JOINT DECLARATION IN SUPPORT OF STANDARDS ON DECENT WORK IN THE PLATFORM ECONOMY AT THE INTERNATIONAL LABOUR CONFERENCE 2025

The undersigned civil society organisations, non-governmental organisations and unions express our firm support for the International Labour Organisation's (ILO) conclusion in its <u>yellow report</u> to adopt a Convention supplemented by a Recommendation as standards on decent work in the platform economy.

Our collective work demonstrates that platform work has weakened workers' rights and protections, illustrating the urgent need to address the challenges brought about by algorithmic management of workers and other features of the platform economy. A Convention supplemented by a Recommendation must be adopted to ensure existing international labour standards, protections and rights apply to all platform workers, irrespective of their employment status and irrespective of whether they are engaged through third-party intermediaries, and address the new threats and gaps created by the platform economy.

Ahead of the forthcoming discussions at the 2025 and 2026 International Labour Conferences, we further encourage representatives of Member States, Unions and Employers to ensure the standards include the following elements for all platform workers:

- <u>Proper employment classification</u>: Despite being subject to algorithmic systems that control and direct their work, many platform workers are classified as independent contractors. This denies them the full rights and protections afforded to employees. The standards should include clear criteria and enforcement mechanisms to prevent misclassification and address disguised employment relationships in the platform economy.
- <u>Guarantee of fair and living wages</u>: Workers in the platform economy are struggling to earn a minimum and living wage. They find themselves submitted to earnings fluctuations, arbitrary pay deductions and opaque earning calculations that fail to properly reflect time spent at work and often rely on unpredictable models of dynamic pricing. The standards should ensure the income of digital platform workers meets minimum and fair standards and recognise the particularities of their working conditions, notably by including wait time.
- <u>Access to social security</u>: In many countries, platform workers remain excluded from social security systems, leaving them without protection in the face of injury, illness, unemployment, or caregiving responsibilities. International standards should ensure that platform workers are entitled to comprehensive and adequate social security coverage, including gender-responsive measures, in line with agreed international standards including ILO Convention No.102.
- <u>Health and safety standards</u>: Platforms' organisation and their working conditions are at the root of many health problems (for instance work-related musculoskeletal

disorders, injuries, mental health conditions). Platform workers should be covered by existing health and safety standards, with platforms required to adopt measures to prevent dangerous working conditions, minimise occupational risks, offer protections against abuse, violence and harassment, and establish reporting mechanisms. In particular, the lack of regulations on rest times exposes workers spending long periods connected to apps to dangerous and precarious conditions.

- <u>Transparency and explainability for algorithmic decisions</u>: The lack of transparency and explainability afforded to workers plays a significant role in the current imbalance of power between platforms and workers. The adopted standards should place an obligation on platforms to share information regarding algorithmic systems and decisions that affect their working conditions, in a detailed yet understandable form with workers. Platforms must also give workers personalised explanations for decisions that affect them, and provide workers, their representatives and public interest groups with means to test and assess their algorithms.
- <u>Protect workers' data</u>: Platforms rely heavily on huge amounts of data to operate, from the initial training of algorithms to the constant processing of workers' data (especially location data), potentially collecting workers' information and using it beyond what is considered acceptable in an employment context. Data protection principles should be enshrined in the standards to better protect workers' privacy, autonomy, and control over their data. The standards should contain specific protections around the collection processing, and storing of workers' sensitive personal data; accessing workers' data that are beyond the scope needed in an employment context; and accessing workers' private communications, especially with each other and with workers' representatives. These principles should apply whatever the jurisdiction and notwithstanding the use of third-party intermediaries.
- <u>Meaningful human intervention</u>: Automated decisions can negatively impact workers, in particular when they directly affect working conditions, such as allocation of work, withholding or reduction of pay, account termination or suspension. Removing humans from the process undermines and degrades working relationships. The instruments should require meaningful human involvement in such decisions that does not amount to a mere 'rubber-stamping'.
- <u>Appropriate mechanisms to challenge adverse decisions and ensure access to</u> <u>effective remedies</u>: Algorithmic management can result in unfair decisions that negatively impact workers. Therefore, the standards must require accessible, inclusive, effective and independent mechanisms for platform workers to challenge decisions and place an obligation on platforms to provide effective remedies when unfair treatment has been demonstrated.
- <u>Protect bargaining power</u>: The misclassification of platform workers as independent contractors is frequently used to deny them the right to organise and engage in collective bargaining. This leaves them at risk to unilateral decision-making and retaliation for asserting their rights. The standards should guarantee platform workers the rights to freedom of association and collective bargaining, in line with ILO Conventions and international labour rights, and should protect workers against surveillance that threatens these rights.

ILO members are in a unique position to agree on key elements for a set of standards that could profoundly shape the working conditions of platform workers. In their efforts to develop this new labour standard, they must recognise the well-documented threats faced by workers including problems of discrimination, unfair treatment, occupational hazards, and poor working conditions. This is an opportunity for the ILO not only to adopt effective measures to prevent a deterioration in workers' rights as a whole but also for member states to reaffirm their commitment to ensuring decent work for all workers.

SIGNATORIES

Barwaqa Relief Organization

Biozid Climate Institute

- Centre for Environment, Human Rights & Development Forum (CEHRDF), Bangladesh
- Centro de Estudios de Derecho, Justicia y Sociedad (Dejusticia), Colombia

CFF-Ghana

Derechos Digitales

Disability Peoples Forum Uganda

Equidem

- Federation of Environmental and Ecological Diversity for Agricultural Revampment and Human Rights (FEEDAR & HR)
- Gig and Platform Services Workers Union (GIPSWU), India
- Global Coalition for Social Protection Floors
- **Global Social Justice**

Human Rights Watch

Institute for Economic Justice, South Africa

Institute of the Blessed Virgin Mary -Loreto Generalate

- Interfaith Center on Corporate Responsibility (ICCR)
- ISIZIBA Community Based Organizations of South Africa NPC

IT for Change

ITUC

International Lawyers Assisting Workers (ILAW)

Jamaa Resource Initiatives, Kenya

La Maison des Livreurs, Bordeaux, France

Lieferando Workers Collective

LUNA CRECIENTE - Movimiento Nacional de Mujeres de Sectores Populares

Médecins du Monde France

Migrant*innen für Menschenwürdige Arbeit

National Forum for Human Rights – Yemen

Privacy International

Success Capital Africa

Syndicat Chrétien des Travailleurs du Congo (SCTC)

TEDIC

The African Youth Cafe

The Doaba Foundation