

Fairwork

THE
POLICY
INITIATIVE

PLATFORM WORK IN

TIMES OF CRISIS

Fairwork Lebanon Ratings 2023



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Executive Summary

This report constitutes the first in-depth overview of working conditions in Lebanon’s platform economy. It explores how platform work, which is often characterised by precarity, is taking shape in a country battling multiple crises that continue to cripple the economy, politics, and society at large.

The decades following the 15 year-long civil war, which ended in 1990, have rarely shown signs of inclusive economic growth. Lebanon, left highly indebted to—and dependent upon—foreign capital inflow, has been in a constant state of precarious stability. The country was able to stave off an earlier collapse primarily due to international donor conferences and the resilient remittance inflow from the diaspora community, even amidst political disruptions, including the 2005 Cedar revolution following the assassination of the country’s Prime Minister, Rafic Hariri; the 2006 Israel-Hezbollah war; and the Syrian civil war, which brought in over 1.5 million refugees to Lebanon.

In the past five years alone, Lebanon’s economy has shrunk by 70%. The domestic currency has lost over 95% of its value, and more than 80% of the population lives in poverty. One in three people in Lebanon are unemployed (and one in two amongst the youth), pushing the labour force to seek jobs in precarious arrangements or seek ways to emigrate. The situation is particularly dire for Palestinians and Syrians with refugee status, who constitute almost a quarter of Lebanon’s population. Today, Lebanon is in direct proximity to the war in Gaza. People are in a state of anxiety over the war spreading into territorial Lebanon should Hezbollah, which monopolizes such decision-making, decide to escalate the conflict. In this vein, there is little hope that the Lebanese economy could healthily recover anytime soon.

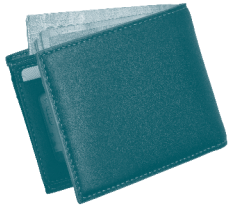
Although the picture is bleak, there is a growing, yet highly unregulated, platform economy in Lebanon. Digital labour platforms first started operating in the country in 2014, with more entering the market in the following years. Due to lack of employment opportunities and low-cost entry, many in Lebanon, including refugees, seek jobs through platforms. However, the hopes of landing a job via a platform often

hides a grim picture—one that is defined by low pay, poor working conditions, and no social security. Lack of state regulation further exacerbates worker precarity, leaving many exploited by platforms, yet with no other alternative but to remain in the platform economy.

DUE TO LACK OF EMPLOYMENT OPPORTUNITIES AND LOW-COST ENTRY, MANY IN LEBANON, INCLUDING REFUGEES, SEEK JOBS THROUGH PLATFORMS.

For this year’s study, Fairwork has partnered with The Policy Initiative in Beirut to assess working conditions in six platforms operating in Lebanon across two sectors, ride-hailing, and food delivery. These are Uber, Bolt, inDrive, TaxiF, Toters, and Gozilla. None of the platforms were granted any points for the five Fairwork principles, namely: Fair Pay, Fair Conditions, Fair Contracts, Fair Management, and Fair Representation. As per the Fairwork methodology, points are only granted to platforms when they have provided verifiable evidence that they satisfy the principle.

Key Findings



FAIR PAY

No platform could evidence that earnings are sufficient to ensure workers' gross pay is at or above the minimum hourly wage of LBP 46,800 (\pm \$0.52), and above the minimum hourly living wage of LBP 146,800 (\pm \$1.6) after all work-related costs, including motorbike/car rental, insurance, and fuel, have been accounted for.



FAIR CONDITIONS

No platform could evidence that they take meaningful measures to mitigate task-specific risks. In addition to lack of safety training, workers often have to buy their own gear, and deal with the risk of having their vehicle withheld at random police checkpoints. Moreover, no social security scheme is provided to workers to allow for a social safety net.



FAIR CONTRACTS

No platform could evidence providing an employment contract or terms and conditions which are presented in full, in clear and comprehensive language that all couriers speak. Worker evidence further suggests that one platform operates without providing any contract or terms and conditions to its workers at all.



FAIR MANAGEMENT

Worker interviews indicate that platforms fail to meet the evidence threshold for clear and efficient channels of communication in all six platforms included in this year's study. Workers often have to resort to informal channels, such as WhatsApp worker groups, to seek solutions to issues faced at work.



FAIR REPRESENTATION

Lebanon has yet to ratify the ILO Convention on Freedom of Association and Protection of the Right to Organise. However, alternative mechanisms could be implemented for workers to organise collectively at the workplace, express their wishes, and be listened to. None of the platforms could evidence a documented mechanism or willingness to communicate with, let alone recognize, an independent body of workers.

Research in Times of Crisis

Lebanon’s financial crisis has been unfolding across chaotic terrain. Throughout 2023, in our attempts to understand and assess working conditions in digital labour platforms, we encountered a dynamic and fast-changing reality that rendered temporal comparisons conceptually challenging.

In recent years, the economic landscape has been disrupted by a currency shock, the COVID-19 pandemic, and the Beirut port explosion, followed by a total lack of policy response by the state, triggering business closures and a substantial brain drain. The resulting uncertainty over Lebanon’s economic future has done digital labour platforms a huge service by fostering a highly precarious labour force that can easily be preyed upon by labour platforms. The interviews we carried out with platform workers make clear that they do not have the luxury of caring about rights and protection, like social security and union representation, or a decent living standard, let alone a prosperous one. In reality, they must fight by the day just to make ends meet.

The Lebanese platform economy is a microcosm of the broader toxic yet resilient economy in the country. The state’s social protection systems are severely under-capacitated and yield high coverage gaps. The economy is unregulated, in the form of “zombie banks”, a multitude of exchange rates, and a cash-based mode of transaction.¹ And the conventional lines that separated the legal from illegal, formal from informal, and full-time and part-time work have been blurred. Thus, the structural and crisis-induced challenges that the labour force is now facing have the potential of enduring for generations.

For researchers and policy practitioners, the reality is a complex puzzle that requires adaptive and creative methods. For example, the country’s inflation rates can quickly render income levels measured today, totally futile by tomorrow. The fluctuating exchange rates, soaring fuel prices, and the scarcity of basic commodities can have large trickle-down effects on the coping mechanisms of platform workers. Before investigating the platform economy, one therefore needs to acknowledge that it is a moving target. The only narrative that should be anchored is one that veers away from marketing platform workers as entrepreneurs, into one that asserts the rights of platform workers to have fair labour standards. Doing so necessitates a mission-driven state to guide a collaborative effort between platform management and workers, and place labour rights high on the policy agenda. Prospects for this in Lebanon are still poor, as the state—which endured major capacity losses during the crisis—does not currently grant platform workers an official employment status. Awareness should therefore be transmitted from civil society to the broader public, so that it may hold platforms accountable and demand better regulation and enforcement of labour standards from the state.

THE FAIRWORK PROJECT

Towards Decent Labour Standards in the Platform Economy

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

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

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

Fairwork countries

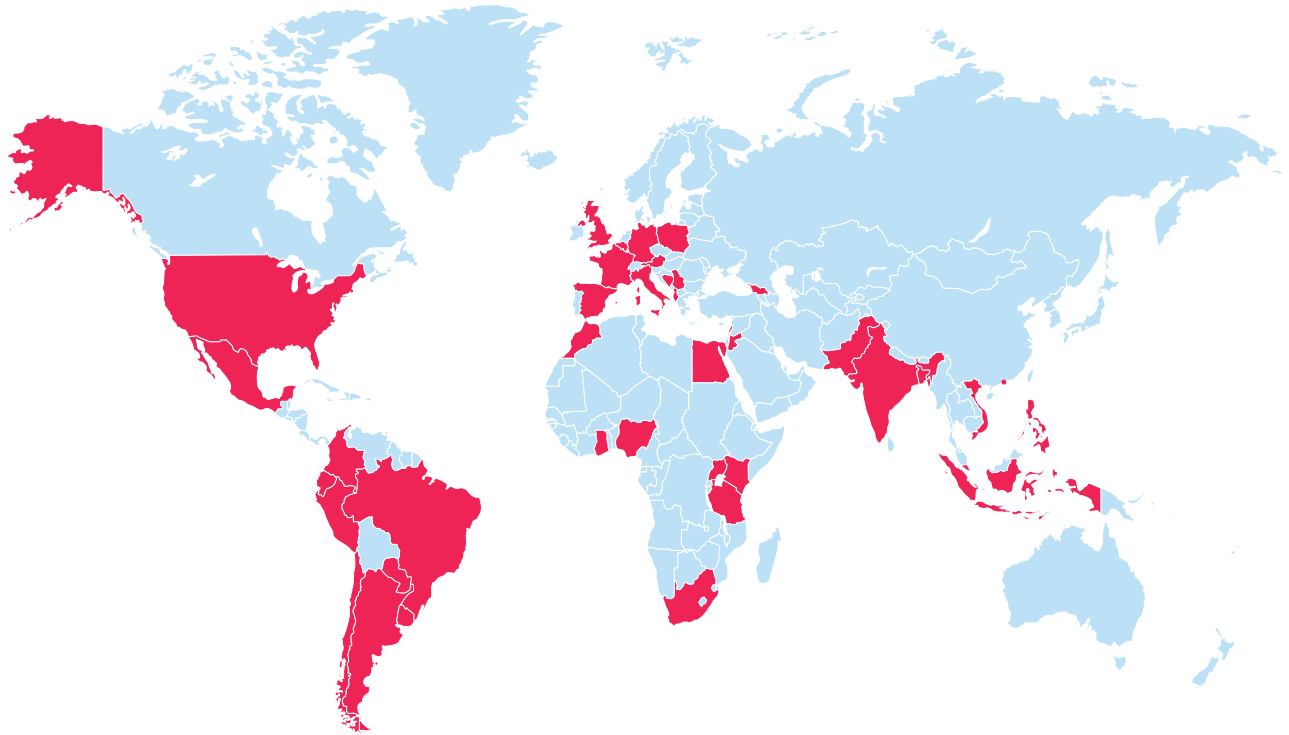


Figure 1. Map of Fairwork countries.

AFRICA

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

ASIA

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

EUROPE

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

SOUTH AMERICA

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

NORTH AMERICA

Mexico, US

The Fairwork Framework

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

STEP 1

The five principles



Fair Pay

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



Fair Conditions

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



Fair Contracts

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



Fair Management

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



Fair Representation

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

STEP 2

Methodology Overview

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

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

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

Desk research

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

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

Platform interviews

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

Worker interviews

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

Workers are approached using a range of different channels. For our 2023 ratings, this included reaching out to them during working hours, and contacting them via the use of apps (ordering services) or whilst they are idling on the streets and waiting for orders. In all these strategies informed consent was established, with interviews conducted in person and on the phone.

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

Putting it all together

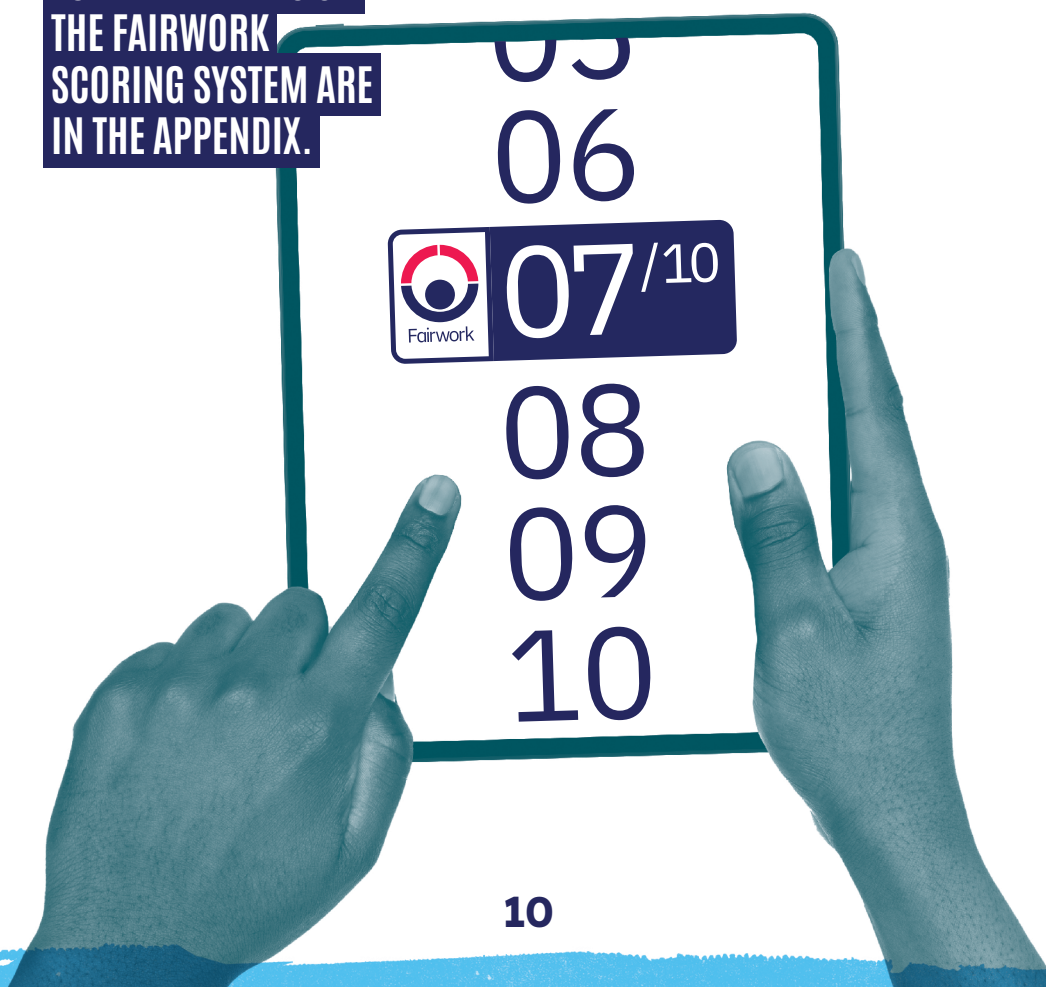
This threefold approach provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect both positive and negative evidence from multiple sources. Final scores are collectively decided by the Fairwork team based on all three forms of evidence. Points are only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

How we score

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

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

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



BACKGROUND

The rise of digital labour platforms in Lebanon's depressed economy

According to the state's statistics, the number of residents in Lebanon stood at 5.9 million in 2023, of whom 1.5 million are Syrian refugees and more than 200,000 are Palestinian refugees. For the refugees, access to work in the Lebanese economy is highly restricted. In addition to difficulties in obtaining residency permits, many jobs are reserved for Lebanese citizens alone, making digital labour platforms a viable alternative for those seeking low entry-cost jobs.²

Yet, the situation for Lebanese citizens is not that different either. In 2022, around one-third of the labour force was unemployed. More than half the population was outside the labour force, and almost two-thirds of working individuals were informally employed. Today, the Lebanese economy stands at 30% of its size in 2018, and the minimum wage is 22% of its 2018 value.

The end of the 15-year civil war brokered a new neoliberal order for Lebanon to enter the 1990s.³ With the banking and real estate sectors serving as lynchpins, the economy became increasingly rentier in nature, one that highly depends on foreign capital inflow to feed its deregulated financial market.⁴ Over the years, such policy choices have created a schism in the economy, whereby the growth of the two sectors failed to catalyse broader welfare effects on society. In this vein, while deposits in the country's banking sector had reached three times the size of the economy in 2014, the economy was stagnant and jobless.⁵

Similarly, GDP was growing at an average of one percent per year in the 2010s and created less than 5,000 jobs for the 32,000 annual labour market entrants.⁶ At the time, many had warned against Lebanon's feeble and unsustainable economic model, characterised by mounting public debt and depleting foreign reserves.⁷ In response, bankers and statesmen downplayed the risks, armed with risk assessments from credit rating agencies and an unshakable belief that Lebanon was "too important to fail."⁸

This was proven wrong in 2019, as Lebanon's economic landscape entered a turbulent period. Three severe shocks since then triggered major losses in the country's human capital, with the reverberations potentially distorting the labour market for generations. First was a currency shock in 2019, which led the Lebanese Pound to lose most of its value, left the banking sector insolvent, and the government defaulting on its debt. Second, was the

2020 explosion in central Beirut, Lebanon's capital city, which led to billions in material damages, left hundreds dead, and thousands homeless. Third, was the COVID-19 pandemic, which paralysed business activity and induced pervasive economic uncertainty over the future of work. The lack of an adequate response by the state to these three compounding challenges has compounded the country's situation, plunging Lebanon into a protracted crisis that is deemed one of the most severe of the past century.⁹ The damage caused is stark. Since 2018, Lebanon's economy shrank by almost 70 percent, the domestic currency depreciated by 95 percent against the U.S. dollar, and the poverty rate skyrocketed to at least 75 percent of the population. On the labour side, the labour force participation rate diminished from around 50 percent¹⁰ to 43 percent, the already-high informal employment rate surpassed 60 percent, and the unemployment rate reached at least 30 percent—while that of the youth hovers around 50 percent. The official minimum wage, which once stood at \$450, is today equivalent to \$100.¹¹ This situation has pushed around 200,000 Lebanese to emigrate, while forcing those who could not afford to leave to find negative coping mechanisms, like sacrifices in nutrition and education.¹²

It is against this backdrop that the platform economy flourished, situating itself as a lifeboat to those seeking a livelihood. Foreign platforms were the first entrants to the Lebanese market, with Uber and Zomato operating in

ride-hailing and food delivery sectors, both joining in 2014. Three years later, a second pair of ride-hailing and food delivery platforms entered: Careem, a ride-hailing platform which was later acquired by Uber, and Toters, a food delivery—and the only Lebanese platform—in the market. By 2019, the platform economy landscape was still in its infancy, yet carried significant potential growth prospects. Uber had at least 2500 drivers registered and acquired Careem.¹³ Zomato covered more than 3000 restaurants in Beirut and served 750,000 customers across the country¹⁴. And Toters had hundreds of restaurants, cafes and stores signed, and joined Endeavor, a network that invests in entrepreneurial ecosystems around the world.¹⁵

Presently, the platform economy is on a growing trend. However, it needs to be underlined that the precarious labour force and economic conditions provide digital labour platforms with a fertile environment to proliferate. A growing number of working individuals are resorting to working in the platform economy, either in a full-time or part-time capacity—largely due to the low-cost barriers to entry—to make ends meet, including for the significant Syrian and Palestinian refugee population in the country.¹⁶ However, behind the veil of flexibility and entrepreneurship, lay controlling labour platforms that are rapidly institutionalising precarious work. And with prospects for regulating platforms—or reforming the economy into an inclusive one—still bleak, this trend is likely to continue.



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THE LEGAL CONTEXT

Lebanon's static policy environment does not recognize platform work

Lebanon's legal frameworks governing private-sector employment are outdated, resulting in fragmentation and coverage gaps. These include the Code of Obligations and Contracts (promulgated in 1932), the Labour Code (promulgated in 1946), the Trade Union System Law (promulgated in 1953), and the Social Security Law (promulgated in 1963) among others.¹⁷

The provisions of these texts, however, are not uniform across all profiles of workers and employment statuses. For instance, domestic workers, family businesses, some agricultural unions, and some functions of public sector workers are not covered by the labour code.¹⁸ Similarly, foreign workers are barred from accessing social security and must overcome multiple bureaucratic hurdles to enrol in a trade union, often without voting rights.¹⁹

The Labour Code, comprising more than 100 articles, is the main legislation that defines the entitlements and obligations of workers (“the wage earner”), and employers. In Lebanon, it is revered for siding with the “economic weak link” by outlining guidelines that protect workers from arbitrary dismissal, unpaid overtime work, and supporting paid leave. Subsequent amendments extended labour protection so that the Labour Code has become sensitive to discrimination on the basis of sex when it comes to pay and promotion, and provides

longer maternity leave.²⁰ However, while the Labour Code acknowledges that a work contract can be written or verbal, it fails to define the criteria that render a contractual relationship an employment one. This failure is present in the Code of Obligations and Contracts, which differentiates between an employment and consultancy contract on the basis that the former assumes the wage-earner to be a subordinate and under the management of the employer.²¹

It was not until 2002 that some of this legal terminology was systematically operationalised. The application circular for the Income Tax Legislative Decree clarified a set of criteria for “legal and economic subordination” as the main determinant for the nature of a contractual relationship.²² That way, if the criteria—like the worker’s financial dependency on the employer, who guarantees the continuity of work—are met, a contract would be considered an employment one by the relevant

jurisdiction, allowing workers to be governed and protected by the Labour Code. The rise of platform labour since those criteria were defined demands a careful review of workers' legal employment status.²³

Aside from labour protection, being governed by the Labour Code is also a main determinant of access to the National Social Security Fund (NSSF). The NSSF is Lebanon's main private sector social security provider, comprising family allowances, maternity and sickness compensation, and an end-of-service indemnity. Access to the mandatory NSSF is tied to formal private sector employment, unionised liberal professions, and some functions of public sector work (those under contractual obligations, daily workers, and mayors). For independent workers or freelancers who are not governed by the Labour

Code, access to social security is restricted to a voluntary health insurance scheme.

The process for unionization suffers from bureaucratic and political barriers that impede workers' ability to organize. In fact, Lebanon is not a signatory of the International Labour Organization's Convention 87, "Freedom of Association and Protection of the Right to Organize", which seeks to remove barriers to unionization by not subjecting it to pre-authorization. In Lebanon, workers need to be granted a license from the Ministry of Labour to form a union, a process that is highly exposed to political discretion. And even in the unlikely event that workers receive the permit, a recent case highlights how companies can also impede unionization through intimidation.²⁴



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Fairwork Lebanon Scores 2023

Minimum standards
of fair work

Bolt

—



inDrive

—



Gozilla

—



TaxiF

—



Toters

—



Uber

—



**THE BREAKDOWN OF SCORES FOR INDIVIDUAL
PLATFORMS IS AVAILABLE AT**

WWW.FAIR.WORK/LEBANON

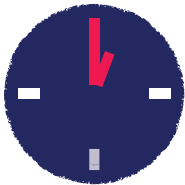
Explaining the scores



Fair Pay

To achieve points under this principle, evidence collected through desk research and interviews with workers and platform management should align to demonstrate that all workers earn at or above the minimum hourly wage of LBP 46,800, or the minimum hourly living wage of LBP 146,800 for time spent logged-in and ready for work, after costs.²⁵

No platform could evidence that these earnings were met – either due to low delivery fees, or lack of evidence that workers are assured of making enough rides or services per hour to put them above the hourly minimum and living wage thresholds.



Fair Conditions

Platforms are able to get this point if they demonstrate that they provide adequate equipment and training to all workers at no additional costs, allocate work with workers' occupational safety and health in mind, and provide a safety net to ensure that no worker suffers costs as a result of accident, injury or illness resulting from work.

The data collected for this year's research underlines that the majority of workers are not provided by platforms with adequate equipment or training for free.

In cases where these were provided for free, no platform could evidence additional measures taken to mitigate harms to workers' health and safety, or to assist them with lone-working challenges. On the contrary, most of the workers we interviewed had to work extended hours, some without breaks, to get rides or chase orders.





Fair Contracts

In order to score points for this principle, platforms must demonstrate that the contract or terms and conditions are clear and accessible to all workers. Workers must be able to understand, agree to, and access the conditions of their work at all times, and have paths provided for legal recourse.

The interviews we undertook with workers suggest that contractual terms are not communicated to workers clearly. In the case of one platform, evidence indicates that workers did not receive a contract or sign any terms and conditions upon signing up for work.



Fair Management

To get this point, platforms need to share evidence demonstrating that workers can reach a human representative of the platform in case of queries or emergencies, and that these are resolved in a timely manner.

Evidence collected from the workers we interviewed showed that while there are channels in place to address queries, they are often ineffective.

This channel should allow workers to effectively solve issues, such as low ratings, non-payment/payment problems, deactivations, and other penalties and disciplinary acts, and should be made available to all workers even when they are deactivated from the platform. Workers, moreover, should not be disadvantaged for voicing concerns or appealing against disciplinary actions.

Worker interviews further highlighted a clear discrepancy in treatment between Lebanese citizens and those with refugee status, with the latter group facing regular checks (at police checkpoints) and harassment from state authorities. Platforms need to put mechanisms in place to ensure that all workers, regardless of their status, are treated equally.



Fair Representation

To achieve this point, platforms need to share evidence demonstrating a documented mechanism for the expression of collective voice; and a formal, written statement of willingness to recognise, and bargain with, a collective, independent body of workers or trade union.

Organise, alternative mechanisms can be implemented for workers to organise collectively at the workplace, express their wishes, and be listened to. For example, worker representatives can act as liaisons for couriers or drivers, and relay issues that workers face at work to the management.

Workers' freedom of association should not be inhibited, and no worker should be disadvantaged for communicating their concerns, wishes and demands to the platform.

In its current state, none of the six platforms we assessed in Lebanon could evidence such mechanisms for expression of collective voice, or any willingness to implement and/or work with an independent body of workers.

Whilst Lebanon is not party to the ILO Convention on Freedom of Association and Protection of the Right to

PLATFORM IN FOCUS






Toters

Founded in 2017, Toters is a Lebanese start-up which operates a digital labour platform to mediate transactions between merchants, couriers, and customers. The platform has grown to become the main on-demand delivery service in the country, outperforming the Indian Zomato (which exited the market in December 2021) and branching out operations to Iraq.

Starting off by delivering coffee in Beirut, Toters now has more than 4000 merchant partners and operates in more than 10 cities in Lebanon and Iraq.²⁶ According to its founders, this growth is attributed to Toters' prioritisation of customers' needs and ability to build a business model that is suitable and adaptive to Lebanon and Iraq's unique economic conditions.²⁷ For instance, to cope with inflationary shocks in Lebanon, the platform institutionalised its own exchange rate and digital wallet system, where dollar bank notes can be converted to "Toters Cash" for ease of transactions. When volatility in

Lebanon's currency market was high, it is noteworthy that Toters maintained an exchange rate that is lower than the market one to shield itself from exchange rate losses, but which potentially yielded arbitrage profits.²⁸

The crisis period (since 2019), particularly the pandemic, proved transformative for Toters, allowing it to grow its operations and diversify the products it delivers.²⁹ Its co-founder and CEO Tamim Khalifa claims that Toters quadrupled in size in 2020 alone, the year when the platform started providing highly specific services like PCR

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"/>

testing.³⁰ Today, Toters provides users the ability to order a car wash, cooking gas, internet and gaming bundles, among other conventional food and beverage-related products.

Being the main delivery service in the country, Toters has around 3000 delivery workers. While data is lacking, growing evidence points to military and police officers working on Toters in a part-time capacity.³¹ This was evident in our study, as some of our interviewees claimed to be soldiers, who had to resort to alternative income-generating jobs because their salaries are not indexed to inflation.

Toters' pricing model follows a performance-based system. Workers are only paid based on the number of assignments they complete at a fixed LBP 35,000 per order (\$0.39),³² followed by a top-up based on the distance travelled. Worker interviews suggest that the average delivery fee per order is LBP 70,000, which is the equivalent of approximately \$0.80 per order.³³ On average, a worker in our interviewed sample, who works between eight and nine hours a day, six days a week³⁴, generates a gross income that is almost three times higher than Lebanon's severely devalued official minimum wage. However, no evidence was provided to show that workers are ensured at least minimum wage is paid, regardless of number of orders completed. Moreover, its couriers have high upfront costs, including motorcycle rental and payment for other gear, including weatherproof jackets and helmets, internet bundles, and have to work long hours to attain decent earnings.

In February 2023, some Toters workers organized a strike to demand better pay. At the time, clients used to pay around LBP 40,000 (\$0.67) per delivery, of which Toters deducted an amount to leave workers with the equivalent of 17,600 (\$0.30). Workers protested by refusing to complete delivery orders until Toters increased their payment to LBP 35,000 (\$0.58). The platform finally agreed to fix the worker payment at LBP 26,000.³⁵ Earlier protests did not materialise such fruitful results, with fights breaking out between workers and security personnel in the vicinity of Toters' headquarters.³⁶ The management replied by claiming it pays delivery workers "significantly above market rates" and that "driver incentives are frequently revised to accommodate the changes in the cost of living"—so the workers' dispute was not directed at them.³⁷ No evidence was provided to the research team to confirm this statement.

The Toters delivery workers we interviewed claim they are not given a helmet by the platform but must wear one during work to be eligible for accident insurance. Even when they are wearing a helmet, however, Toters treats accidents on a case-by-case basis. Moreover, worker interviews suggest that Toters subjects Lebanese and Syrian workers to different incentive structures, with the former rewarded and exposed to more tasks, or "challenges". In addition, data obtained from worker interviews are split between those who must notify a "Team Leader" if they want to miss their work schedule, and those who do not have to. This awareness asymmetry of the terms and conditions of work hampers the ability of workers to engage in collective bargaining with the platform management, and thus fragments organisation efforts.



Workers' Stories

Raed* is a 35-year-old married man living with his family of five. He has built a career working as a private taxi driver in Lebanon, pre-dating ride-hailing platforms.

The social nature of this work has allowed Raed to build lasting connections with a number of people, who rely on him for commutes when needed. He has used two of the most popular ride-hailing apps since 2017 and 2021, downloading them onto his smartphone so he can tap into platform clients “when work is slow”. Currently, he works six days a week and is online for roughly eight to

ten hours per day on both apps. When asked about the difference between the two platforms, Raed claims he feels safer working for one of them because they have human representatives in Lebanon and because of the application interface’s safety features. Meanwhile, he generally feels unsafe about the other because they do not have an office in Lebanon, and they only reply to his emails with automated, generic responses. Raed mentions that “clients from that platform can be scary. I heard how some clients can act like thugs and bully the driver, who has no opportunity to complain to the management. Nothing happened to me, but I get anxious over the possibility of it occurring to me.”

Bilal* is a 25-year-old single Syrian refugee living in a shared apartment with more than five people.

He used to work informally as a delivery driver for a reputable fast-food restaurant in Beirut but was let go during the COVID-19 pandemic. Bilal joined a delivery platform in early 2023 after saving up to buy a motorcycle and was committed to working up to 16 hours per day, seven days a week. He explained that the terms of work

were not clear when he first started, as there was no contract and communication from the management was vague: “They just told me to hand them any paperwork I had and that I could start working the next day.” Bilal told us that working conditions turned out to be worse than he had anticipated, claiming that payments are never done in full and feeling discriminated against amid heightened polarisation against Syrian refugees in the country. “They fine us left and right: if we don’t answer phone calls, if we are late to accepting an order, or if we don’t wear the uniform.”

George* is a 37-year-old Lebanese man living with his wife.

He works as a full-time cab driver and initially had two ride-hailing apps installed on his phone. He later signed up for two more apps, one that he started working for during the second half of 2023, and another he had a pending application for some time. He considers having an account on all ride-hailing platforms as necessary to “make it work.” He explained that one of the platforms he

joined is meant to be the newest comer to the market and has the easiest and fastest recruitment process as well as the lowest price rates: “They only ask for few identifying documents and photos of the vehicle and are not nearly as diligent as other platforms.” The most frustrating feature about this new app, according to George, is that it assigns tasks that are far from his location and fines his balance if he declines them: “I would be driving in southern Beirut and notified of an order in Jbeil at a price that is ridiculously low.”

***Names changed to protect worker’s identity**

THEME IN FOCUS

Delivery workers as freelancers, or rightless employees?

None of the six platforms studied in this report consider their workers to be employees. Instead, management makes it known to delivery workers and drivers, either verbally or via terms and conditions, that they are ‘independent service providers.’

This practice, which is the norm in Lebanon’s platform economy, seeks to minimise platforms’ liabilities by depriving workers of employee entitlements, like social security, had the workers been classified as employees. This should also, in theory, minimise workers’ obligations towards their employers. In essence, a freelancing contractual relationship should be symmetrical for both parties: the independent worker (delivery workers and riders) may have few entitlements from the employer, but in return the employer (ride-hailing and delivery platforms) should have limited control over the independent worker.

THE SCORES PRESENTED IN THIS REPORT SHOW THAT PLATFORMS ARE NOT ADEQUATELY SUPPORTING THOSE WHO WORK ON THEM.

In Lebanon, however, delivery platforms violate this duality. An evaluation of the terms of work of the six platforms we assessed reveals that platforms exercise a high degree of control over their workers while providing them with no employee entitlements. For instance, Toters monitors its

workers’ locations while they are logged in and requires them to wear a uniform (which they pay for themselves in instalments), yet they explicitly outline in their work contract that “nothing contained [in the T&C] shall constitute or shall be deemed to constitute an employment relationship between you and the Company or an offer of employment [...]”³⁸ In the same article of the work contract, the platform dangles the possibility of employment to incentivise workers to be disciplined hard workers: “Only once you successfully complete a certain “Online” presence and/or number of “Orders”, you may be eligible for full-time or part-time employment along with any rights that may be granted to you by law, as may be decided by the Company in the latter’s sole and absolute discretion.”³⁹

The other delivery platform we assessed does not provide any written documentation of the terms of work—according to our desk research and interviews with workers. Yet it requires workers to wear a uniform that they pay for, answer all phone calls while they are logged in, and perform all tasks assigned to them. Both platforms use different tools to enforce control over their workers. One app interface does not allow workers to reject an order, and fines workers who do not complete their assignments, while the other resorts

to gamification elements, namely a rating system, which rewards disciplined workers who complete a threshold of assignments and punish others by decreasing the number of tasks allocated to them. In other words, workers, in both cases, must continue to work, without the possibility of rejecting orders or taking prolonged breaks without facing punishment, just to make ends meet.

Regulators internationally are wrestling with the challenges these forms of work create—including the possible discrepancies between contractual terms and the lived experiences of work. Lebanon is doubly exposed to the disruption of platforms in the labour market. The economic volatility and cycles of crisis detailed in this report make

Lebanon particularly vulnerable to the degradation of working conditions platforms may bring about. However, if regulated effectively, and enforced strongly by the Lebanese state, the platform economy could offer hope for many people who find themselves unemployed and without the prospect of finding work in an alternative segment of the labour market. The future of the platform economy, and of its workers, currently hangs without balance. The scores presented in this report show that platforms are not adequately supporting those who work on them. However, this need not always be the case. We look forward to working with government, platform companies, and workers to help bring about much needed change in the Lebanese platform economy.



Mohammad Kassir / Shutterstock

MOVING FORWARD

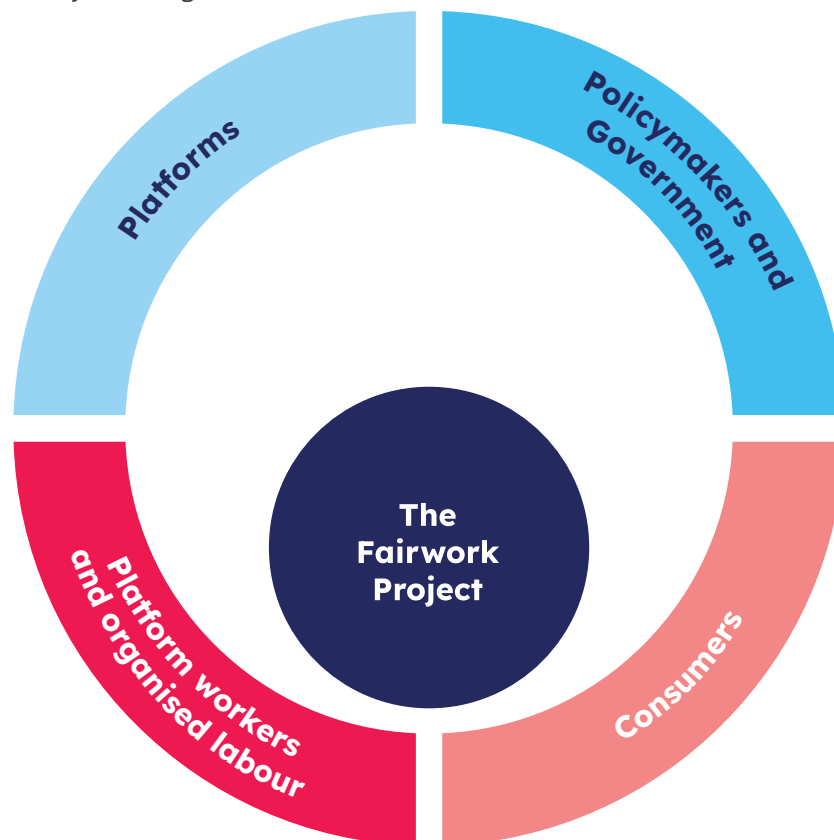
Pathways of Change

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. This is the first annual round of Fairwork ratings for Lebanon, and we are anticipating to see increasing influence and impact (Figure 2).

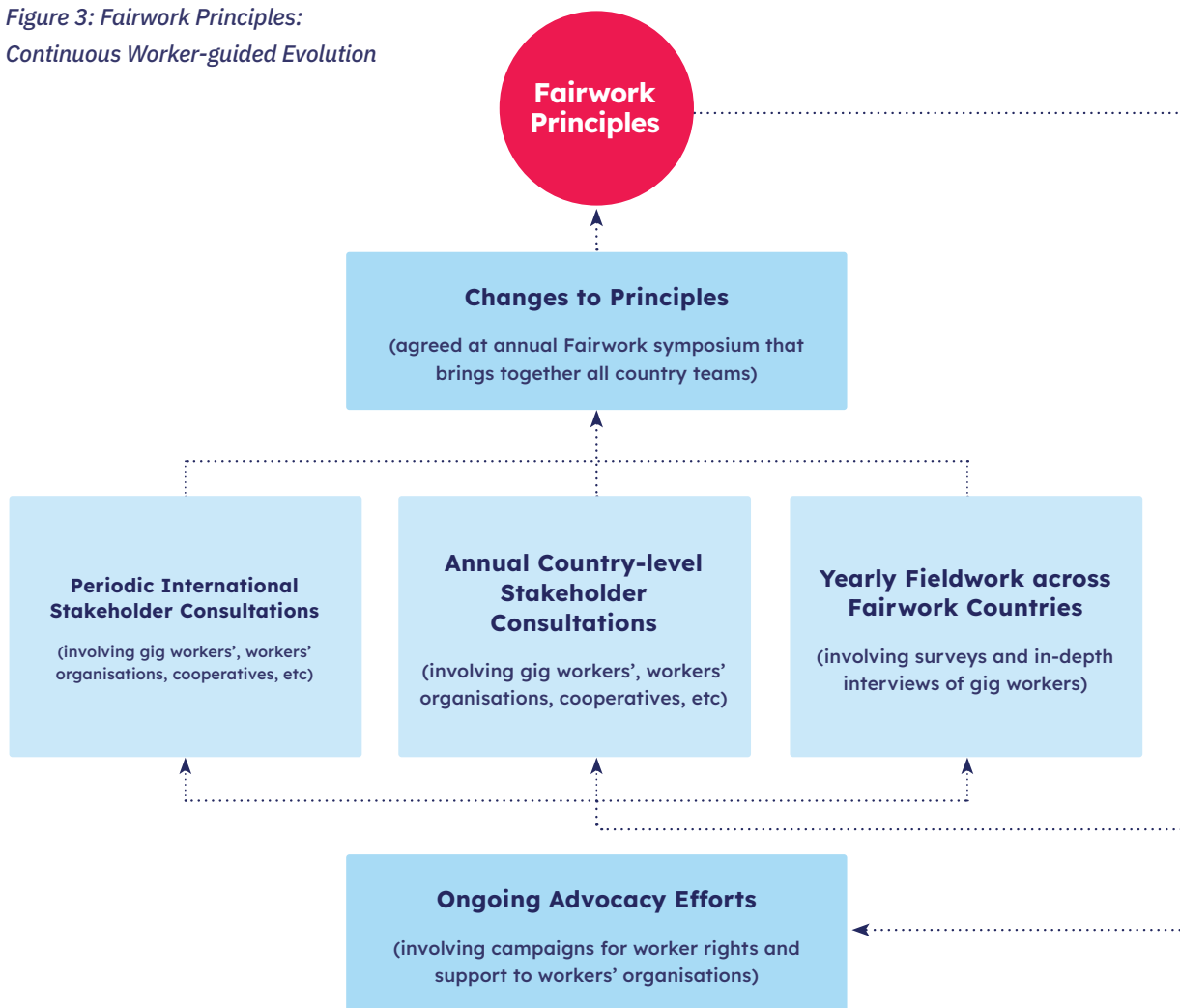
Figure 2: Fairwork's Pathways to Change



There is nothing inevitable about poor working conditions in the platform economy. Despite their claims to the contrary, platforms have substantial control over the nature of the jobs that they mediate. Workers who find their jobs through platforms are ultimately still workers, and there is no basis for denying them the key rights and protections that their counterparts in the formal sector have long enjoyed. Our scores show that the platform economy, as we know it

today, already takes many forms, with some platforms displaying greater concern for workers' needs than others. This means that we do not need to accept low pay, poor conditions, inequity, and a lack of agency and voice as the norm. We hope that our work –by highlighting the contours of today's platform economy– paints a picture of what it could become.

*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 better labour practices, guided by our five principles of fair work. Organisations who sign the pledge get to display our badge on organisational materials.

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

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

FAIR.WORK/PLEDGE



APPENDIX

Fairwork Scoring System

Which companies are covered by the Fairwork principles?

The International Labour Organisation (ILO) defines a “digital labour platform” as an enterprise that mediates and facilitates “labour exchange between different users, such as businesses, workers and consumers”.⁴⁰ 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”.⁴¹ 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.⁴²

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 ‘location-based’ 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 thresholds. Accordingly, for each Principle, the scoring system allows the first to be awarded corresponding to the first threshold, and an additional second point to be awarded corresponding to the second threshold (see Table 1). The second point under each Principle can only be awarded

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

A platform can therefore receive a maximum Fairwork score of ten points. Fairwork scores are updated on a yearly basis; the scores presented in this report were derived from data collected between May and November 2023, and are valid until November 2024.

Table 1 Fairwork: Scoring System

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

Maximum possible Fairwork Score



Principle 1: Fair Pay

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

Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance, and maintenance on a vehicle⁴³. Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.⁴⁴ 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.⁴⁵ 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.⁴⁶

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.^{47 48}

Principle 2: Fair Conditions

2.1 - Mitigates task-specific risks (one point)

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

The platform must satisfy the following:

- Adequate equipment and training is provided to protect

workers' health and safety from task-specific risks.⁴⁹

These should be implemented at no additional cost to the worker.

- The platform mitigates the risks of lone working by providing adequate support and designing processes with occupational safety and health in mind.

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

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

The platform must satisfy ALL of the following:

- Platforms take meaningful steps to ensure that workers do not suffer significant costs as a result of accident, injury or disease resulting from work.
- Workers should be compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.
- Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.
- The platform implements policies or practices that protect workers' safety from task-specific risks.⁵⁰ 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.⁵¹ To achieve this point, the platform must demonstrate that workers are able

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

The platform must satisfy ALL of the following:

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

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

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

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

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

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

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

Principle 4: Fair Management

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

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

The platform must satisfy ALL of the following:

- There is an easily accessible channel for workers to communicate with a human representative of the platform and to effectively solve problems. This channel is documented in the contract and available on the platform interface. Platforms should respond to workers within a reasonable timeframe. There is a process for workers to meaningfully and effectively appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. This process is documented in a contract and available on the platform interface.⁵²
- 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.⁵³
- 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 mechanism⁵⁴ 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.⁵⁵
- 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.⁵⁶

5.2 - Supports democratic governance (one additional point)

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

The platform must satisfy at least ONE of the following:

1. Workers play a meaningful role in governing it.
2. In a written document available at all times on the platform interface, the platform publicly and formally recognises an independent collective body of workers, an elected works council, or trade union. This recognition is not exclusive and, when the legal framework allows, the platform should recognise any significant collective body seeking representation⁵⁷.

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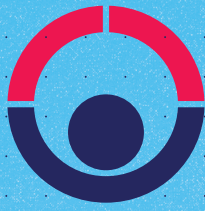


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43. Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.
44. 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.
45. 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.
46. 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.
47. Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.
48. In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local living wage after costs in their active hours; or (b) provide summary statistics of transaction and cost data evidencing all workers earn a minimum wage aftercosts.
49. 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."
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51. 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.
52. 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.
53. In accordance with the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and applicable national law.

54. 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.
55. 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.”
56. 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.
57. 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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