the team to the presence of issues, but not the frequency or likelihood of their occurrence.

The worker interviews are semi-structured and make use of a series of questions relating to the 10 Fairwork (sub) principles. In order to qualify for the interviews, workers have to be over the age of 18 and have worked with the platform for at least three months. For this report, the interviews were conducted in German, English, Turkish and Hindi.

The worker interviews are semi-structured and make use of a series of questions relating to the 10 Fairwork (sub)

principles. In order to qualify for the interviews, workers have to be over the age of 18 and have worked with the platform for at least three months. In Belgium, these interviews were conducted in Dutch, French and English.

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 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 sufficient evidence exists on each threshold.

STEP 3

How we score

Each of the five Fairwork principles is broken down into two points: a first point, and a second point that 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 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 unable 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. Platforms are 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 report.

Before the publication of this report, companies rated were given the opportunity to review and comment on the findings of this report. All responses are included in Appendix II.

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



Fairwork Germany Scores 2025, by Principle



Principle 1:
Fair
Pay



Principle 2:
Fair
Conditions



Principle 3:
Fair
Contracts



Principle 4:
Fair
Management



Principle 5:
Fair
Representation

Platform	1.1	1.2	2.1	2.2	3.1	3.2	4.1	4.2	5.1	5.2	Total
Lieferando											4
Flink											3
Helping											1
Bolt											0
Uber											0
Uber Eats											0
Wolt											0

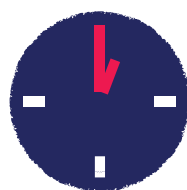
The scores in this report rely on data collected using the Fairwork Framework as described in an earlier section. Following desk research, the Fairwork Germany team conducted 48 interviews with workers working on seven platforms in Berlin and collected evidence from the management of platforms that engaged with us. Appendix I provides further details of the evidence used to score each point in 2025 and how it was collected.

Explaining the Scores



Fair Pay

- Platforms that ensure workers are paid at least the local minimum wage in their active hours, after deducting work-related expenses from their earnings, can meet the first threshold.
- Only one – Flink – out of seven platforms could evidence that all workers' gross pay was at least the minimum wage of €12.82 in their active hours. Flink uses an employment contract that ensures a minimum wage after costs, as key work equipment is either provided or sufficiently compensated for.
- When assessing minimum wage, the scores considered the amount paid to the worker for hours worked and the cost of providing task-specific equipment and paying work-related costs out of pocket. Other costs included but were not limited to unpaid waiting times, travel costs, vehicles, petrol, mobile data, car wash, and any insurance costs.
- In terms of the living wage, no platform could evidence that they ensure workers earn at least the local living wage after costs (the living wage after costs is calculated at €15.40 for Berlin, based on estimates by wageindicator.org).¹⁰



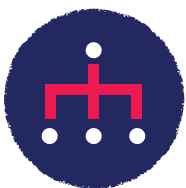
Fair Conditions

- Platforms that demonstrate awareness of workers' risks and provide steps to mitigate them can meet the first threshold.
- This principle was not met by any of the platforms. While some platforms provide accident insurance, proper safety equipment, and training, no platform was able to provide evidence that they meet all the requirements of the first threshold.
- As no platform was awarded a point for the first threshold, no point could be awarded for the second threshold. But it is worth mentioning that for both platforms operating with direct employment contracts, Flink and Lieferando, there was evidence that workers received the regular benefits associated with an employment relationship in Germany (paid holiday and sick leave, social security contributions).¹¹



Fair Contracts

- For platforms to meet the first threshold, they must demonstrate that the contract or terms and conditions are clear and accessible to all workers.
- Three platforms – Flink, Helping and Lieferando – were awarded the first point for fair contracts. This means that they could evidence that the contracts or terms and conditions were accessible, subject to German law, did not include any clauses reverting prevailing legal frameworks, and included adequate, responsible and ethical data protection and management measures, laid out in a documented policy.
- For the second threshold, no platform was able to demonstrate that they ensured no unfair contract terms were imposed on workers, that workers were informed about contractual changes in a timely manner, that subcontractors were effectively monitored and evaluated, and that the algorithms used on the platforms were made transparent to workers. A lack of algorithmic transparency was raised as an issue by many workers interviewed for this study across the different sectors of the platform economy.



Fair Management

- To meet this point, platforms must demonstrate that workers are not arbitrarily deactivated and that there is an avenue for workers to appeal disciplinary actions meaningfully.
- Communication with and support from the platform are crucial when working alone. So are processes whereby workers can appeal decisions that resulted in penalties or disciplinary actions, even when a worker

no longer works for the platform. Only two platforms – Flink and Lieferando – could evidence systems of due process and effective communication channels.

- For the additional point, only Lieferando could demonstrate having clear anti-discrimination policies that remove barriers to accessing working opportunities for disadvantaged groups. It also took further measures to help ensure greater equality and diversity working for the platform, and was thus awarded a point for the second threshold.























Fair Representation

- For platforms to get this point, platforms should ensure freedom of association and the expression of collective worker voice.
- Only one platform, Lieferando, showed evidence of a mechanism that facilitates the expression of workers' collective voice. Lieferando workers have successfully established 20 regional and a general works council in the last years. Despite facing resistance from the platform, these works councils have been able to negotiate with the platform and advocate for improvements in working conditions.
- No platform was able to evidence that workers played a meaningful role in governing the platform or that the platform engaged in collective bargaining with an independent trade union.

PLATFORM IN FOCUS

Lieferando

Lieferando is the German branch of the Dutch delivery platform Just Eat Takeaway. Founded in 2009, when Takeaway bought the food delivery services Foodora, pizza.de, and Lieferheld from Delivery Hero, it has become the dominant delivery platform in Germany.

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	
 Principle 2 Fair Conditions	 Mitigates task-specific risks	 Ensures safe working conditions and a safety net	
 Principle 3 Fair Contracts	 Provides clear and transparent terms and conditions	 Ensures that no unfair contract terms are imposed	
 Principle 4 Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	
 Principle 5 Fair Representation	 Assures freedom of association and the expression of worker voice	 Supports democratic governance	

Lieferando's total score



Initially focused on food delivery, the platform has recently expanded to include the delivery of groceries and other commodities, such as electronics, flowers, and pharmaceuticals. Lieferando follows a two-pronged model. It offers a marketplace for restaurants and retailers to promote and deliver their products to clients, for which Lieferando charges a fee. Additionally, Lieferando offers delivery services through its own logistics department for customers who do not have their own logistics capabilities. For the Fairwork ratings, the research team focused on the working conditions for couriers working in Lieferando's logistics services.

Lieferando is one of the two companies in this year's sample primarily operating with a direct employment model, the other being Flink. However, the employment model does not address all the issues related to working conditions for couriers, as our research clearly demonstrates.

As employees, couriers are formally entitled to the legal minimum wage (which is €12.82 per hour as of 2025). Lieferando claims to pay their couriers above minimum wage when bonuses and all pay components are considered. Fairwork research could confirm that workers are paid exactly €12.82 per hour and that a bonus system is in place, adding a variable amount per delivery if a certain number of deliveries per month is exceeded. Nonetheless, the team was unable to gather sufficient evidence that workers are compensated for all their active hours, due to the ongoing dispute between workers, the works council, the trade union Nahrung-Genuss-Gaststätten (NGG), and the platform regarding the calculation of working time. As confirmed by Fairwork research, the tracking of working time at Lieferando does not include the time couriers need to travel back to their homes after completing their shift. For other economic sectors, European and German courts ruled that travel time between the home and the first customer (and between the last customer and the home) counts as working time, when there is no fixed workplace for the worker.¹² For Lieferando, this is particularly relevant in cities where Lieferando does not operate a hub, as well as in cases where workers use their own equipment (e.g., a bike) and are not regularly visiting the hub to pick up or return equipment. Drawing on this legislation, worker representatives from the federal works council

and the NGG are requesting that Lieferando acknowledges this time as working time. Uncompensated working time could inevitably put (some) couriers below the minimum wage, as the hourly wage follows the statutory minimum wage exactly. Fairwork could not evidence that bonuses or other additional pay components would reliably compensate for this. At the time of writing this report in June 2025, a lawsuit is pending in which a worker is suing Lieferando for underpayment of the minimum wage because of the situation described. Due to this situation, the research team was unable to award a point for Principle 1.1, as there was reasonable doubt that all workers are paid above the minimum wage if working time needs to be adjusted accordingly.

Working at Lieferando comes with the regular benefits of employment, including health and safety protections, statutory sick leave, holiday pay, and parental leave. Lieferando offers all couriers protective gear and regular health and safety training at work. It also offers an insurance package to protect workers against work-related health risks and processes and mechanisms to mitigate the risk of lone working. However, Fairwork was unable to find sufficient evidence that workers do not incur significant costs resulting from damaged personal equipment used for work, such as mobile phones and vehicles, due to accidents.

Workers sign an employment contract directly with Lieferando, of different kinds depending on the number of hours contracted. As employees, riders are protected from a lack of accountability on the platform's side. However, many workers we interviewed complained about a lack of transparency in the algorithms used on the platform, particularly in the assignment and scheduling of shifts. We could not find enough evidence that Lieferando provides the necessary documentation to make their algorithms transparent to workers.

LIEFERANDO IS ONE OF THE TWO COMPANIES IN THIS YEAR'S SAMPLE PRIMARILY OPERATING WITH A DIRECT EMPLOYMENT MODEL, THE OTHER BEING FLINK.

Lieferando offers various means for workers to communicate with the platform. However, this is much easier for workers in cities with a physical hub, where personal contact is possible.

The research team was also provided with evidence of a set of policies and initiatives aimed at improving diversity and inclusion on the platform. This concerns both Lieferando's own employment practices and a code of conduct for customers and restaurants using the platform.

MANY WORKERS WE INTERVIEWED COMPLAINED ABOUT A LACK OF TRANSPARENCY IN THE ALGORITHMS USED ON THE PLATFORM, PARTICULARLY IN THE ASSIGNMENT AND SCHEDULING OF SHIFTS.

Workers are legally entitled to form works councils as employees, and by taking over Foodora, Lieferando inherited several such works councils. Although heavily contested by the platform, continuous efforts by workers have increased the number of works councils over the last few years, making Lieferando the only platform in Germany with structures of collective representation. As of today, there are 20 local works councils throughout the country and a federal works council at the national level. However, the relationship between the platform and the works councils is heavily contested. While the platform publicly welcomes the establishment of works councils, and some works councils have successfully negotiated some company agreements ("Betriebsvereinbarungen") to improve working conditions on the platform and exercise its voice in specific processes, there are ongoing tensions. The works council claims to be obstructed in its work by various means. Another issue that has garnered significant public attention is Lieferando's continued reluctance to engage with the NGG trade union, which is requesting to negotiate a collective bargaining agreement.

Compared to the other platforms in the sample, Lieferando stands out in terms of the working conditions provided to its workers, as the difference in score clearly indicates. But it also shows that an employment relationship alone does not solve all the issues. The






Lieferando case also confirms the irreplaceable role of collective representation to safeguard decent working conditions, as the Lieferando works councils, in cooperation with the NGG, constantly point out the loopholes and shortcomings in the implementation of existing labour law and regulations.

All the more concerning is the fact that Lieferando might deviate from its current mode of operation in the near future. In April 2025, Lieferando fired its employed couriers in Austria, switching from an employment model to working with independent contractors. In Germany, Lieferando also began experimenting with a subcontractor model in Spandau, a district of Berlin, which raises concerns that Lieferando might be adopting the model already employed by its competitors, Wolt and Uber Eats (see section „Theme in Focus” below). As this news only broke after data collection was done and the 2025 ratings prepared, the Fairwork team only considered the workers directly employed by Lieferando for this year's evaluation. However, this evaluation may become outdated soon if the concerns become reality and Lieferando starts implementing the subcontractor model in more German cities and districts.

PLATFORM IN FOCUS

Wolt

Wolt is one of the companies in the food delivery sector that has transitioned, over the last four years, from a model of directly employing workers to a hybrid model that involves a mix of directly employed couriers and those hired by subcontractors.

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

Wolt's total score



0/10

Wolt is a Helsinki (Finland) based company founded in 2015. It started operations in Germany in 2020. In 2022, Wolt was bought by the US company Door Dash but remained a separate brand, operating in 28 countries.¹³ Wolt started as a food delivery platform but has recently moved into the field of grocery delivery as well.¹⁴

This year's Fairwork research on Wolt identified major problems for workers hired by subcontractors. The interviews with workers revealed that many workers were not provided with work contracts, or their contracts did not effectively govern the working relationship, as most clauses of the contract were not honoured in practice. Workers also reported in interviews that they do not have the right to take paid (sick) leave, and their insurance and taxes are not paid by the subcontractor.

For couriers working for subcontractors, payments are made primarily based on the services or deliveries they perform, rather than on an hourly basis, according to the couriers who were interviewed. It is very difficult to estimate the exact amount that couriers earn per hour, since the number of orders they receive and deliver fluctuates. However, most couriers interviewed did not indicate the presence of a mechanism to ensure that they

earn above the minimum wage. In addition, the workers mentioned that they must bear the cost of the bike rent, including expenses for maintenance. Since the payment is based on the number of deliveries, some couriers report that they take undue risks, such as jumping traffic signals and riding on pavements, to increase their pay.

Couriers working for subcontractors also reported that they were expected to coordinate with the subcontractors for any issues related to payments, deactivation, etc. Many couriers mentioned issues with these communication processes, depending on the subcontractor.

Wolt has started implementing a monitoring system for its subcontractors to improve working conditions, ensure compliance with existing labour law, and combat illegal account sharing. But information on these measures is scarce to date, as the platform does not publicly disclose the details of the mechanisms. However, the results of this year's data collection indicate that major issues persist, and it remains to be seen whether Wolt will put more effort into its due diligence mechanisms, so that conditions for couriers working for subcontractors improves in the future.



WORKERS IN FOCUS

Workers' Stories

Vivek*, Flink

Vivek worked as an engineer in India and moved to Germany to pursue a career in a similar discipline. However, after moving here on a student visa, he found it challenging to secure a job that utilised his skills. Finally, he decided to apply to Flink, and after a few weeks, he was recruited as a delivery rider. At Flink, he delivers groceries and has a 20-hour contract.

Vivek finds the conditions in Flink better than most other platforms. One of the main benefits of Flink, he says, is that the payment is on an hourly basis, assuring a fixed income, and there is a valid contract with tax and social security deductions. Additionally, he does not have to rent the bike, as it is provided by Flink.

Flink has hubs and hub managers with whom the workers must regularly interact. Vivek feels that the hub managers sometimes put undue pressure on the riders, as they are often abusive and aggressive. This, in addition to the algorithmic performance measurements, incentivises riders to take unnecessary risks, such as speeding and jumping traffic signals. He is also worried about the effect of the work on his mental and physical health. The grocery orders are generally quite heavy, and in addition to carrying a heavy bag on their back, delivery riders often have to climb four or five floors to deliver the orders. He frequently experiences back and shoulder issues.

Vivek enjoys riding and being outdoors, which makes the job appealing to him. However, he believes the platform could improve significantly by taking better care of its riders through regular hub monitoring, incorporating rider feedback, and enabling worker organisation, all of which he says are currently absent at Flink.

Pargat Singh*, Uber Eats

Pargat Singh, originally from India and now in his forties, works as a rider for Uber Eats. Prior to the pandemic, he was employed as a truck driver in a Gulf country. However, following the onset of the pandemic, he relocated to Europe and sought employment in the restaurant sector. As securing a stable job in that industry proved increasingly difficult, he eventually signed up with a subcontractor of Uber Eats.

The big issue of working at Uber Eats, according to Pargat, is the uncertainty of the job. He had to sign a contract, but never received a copy. As a result, he is not sure what clauses the contract contains or whether he can ever go to court if the need arises. The subcontractor can fire employees at their will.

Moreover, in a highly exploitative practice, as he called it, the subcontractor charges riders 20-30% of their income. Pargat works 40 hours per week and earns between €2000–2500 per month. However, he must spend around €150 on his bike, and 30% of his income goes to the subcontractor, leaving him with approximately €1500. With this, he must cover his rent, bills, and send remittances to support his family in India. There are other issues with the platform as well, such as the absence of insurance and social security, loss of income in the event of sickness or an accident, and a lack of support from the platform in addressing workers' concerns. Pargat has already experienced two accidents while riding in the snow, yet he had to continue working without any pause. He no longer sees a future in this job, as the conditions are extremely harsh, and he can barely make a living.

Elana*, Helpling

Elana*, a 35-year-old from Latin America, started to work in the hospitality sector in minimum-wage-paying jobs after arriving in Berlin. When her visa expired, she turned to Helpling as a cleaner, as the platform did not require proof of a valid work Visa, making it the most viable option.

One key advantage, she notes, is flexibility—she chooses her hours and accepts or declines jobs via the app. Helpling also offers higher earnings than her previous minimum-wage jobs. Initially charging €12–15 per hour, she has since raised her rates to €25. Even after deducting Helpling’s commission, she earns more than in her previous jobs. Elana has also built her customer base. When she finds reliable clients through Helpling, she offers to work directly with them, allowing both parties to avoid the platform’s high commissions.

However, working for Helpling has its downsides. Elana feels that the platform penalises workers for cancelling jobs by withholding new customer requests for weeks. She also feels unsupported when dealing with mistreatment, recalling an incident where a customer berated her for her limited German.

Despite the flexibility and earning potential, Elana does not enjoy working for Helpling. While she values the higher pay and fewer hours compared to minimum-wage jobs, she finds the platform’s commissions excessive. Her goal is to establish a stable client base, so she no longer has to rely on Helpling for new customers, allowing her to retain a larger portion of her earnings.

Mahesh*, Lieferando

Mahesh, a 36-year-old from South Asia, came to Berlin for his master’s degree, hoping to build on his years of marketing experience. Instead, he faced relentless job rejections—whether due to language barriers or competition, he never knew. As financial pressures mounted, he turned to delivery work with Lieferando, joining many other migrants in the sector. While it wasn’t his ideal path, Mahesh acknowledges the practicality of the job. The income allows him to support his family back home, a reality that makes this work worthwhile for many migrants.

However, the job carries serious risks. One snowy night, Mahesh crashed into a metal bike rack and lay unconscious on an empty street for five minutes. Beyond safety, Mahesh also points to systemic issues within Lieferando’s employment practices, such as the “hire and fire” probation policy, which he believes exploits workers. Despite these challenges, Mahesh considers himself fortunate compared to riders working for other platforms, acknowledging that Lieferando is “best among the worst”.

MAHESH CONSIDERS HIMSELF FORTUNATE COMPARED TO RIDERS WORKING FOR OTHER PLATFORMS, ACKNOWLEDGING THAT LIEFERANDO IS “BEST AMONG THE WORST”.

Ali*, Bolt/Uber

Ali, a 50-year-old from Turkey, has lived in Germany for 27 years. Before moving to Berlin through marriage, he had worked a variety of jobs back home. In Germany, he found steady employment at a printing house until the pandemic hit. When everything shut down during the COVID pandemic, he lost his job. Handy and adaptable, Ali was ready to take on anything, but there were no jobs to be found. To survive, he began working as a platform driver.

To Ali, all the apps—Uber, Bolt, FreeNow—felt the same. He worked through a subcontractor, not directly for the platforms. Over four years, the company he worked for changed more than four times. Sometimes, all it took was a single phone call: “The company shut down.” Just like that, he’d be left on his own again.

When Berlin authorities started to enforce existing regulations more strictly in 2025, which led to the closure of illegal subcontractors, Ali finally applied for a “Personenbeförderungsschein”—the official passenger transport license. It wasn’t cheap, but it gave him legal standing and allowed him to work with licensed taxi companies while still accepting rides via the platforms.

The licensed taxi company charged lower commissions compared to subcontractors, and that alone felt like a relief. “I should’ve listened to my wife,” he says, reflecting on the delay in getting licensed. Still, the system isn’t easy. Even with the reduced fees, the constant commission cuts add up.

What once promised flexibility and freedom — working on his own schedule, being his own boss — has, over time, turned into something else entirely. For Ali, platforms are no longer a choice, but a necessity of doing taxi work. “You can’t not use them,” he says. “It’s part of the job now.”

FOR ALI, PLATFORMS ARE NO LONGER A CHOICE, BUT A NECESSITY OF DOING TAXI WORK. “YOU CAN’T NOT USE THEM”, HE SAYS “IT’S PART OF THE JOB NOW”.

And the challenges continue. He has to closely monitor payments, which sometimes arrive short. Bonus systems seem rigged—on the final stretch, he’s sent a distant ride that makes completing the goal almost impossible.

But then, there are the passengers. This, for Ali, is the part he holds onto. “We bring lovers together, reunite friends, get people to weddings, to airports, to goodbyes. Every ride is a piece of someone’s story,” he says with a smile. “Sometimes I feel like I’m not just driving a car—I’m part of someone’s big moment.”

That said, he’s quick to point out the darker side. Not everyone who steps into the car is kind or safe. “You never really know who’s getting in. And no one’s really checking.”

Ali keeps driving. With his license and more stable footing, he’s managed to carve out a routine. But for all the progress, the road ahead still feels shaped by forces beyond his control.

**Names changed to protect worker identity.*

THEME IN FOCUS

Shades of Subcontracting

In recent years, subcontracting in platform work has become increasingly prevalent among specific platform sectors, particularly in ride-hailing and food and grocery delivery. Subcontracting in the platform economy is characterised by the main platform firm delegating key tasks of its operations to third-party firms.

These tasks often comprise the entire management of the workforce, including the recruitment of workers, task allocation, supervision of workers and communication, as well as issuing contracts and payments, and providing equipment and training. The division of labour between the main platform firm and the subcontractor differs from platform to platform and depends on the country's legal framework. Several European Fairwork country reports have highlighted how the involvement of subcontractors and the renting of accounts creates challenges for workers.¹⁵

Subcontracting in Germany's Platform Economy

In our sample, subcontracting to intermediaries is employed by platforms in the food delivery and ride-hailing sectors.

In the German ride-hailing sector, subcontractors were already an integral part of the platforms' operations in 2020 and 2021, as discussed in our previous reports. That said, there are significant constraints on the kind of subcontracted companies platforms are allowed to work with in Germany. The resulting model is that platforms operate with registered companies who aggregate and

operate cars for private hire, and who are in possession of licenses for commercial passenger transportation. While some of these companies operate both conventional taxis and vehicles operating for ride-hailing platforms, many exclusively operate their vehicles for the ride-hailing platforms active in the German market and cannot be booked by passengers via street hailing or any other mode. In May 2025, around 406 of these companies were registered in Berlin, operating 2209 vehicles.¹⁶ Drivers are officially employed by these subcontracted companies. Usually, part of the profit is received by the platform company as commission (around 30%) and the remaining 70% are shared between the subcontracted company and the driver.¹⁷

According to the German passenger transportation law (Personenbeförderungsgesetz PBefG), ride-hailing services, such as those offered by Uber and Bolt and operated by the private hire companies, are treated as occasional passenger transport (§ 46 of PBefG) and classified as private hire service (Mietwagen) according to § 49 of PBefG. This also implies that these privately hired cars must return to the company's facility after each ride and that the private hire company must keep track to ensure they comply with this requirement, according to § 49 Abs. 4 Satz 2 PBefG.¹⁸ This was confirmed in 2018 when a German Federal court ruled that Uber should be

treated as a “Mietwagen” (private hire) company and not as a taxi service, since ride-hailing platforms such as Uber and Bolt do not have fixed fares for passengers and – different to the conventional taxi sector where the number of taxis operating in Berlin is limited – there is no cap on licensed passenger transport vehicles imposed by the state of Berlin.¹⁹ Drivers are officially supposed to be employed by the private hire companies providing the service to Uber and Bolt, and to receive formal employment contracts that entitle them to minimum wage and other employment benefits. However, our fieldwork reveals that these contracts are often not adhered to, and the benefits of the employment status are frequently not granted by these subcontracted companies, as the workers interviewed for this study attest.

To operate a private hire company for ride-hailing services, such as Uber or Bolt, companies must obtain a license. This license is subject to certain requirements, including proof that the company owner has completed a training and instruction course at the Chamber of Commerce, as well as demonstrating personal reliability and financial capability.²⁰ Companies must also provide their facilities, including break and rest rooms for personnel, in the city of operation, and need to provide parking places for each vehicle they operate.²¹ In Berlin, the first license to operate a private hire company for commercial passenger transport is issued for up to two years, and each further extension can be up to five years maximum.²² Drivers

employed by the private hire company must provide proof of possession of a valid passenger transport license that permits them to transport passengers commercially.²³

Subcontracting in the German ride-hailing sector and food delivery sector (specifically in Berlin) gained a lot of public attention in 2024 when FreeNow, one of the main ride-hailing platforms in Germany, publicly declared its withdrawal from the ride-hailing market operated with private hire companies as a result of a series of media reports on illegal and informal work arrangements in the sector.²⁴

Already in 2022 and 2023, the state of Berlin detected large-scale fraud by private hire companies that were providing ride-hailing services for Uber, Bolt, and FreeNow without the required licenses, and issued substantial fines against these operators.²⁵ However, the situation worsened in the following years. In 2023 and 2024, it became apparent that private hire companies in Berlin were failing to meet several legal requirements.²⁶ In spring 2024, it came to light that more than 2800 cars operating for Uber, Bolt and FreeNow did not have valid licenses; around 57% of all ride-hailing cars operating in Berlin at that time. Additionally, of the 484 private hire companies operating for the three platform firms, a third of the subcontracted firms were not in possession of the necessary licenses.²⁷ The responsible authority in Berlin issued a statement that they suspected organised



Barna Bartis / Unsplash

crime to be behind the breach of regulations, and that they had observed tampering with and forging of license numbers displayed on cars.²⁸ As a consequence, Uber, Bolt and FreeNow agreed to provide data to the responsible authority, to allow a comparison and matching between the datasets held by the companies and the authority.²⁹ By the end of May 2024, the platform companies had stopped the operation of 1700 of these illegal cars, however, allegations of systematic fraud continue, with reports indicating that some of the companies operating vehicles for Uber, Bolt and FreeNow shifted operations to the neighbouring state of Brandenburg.³⁰ Serious allegations of tax evasion were also raised against firms used by Uber, Bolt and FreeNow.³¹ Eventually, in December 2024, the activities of the Berlin authorities showed tangible effects: The number of licenses for private hire cars operating in Berlin had reduced by one third to roughly 3000 cars. However, circumvention of legal regulations by relocating private hire companies to the neighbouring state of Brandenburg apparently continues in 2025, with the cars still operating mainly in Berlin. 800 private hire cars have been registered in Brandenburg as of May 2025, and there is evidence that companies continue to neglect many of the provisions required by law.³²

These scandals and alleged systematic frauds are the ones detected in Berlin over a period of only two years. Further cases of tax evasion and document counterfeiting were recently detected at companies working for Uber and Bolt in Frankfurt. Also, it was detected that some of the private hire companies operated vehicles without licenses.³³

Subcontracting in the delivery sector

In food and grocery delivery, subcontracting has been on the rise for the last years. While most food and grocery delivery platforms were still offering direct employment contracts to workers in 2021, the situation has changed significantly in recent years, and the platforms' contractual models have begun to differ substantially. While Lieferando and Flink so far still stick to the direct employment model (for the caveats regarding Lieferando, see the section "Platform in focus: Lieferando" above), other platforms have switched to hybrid models or models based entirely on subcontracted workers. Wolt was directly employing couriers in 2021. However, in the following years, Wolt increasingly used subcontractors

to manage its workforce. The result is a hybrid model. At the beginning of 2023, Wolt claimed that it directly employed 4000 workers in Germany.³⁴ Today, while some couriers are still directly employed by Wolt, all the workers interviewed for this report said that most workers are recruited through subcontractors. Uber Eats entered the German food delivery market in late 2021 and has operated with a subcontractor model right from the start.³⁵

IN FOOD AND GROCERY DELIVERY, SUBCONTRACTING HAS BEEN ON THE RISE FOR THE LAST YEARS.

The exact nature of the subcontractor model varies greatly. The workers interviewed for this study worked for a range of subcontracted companies, from very small and informal entities contracting a handful of couriers to larger companies working with more than a hundred couriers. For workers, the subcontracting relations are often opaque. For example, in 2023, some workers working on the Wolt platform via a subcontractor claimed that they did not know that they were not directly employed with Wolt.³⁶ One courier complained that he had not received a written contract when starting to work on the Wolt platform via subcontractors, but had to agree to sign a contract online. He claimed that having signed an online contract would make it difficult to claim his rights.³⁷ In our fieldwork at the end of 2024/beginning of 2025, most of the interviewed workers who worked on the Wolt platform reported that they received employment contracts from subcontractors, but many workers complained that these employment relations only exist on paper. Instead of the hourly pay stipulated in the contracts, all of them reported being paid on a per-task basis. While Uber Eats claims that the subcontractors they are operating with provide employment contracts to workers and conform with all applicable laws, including minimum wage, there are reports that some subcontractors are instead providing freelance contracts to workers. Workers interviewed for a report in the *Neues Deutschland* newspaper stated that they had to register their own businesses before starting work on the platform and pay their own tax.³⁸ Others claimed that they are treated as individual contractors, despite having signed an employment contract.

It is not possible to identify a single reason why food delivery platforms started to work with subcontractors. However, when Uber Eats started its operations in Germany in 2021 – using subcontracted fleet partners from the start – some commentators expected Lieferando to lose its dominant position in the German food delivery market.³⁹ There is indeed reason to believe that the subcontracting model provides a competitive advantage for delivery platforms. As Fairwork has reported for other countries, platforms use the subcontracting model to cut costs and increase flexibility in workforce arrangements. Fairwork Poland, for example, has shown in 2024 that subcontracted companies are cutting costs by developing sophisticated tax schemes to lower taxes and social security contributions.⁴⁰ The Fairwork Serbia Report 2023 highlighted even more questionable practices, evidencing that riders working for subcontracted firms lack entitlements such as paid annual leave, holidays, sick leave, and maternity/paternity benefits; furthermore, they often received part-time or temporary contracts, although they often work full-time, receiving the remaining remuneration in cash.⁴¹

In Germany, platforms have not publicly provided a justification for their increasing reliance on the subcontracting model, but we can probably assume that cutting costs and increasing flexibility are the main reasons. There are indications that Lieferando, the only platform in the food delivery sector still operating with a direct employment model, may follow suit. Indeed, in 2025, Lieferando started to test the operation with a fleet partner in Berlin's district of Spandau, arguing that it wanted to test the "operating standard in the sectoral competition"⁴² and that "delivering with specialised logistics partners is prevailing in the food delivery sector."⁴³

Given that food delivery platforms using the subcontracting model received very low scores this year, the near future will reveal whether these experiments with subcontracting at Lieferando will provide fair working standards for workers, in line with the five principles of Fairwork.

Challenging Working Conditions for Workers at Subcontracted Companies

The challenges associated with subcontracting have emerged as a recurring theme in Fairwork studies conducted in other countries, with subcontracting directly impacting the livelihoods and rights of workers, many of whom find themselves in precarious employment situations.

On July 28, 2023, Wolt riders took their fight for unpaid wages to the Berlin Labour Court, alleging that they had been withheld pay, denied sick leave, and had lacked safety protections for months. Despite the evidence presented, Wolt denied using the subcontractor in question. Out of approximately 120 affected workers, only three dared to pursue their claims, highlighting the precarious and often vulnerable position of these largely migrant workers.⁴⁴

Compounding this issue is the payment structure itself. Uber Eats and Wolt workers interviewed for this study reported being paid on a per-order basis, meaning they only earn money when actively completing deliveries. This arrangement forces them to spend hours waiting outside restaurants, sometimes in harsh weather conditions, without compensation, reducing their take-home hourly wage to well below minimum wage. Uber and Bolt drivers reported varying payment models depending on the subcontractors they work for. While some drivers receive hourly minimum wage, others are compensated on a per-service basis.

**UBER EATS AND WOLT WORKERS
REPORTED BEING PAID ON A
PER-ORDER BASIS, MEANING
THEY ONLY EARN MONEY WHEN
ACTIVELY COMPLETING DELIVERIES.**

Further, subcontracting arrangements often include high commission fees. According to workers interviewed for this report, some subcontracted firms affiliated with Uber Eats can take as much as 35 per cent of their earnings, in addition to the commission already deducted by the

platform. Some workers interviewed for this study were required to pay over €500 to a subcontractor as a joining fee merely to gain access to work through these apps, placing an additional financial strain on them before they had even started earning. In the ride-hailing sector, the commission rates deducted from drivers' earnings by subcontractors and the platforms differ, reflecting the diverse payment policies across firms and platforms.

The lack of basic labour protections exacerbates the precarious nature of working under subcontractors. Many of the delivery riders interviewed for this study reported being responsible for securing their health insurance, and according to their statements, their employers deny them access to paid sick leave or holiday benefits. They must also cover the costs of their work equipment, such as expensive e-bikes, reliable mobile phones and ample mobile data, further eroding their take-home pay. In many cases, workers do not even receive written employment contracts, and some subcontractors reportedly require their new hires to sign termination agreements at the start of their employment, allowing them to be dismissed without notice. In the ride-hailing sector, subcontracted firms typically provide vehicles to drivers at no direct cost, covering expenses such as maintenance, repairs, and fuel. Moreover, across all platforms in our sample that use subcontractors, workers face significant barriers to organising or improving their working conditions. Interviews indicate that attempts to establish works councils or any form of collective representation are met with harsh resistance from the employers, with involved workers often facing immediate dismissal.

WORKERS OFTEN FIND THEMSELVES CAUGHT BETWEEN THE PLATFORM AND THE SUBCONTRACTOR, EACH DEFLECTING RESPONSIBILITY FOR WORKPLACE ISSUES.

The division of management responsibilities further complicates these challenges, as workers often find themselves caught between the platform and the subcontractor, each deflecting responsibility for workplace issues. This fragmentation can make it difficult for workers to resolve disputes or seek redress for mistreatment.

Finally, there is little evidence that platforms, which rely heavily on subcontractors, effectively monitor the working conditions of their subcontracted labour force. This lack of oversight not only contributes to poor working conditions but also perpetuates the broader problem of accountability within the platform economy.

Subcontractors and migrant labour

Migrants often find work through labour intermediaries and subcontractors, which offer lower entry barriers compared to direct employment. In many countries with significant internal labour migration, these channels have long facilitated access to urban informal jobs, such as household work. Platform firms also rely on these existing intermediaries and their migrant networks to recruit workers, as has been documented, for example, in India and the Philippines. A similar pattern also emerges in Germany's platform-based food delivery sector. Newly arrived migrants, including international students, often find work through subcontracting arrangements, typically via informal, word-of-mouth recruitment. The onboarding process is generally straightforward, requiring neither language proficiency nor legal knowledge.⁴⁵ Given their limited employment opportunities upon arrival, many migrants accept precarious and opaque working arrangements with subcontracted firms. These roles often come with low wages and poor working conditions, reflecting stark power imbalances between workers and the subcontracted companies.

In the German context, subcontracting thus functions as both a point of entry into the labour market for migrant workers and a mechanism that reinforces existing inequalities and unfairness in the labour market. The concentration of migrants in subcontracted platform work contributes to a segmented labour force, where regulatory loopholes and the unwillingness of platforms to take responsibility for their subcontractors' employment practices disproportionately affect those with limited bargaining power and little knowledge of labour rights. Dependent on these jobs to sustain themselves and, in many cases, to maintain their legal residence status, many migrant platform workers are reluctant to raise their voice about poor working conditions or exploitative practices.

MOVING FORWARD

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. 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 in Germany is by engaging directly with platforms. We also engage with policy makers and government to advocate for extending appropriate legal protections to all platform workers, irrespective of their legal classification. The Fairwork team was invited to the National Stakeholder Dialogue on the transposition of the EU Platform Work Directive and engaged with various members of the Bundestag and the Berlin Senate to discuss regulatory challenges. 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).

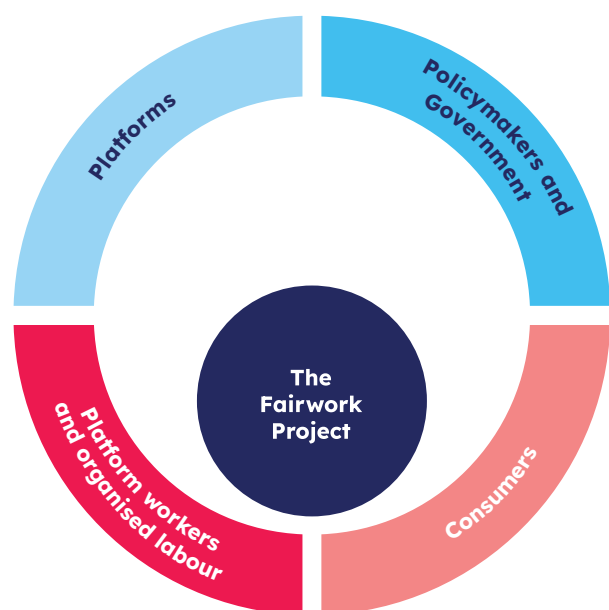


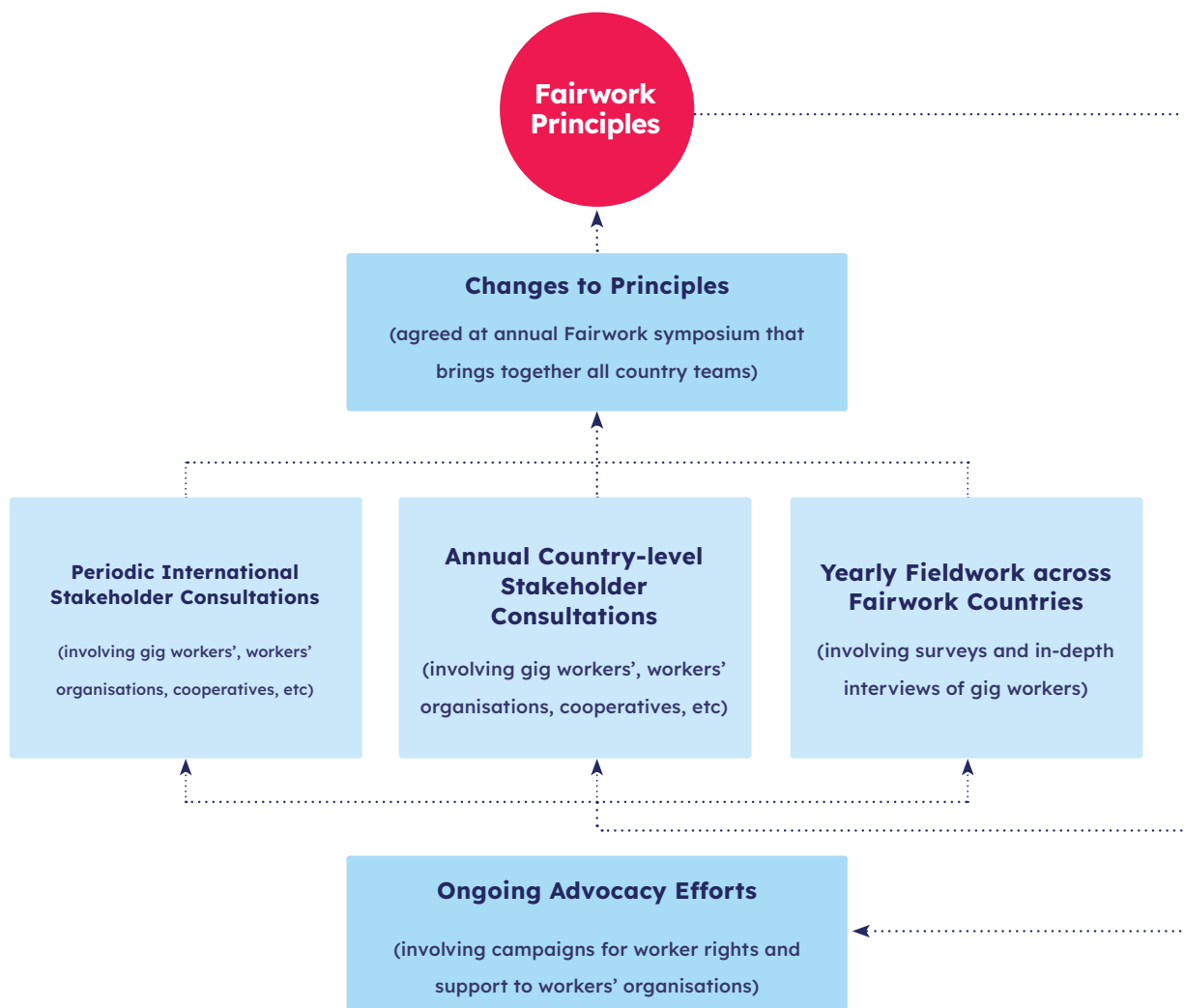
Figure 2: Fairwork's Pathways to Change

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.

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 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 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.

Figure 3: Fairwork Principles: Continuous Worker-guided Evolution



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 organisational materials.

The pledge constitutes two levels. The first is as an official Fairwork Supporter, which entails publicly demonstrating support for fairer platform work, and making resources available to staff and members to help them in deciding which platforms to engage with. We are proud to announce that we have six official Fairwork Supporters in Germany: the Digital Transformation Centers, the Berliner Senatsverwaltung für Integration, Arbeit und Soziales, the ISF Munich, the IfS Frankfurt, the Friedrich Ebert Stiftung's Competence Centre Future of Work, and Algorithmwatch. 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. The Berlin Social Science Center (WZB), the GIZ, the Deutscher Verband der freien Übersetzer und Dolmetscher e. V. (DVÜD), the Alexander von Humboldt Institute for Internet and Society (HIIG), and McDonald's Germany have become official Fairwork Partners in Germany.

**MORE INFORMATION ABOUT
THE PLEDGE, AND HOW TO SIGN UP,
IS AVAILABLE AT**

FAIR.WORK/PLEDGE



APPENDIX I

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”.⁴⁶ 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”.⁴⁷ 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.⁴⁸

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, 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 points. 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 10 points. Fairwork scores are updated on a yearly basis; the scores presented in this report were derived from data pertaining to the eight months between September 2024 and April 2025 and are valid until April 2026.

Table 1: Fairwork Scoring System (Principle version 24.10)

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	 Ensures safe working conditions and 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 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.⁴⁹ Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.⁵⁰ 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.⁵¹ 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.⁵²

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.^{53,54}

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 are provided to protect workers' health and safety from task-specific risks.⁵⁵ 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.
- Platforms take meaningful steps to ensure that workers do not suffer significant costs as a result of accident, injury or disease resulting from work.

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, for example, sickness, or parenthood. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control.⁵⁶ 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:

- Platform takes meaningful steps towards the social protection of its workers.

- 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. 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.⁵⁷ 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 country/state/region in which the worker work.
- 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.⁵⁸

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 algorithms are used to determine pricing, bonuses, ratings and/or allocate jobs, the data collected, and calculations used must be transparent and documented in a form available to workers in clear and comprehensible language that all workers could be expected to understand.

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.⁵⁹
- 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.⁶⁰
- 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 mechanism⁶¹ 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.⁶²
- 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.^{63, 64}

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:

- Workers play a meaningful role in governing it.
- 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.⁶⁵

APPENDIX II

Comments from Companies Rated

Prior to publication, all companies rated were given an opportunity to review this report and provide a comment. Below are all of the responses we received from the companies.

Bolt

At Bolt, we are committed to fair pay and good working conditions for ridehailing drivers across Europe, including in Germany. However, this year's Fairwork report overlooks one of the most important features of platform work: flexibility.

In every driver survey we conduct, flexibility—the ability to choose when, where, and how much to work—is consistently rated as the top reason people choose to engage in ridehailing work. For many, particularly migrants, students, and caregivers, flexibility is not a nice-to-have—it's essential. Without it, this work would simply not be an option.

The Fairwork scoring framework underrepresents this reality. By focusing narrowly on formal employment-like standards, it risks promoting models that could take away the choice and autonomy that drivers value most. That is not a fair outcome.

We believe drivers deserve both fair conditions and flexibility. The future of platform work should not be about simply replicating traditional employment, but about raising standards while preserving what works for workers themselves. We encourage the Fairwork team to integrate driver preferences more explicitly into its methodology to ensure a fuller and more balanced picture of what fairness truly means in the platform economy.

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ENDNOTES

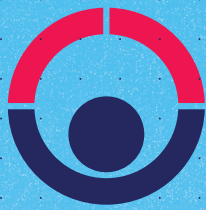
- 1 Picture credits: Inga Haar, Dt. Bundestag.
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- 3 Picture credits: WZB/David Ausserhofer
- 4 The living wage figure is based on wageindicator.org's estimation of a living wage for Berlin (October 2024 version) for a typical family (2+national fertility rate), national employment rate, highest, per hour.
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 - 49 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.
 - 50 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.
 - 51 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.

- 52 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.
- 53 Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.
- 54 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 living wage after costs.
- 55 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."
- 56 The ILO's Social Security (Minimum Standards) Convention, 1952 (No. 102), establishes nine classes of benefit (medical care and benefits in respect of sickness, unemployment, old age, employment injury, family, maternity, invalidity and survivors). Source: <https://webapps.ilo.org/public/english/revue/download/pdf/ghai.pdf>, p.122.
- 57 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.
- 58 As stated in international standards, ethical data protection includes aspects such as legitimacy and lawfulness, proportionality, purpose limitation, transparency, quality, data subject's rights (access, rectification, evaluation, erasure, and portability), accountability, and collective rights. Also, when using AI, the rights to be informed about it and to have a human interface.
- 59 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.
- 60 In accordance with the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and applicable national law.
- 61 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
- 62 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."
- 63 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.
- 64 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.
- 65 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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