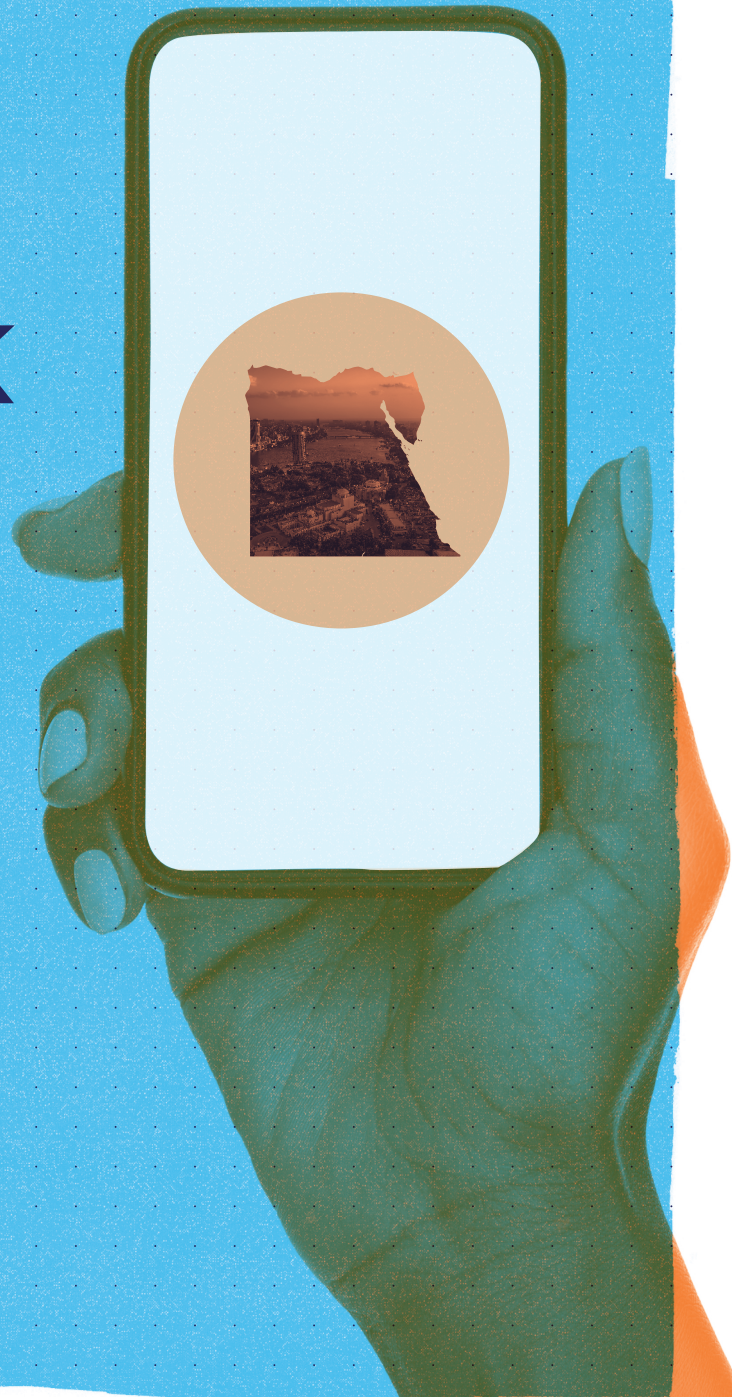


Fairwork

PLATFORM WORKERS AMIDST

EGYPT'S ECONOMIC CRISIS

Fairwork Egypt Ratings 2022/23



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Executive Summary

This report examines digital labour platforms that provide on-demand work in Egypt via apps or web interfaces in the service sector, including domestic work, food delivery, ride-sharing/transportation, and tutoring. The report highlights both the positive developments and the challenges to decent and fair work standards represented by digital labour platforms, including issues faced by platform workers in light of surging inflation rates and rising unemployment. Our research shows that while platform work has enabled workers to generate new income, or supplement already existing ones, its impact has been diminished as a result of rising inflation and the substantial increase in the cost of living.

This year's report, which marks the second cycle of our research in Egypt, evaluates 10 digital labour platforms according to five principles of fair work. These platforms are: Breadfast, Elmenus, Filkhedma, inDrive, Mrsool, Orcas, Swvl, Talabat, Taskty, and Uber. Three of these platforms are in ride-sharing, two platforms offer domestic services, four of the platforms offer on-demand delivery services, and one is a tutoring platform. Of these, six platforms were included in last year's report: Filkhedma, Mrsool, Orcas, Swvl, Talabat and Uber. The remaining four are newly included in this year's report. Since last year, the Fairwork Egypt team's research has had a positive impact on working conditions in the platforms under study. Dialogue with platforms has resulted in an increased willingness of many of them to improve working conditions for their workers, with four platforms improving their score since last year. The impact of this year's research has been remarkable; examples include Breadfast's adoption of a documented data protection policy, and Breadfast's and Mrsool's adoption of a documented anti-discrimination policy.

Beyond the research team's impact, steps have been taken towards the democratisation of platform work through the "Your Road is Safe" initiative begun by Mrsool (and

later joined by Talabat), in collaboration with the Ministry of Social Solidarity (MoSS). This initiative aims to improve working conditions for couriers/delivery platform workers. The initiative, in addition to Fairwork's positive impact, has introduced substantial improvements to platform work in Egypt. Nevertheless, some of the scores presented in this report indicate that additional reforms are needed to move towards a more equitable and decent platform economy. Platforms must aspire to improve workers' wages by taking into account task-specific and work-related costs. They must also work to constantly improve working conditions, especially in light of the rapidly changing economic conditions in Egypt. Platforms must, furthermore, recognize worker-led initiatives that provide workers with a chance to shape platform policies, and should fully embrace the collective voice of their workers. This report will be launched in March 2023 at the RiseUp Summit, the MENA region's largest innovation and entrepreneurship event. RiseUp typically has thousands of attendees and hosts hundreds of startup exhibitors and over a hundred speakers. This will provide the Fairwork research team with the opportunity to network, connect and engage with startups working towards integrating fairer practices and conditions for their workers, and a fairer platform economy for all.

Key Findings



FAIR PAY

Evidence shows that eight platforms pay their workers at or above the minimum wage, which in 2022 was EGP 2,400 per month (USD 80.22),¹ or EGP 554 per week (USD 18.52) for a six-day work week.²

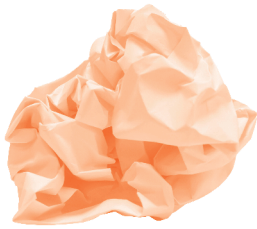
Only one platform could provide evidence that it provides its workers a living wage, currently assessed as EGP 5045 per month (USD 168.66), or EGP 1164 per week (USD 38.91) for 2022.³



FAIR CONDITIONS

Seven of the platforms were able to evidence action taken towards providing workers with sufficient protection for their health and safety.

Four delivery platforms provide their couriers with safety gear. They also provide rest stops, medical insurance and an accident reimbursement system, ensuring compensation in the case of road accidents and recovery costs. One domestic-services platform offers its workers detailed safety training. It also has a clear policy stating that female workers are allowed to reject tasks in single-male adult households. One tutoring platform ensures that workers are compensated for cancelled sessions. It also provides a detailed training manual and kit. A ride-sharing platform provides a documented policy to protect workers from task-specific risks, including an accident insurance policy.



FAIR CONTRACTS

Five platforms have clear and accessible terms and conditions.

They are made available in Arabic and abide by local laws. Additionally, a data protection policy is available which complies with Egyptian law.



FAIR MANAGEMENT

Five platforms could evidence an effective communication channel between the worker and the platform, as well as a documented process to appeal decisions affecting workers.

Four platforms could evidence an anti-discrimination policy. In consultation with the Fairwork Egypt team, one adopted an anti-discrimination policy and added it in a statement in their hiring page. Another provided evidence of practical measures of inclusion and released graphics-based Facebook posts encouraging people with disabilities to apply for the platform. Yet another added an anti-discrimination policy in their terms and conditions.



FAIR REPRESENTATION

Only two platforms were able to provide evidence towards implementing mechanisms of collective worker voice.

Inflation, Devaluation and Cost of Living: A Platform Economy in Crisis

Following the pandemic, digital labour platforms became one of the major job providers in a country where the number of people looking for work has consistently outnumbered the number of jobs available in the market. Workers in Egypt are increasingly turning to the platform economy for easier access and greater flexibility in terms of when and how they work. At the same time, workers' livelihoods earned from platform work have been affected by soaring inflation, jumping from 8 percent in 2021 to 24.4 percent in December 2022,⁴ to 31.24% in January 2023⁵, not to mention the devaluation with the Egyptian pound weakening by 42.4 percent over the last year.⁶

The rise of oil and commodity prices since Russia's invasion of Ukraine in February 2022 has pushed up inflation globally. Platform workers have been hit particularly hard, as increases in fuel prices have not been matched by an increase in their already low earnings. Fuel prices in Egypt rose three times in 2022 as part of the government's attempts to reduce the budget deficit caused by fuel subsidies. Egypt's petrol price increases had a direct impact on the cost of living, having already led to an increase in the price of internal and inter-governorate transportation by 5 percent to 7 percent.⁷

PETROL PRICE INCREASES DIRECTLY IMPACTED LOW-INCOME EARNERS WORKING FOR DIGITAL LABOUR PLATFORMS BOTH IN TERMS OF INCREASED DAILY EXPENSES AND LONGER WORKING HOURS.

This directly impacted low-income earners working for digital labour platforms both in terms of increased daily expenses and longer working hours. Unlike last year's report⁸, many of the workers we interviewed this year were keen to be compensated with supermarket vouchers (value 150 EGP) after the completion of their interviews. They were also eager to refer their fellow workers to participate in interviews in order to receive additional vouchers (value 50 EGP) to help ease the cost of household necessities.

Our research shows that many platform workers now switch between different platforms to work extra hours in order to put food on the table and pay for the daily expenses of their families. Working longer hours often leads to fatigue which has its toll on workers' health. Longer hours also put a strain on vehicles and equipment, resulting in an increase in maintenance costs. As for female workers—typically working in the domestic service sector—our research points to a glaring gap between the rising rate of inflation and their unchanged or minimally increased income per service provided.

MANY PLATFORM WORKERS NOW SWITCH BETWEEN DIFFERENT PLATFORMS TO WORK EXTRA HOURS IN ORDER TO PUT FOOD ON THE TABLE.

Overall, our research underlines the urgent need for reforms to establish fairer conditions in the platform economy. To achieve this, we will continue in our efforts to reach out to platform managers, as well as policy makers, and invite them to devise fairer practices which, first and foremost, take into consideration the workers' needs. Through various other campaigns, including the Fairwork Pledge, we will also continue to reach out to the larger public and invite them to prioritise the use of platforms that score higher on Fairwork's annual rankings.

FAIRWORK EGYPT TEAM

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THE FAIRWORK PROJECT

Towards Decent Labour Standards in the Platform Economy

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

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

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

Fairwork countries

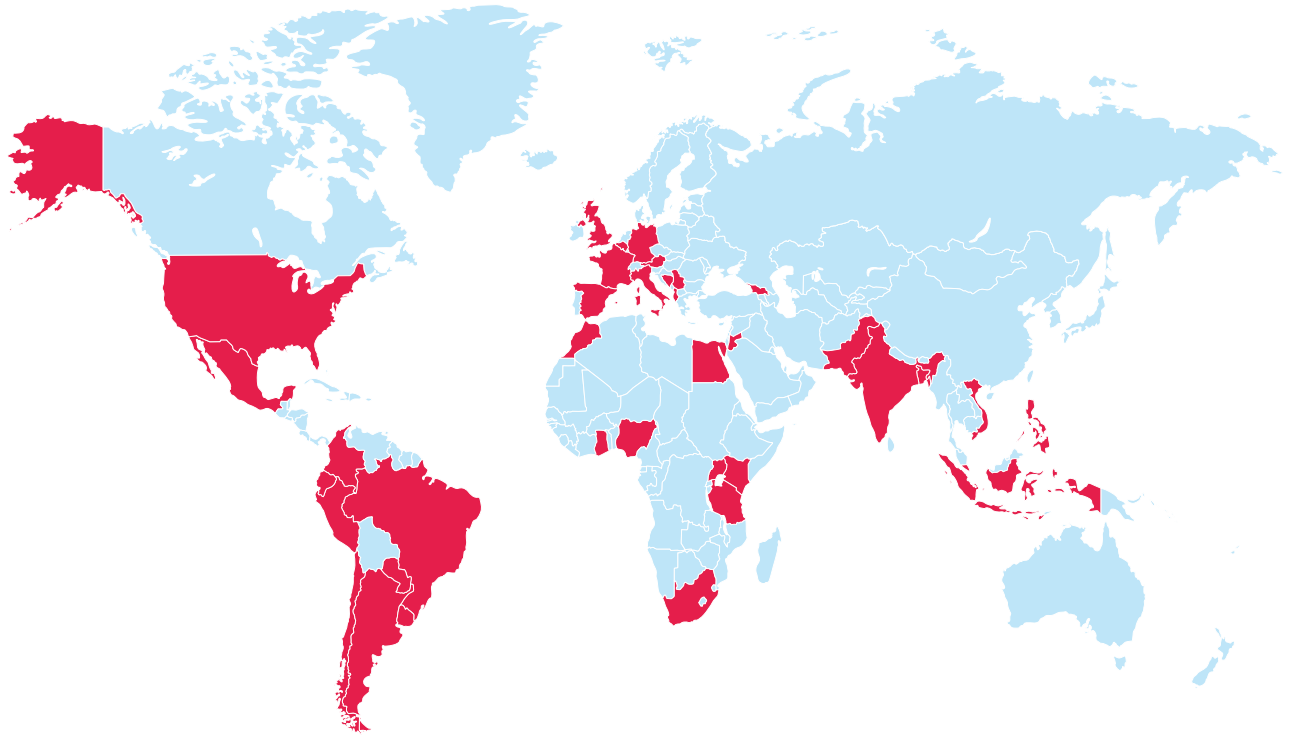


Figure 1. Fairwork currently rates platforms in 38 countries worldwide.

AFRICA

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

ASIA

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

EUROPE

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

SOUTH AMERICA

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

NORTH AMERICA

Mexico, USA

The Fairwork Framework

Fairwork evaluates the working conditions of digital labour platforms and ranks them on how well they do. Ultimately, our goal is to show that better, and fairer, jobs are possible in the platform economy.

To do this, we use five principles that digital labour platforms should ensure to be considered as offering 'fair work'. We evaluate platforms against these principles to show not only what the platform economy is, but also what it can be.

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 UK context, we have subsequently revised and fine-tuned them in consultation with platform workers, platforms, trade unions, regulators, academics, and labour lawyers.

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.



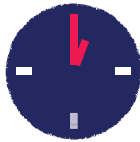
STEP 1

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 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

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 2022/23 ratings, this included, in addition to our tried and tested participant recruitment methods, Facebook and Twitter advertisements and snowballing from prior interviews. In all these strategies informed consent was established, with interviews conducted both in person and online.

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 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 both positive and negative evidence from multiple sources. Final scores are collectively decided by the Fairwork team based on all three forms of evidence. Points are only awarded if clear evidence exists on each threshold.

How we score

Each of the five Fairwork principles is broken down into two points: a first point and a more second point that can only be awarded if the basic point has been fulfilled. Every platform receives a score out of 10. Platforms are only given a point when they can satisfactorily demonstrate their

implementation of the principles. Failing to achieve a point does not necessarily mean that a platform does not comply with the principle in question. It simply means that we are not – for whatever reason – able to evidence its compliance.

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

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



BACKGROUND

Overview of the Egyptian Platform Economy

Egypt is the most populous country in the Middle East and North Africa (MENA) region, with a population currently estimated at 107 million, making it the 14th highest in the world. Egypt's highly dense cities, such as Cairo and Alexandria, face urban challenges associated with heavy traffic and transportation. Urban mobility and public transportation systems generally fail to accommodate the needs of the cities' millions of residents. Because public policies have overlooked very essential public need, people have increasingly been resorting to more informal and unsafe modes of transportation that are not monitored or regulated by the state. People have also increasingly relied on platform delivery services to minimise their own journeys on the city's streets.

Against this background, Uber—the first ride-sharing platform to be launched in Egypt in 2014—came to fulfil the demand for novel and safe transportation in Egypt's largest cities.⁹ The Uber model also presented a new form of work that could be taken up instead of, or alongside, mainstream employment, as well as offering an alternative to informal employment, especially for Egypt's youth.¹⁰ Since the launch of Uber, there has been a proliferation of platform services particularly in the delivery and domestic work sector. Platform-based work increased with the acceleration of digitally enabled business models in response to the COVID-19 pandemic, which catalysed a faster digital transformation in Egypt. Consumption patterns also changed due to lockdown measures and business closures. As mentioned in our report from last year,¹¹ the pandemic has further catalysed this

trend, leading to a 230 percent surge in demand for delivery services in Egypt alone.¹²

AS OF 2022, MORE PLATFORM WORKERS HAVE BEEN ROAMING THE STREETS OF CAIRO AND ALEXANDRIA AS THEY STRUGGLE TO KEEP UP WITH EGYPT'S ECONOMIC CRISIS AND HIGH INFLATION.

On the other hand, jobs have been lost and employment relationships have been transformed, especially in the informal sector. Indeed, platforms have emerged as an

option which can “in principle serve to structure informal activities through creation of standards, requirements for participation, and incentives for workers.”¹³ Platform-based digitally enabled business models also have the potential to offer income generating opportunities by improving informal workers’ employability; this is especially the case for those informal workers who were hardest hit during the pandemic.

As of 2022, more platform workers have been roaming the streets of Cairo and Alexandria as they struggle to keep up with Egypt’s economic crisis and high inflation. The inflation rate increased from 8 percent in 2021 to 15.3 percent in September 2022,¹⁴ and later jumped to 24.4 percent in December.¹⁵ In January 2023, the Central Bank of Egypt (CBE) announced that the inflation rate increased to 31.24%.¹⁶ In tandem, the Consumer Price Index (CPI) monthly rate jumped from 0.2 percent in December 2021 to 2.6 percent in December 2022.¹⁷ Indeed, Since Russia’s invasion of Ukraine in February 2022, the Egyptian pound has lost over 40 percent of its value against the US dollar,¹⁸ and according to Prime Minister Mostafa Madbouly, the Egyptian economy had suffered seven billion dollars in absorbing the direct losses caused by reduced tourism inflows and higher food prices as a result of the invasion.¹⁹ Egypt’s economy was especially vulnerable as it is the top global importer of wheat,²⁰ the main sources of which are Russia and Ukraine.

In January 2022, the minimum monthly wage for private sector workers increased from EGP 2,000 (US \$66.91)²¹ to EGP 2,400 (US\$ 80.29).²²⁻²³ This was later increased to EGP 2,700 (US\$ 90.33)²⁴ in January 2023.²⁵ In October 2022, the minimum wage for public sector workers was bumped up from EGP 2,700 to EGP 3,000.²⁶ As a result of inflation and the increase in food prices, the estimated local living wage reached EGP 5,045²⁷ (USD 168.77)²⁸ per month, a figure much higher than the national minimum wage.

While total unemployment in Egypt stood at 9.3 percent in 2021, the rate of unemployment for women stood at a staggering 24.3 percent,²⁹ and labour force participation was less than 50 percent in 2020 compared to the global average figure of 66 percent.³⁰ The impact of unemployment becomes more critical when viewed against Egypt’s demographics. Recent estimates indicate that Egypt hosts one of the fastest-growing youthful populations in the world.³¹ However, the share of youth not in education, employment, or training stood at 30.2 percent in 2020,³² and unemployment among the educated (tertiary education, a bachelor’s degree or equivalent education level, a master’s

degree or equivalent education level, or doctoral degree³³) stood at 22 percent.³⁴

On the other hand, Egypt’s education systems are lagging in terms of youth preparation for the workforce. According to the latest Arab Barometer survey from 2020, young Egyptians are dissatisfied and unhappy with the lack of benefits accrued by pursuing education.³⁵ An ILO study further shows that a lack of post-secondary education in lower and middle-income economies leaves the majority of young men and women diverting to informal work, and stuck in precarious employment.³⁶

RECENT STATISTICS ESTIMATE THAT THE INFORMAL SECTOR REPRESENTS 63 PERCENT OF EGYPT’S LABOUR FORCE, WITH 39.6 PERCENT OF INFORMAL WORKERS WORKING IN THE FORMAL SECTOR BUT WITH INFORMAL ARRANGEMENTS.

Recent statistics estimate that the informal sector represents 63 percent of Egypt’s labour force,³⁷ with 39.6 percent of informal workers working in the formal sector but with informal arrangements.³⁸ When young people are integrated into Egypt’s informal economy, this prevents them from gaining the skills, experience, and income necessary for securing jobs that provide more decent working conditions and social protections.³⁹ Furthermore, all those working informally remain off the radar of the national statistics landscape. The invisibility of informal workers in market censuses automatically translates to further marginalisation and exclusion from broader policymaking.⁴⁰

Digital labour platforms offer income opportunities particularly for the unemployed or informally employed youth, as well as additional income for those seeking part-time jobs. Despite that, the characteristics of the platform economy and ‘gig’ work traps workers in the realm of precarious employment and the associated challenges. These include uncertainty, a high risk of job loss, low income, lack of protection, limited social benefits and a lack of worker control over their working conditions. Platform work-related challenges are aggravated by other geographic and socio-economic inequalities such as rural–urban, educational and gender divides.

THE LEGAL CONTEXT

What Makes a Worker an Employee?

In a rapidly changing economic context, Egypt's legislative environment changes too. As a result of increasing digitalization, a number of laws have been implemented to govern the use of technology, whether for commercial or personal purposes. However, these laws have focused more on corporate regulation (e.g. the Fintech Law (Law no. 5 of 2022) and the Personal Data Protection Law (No. 151 of Year 2020)) than labour relations.



It is important to note that the executive regulations (a list of provisions accompanying laws governing their implementation) for the Personal Data Protection Law have not yet been released. Against this lack of regulation of labour relations in platform work, workers are often treated by platforms as either self-employed or independent contractors and very rarely receive any kind of social benefits.

The Legislative Environment

While most sectors of platform work remain overlooked by the law, workers in ride-sharing platforms in particular have received some legal recognition. The Ride-Sharing Law No. 87 of 2018 contains 19 provisions that govern services provided by land transportation companies, including ride-sharing services.⁴¹ The law also prohibits ride-sharing companies from operating without a cabinet permit and mandates that all transportation service companies pay taxes and provide all of their customers' data to national security agencies in response to a formal request.⁴²

WHILE THE RIDE-SHARING ACT HAS PROVIDED DRIVERS FOR RIDE-SHARING PLATFORMS SUCH AS UBER AND INDRIVE. WITH A REGULATORY FRAMEWORK, LEGISLATIVE GAPS AND FRAGMENTED LAWS LEAVE PLATFORM WORKERS IN OTHER SECTORS, SUCH AS FOOD AND ON-DEMAND DELIVERY, LACKING RECOGNITION AND/OR PROTECTION.

Additionally, it requires transportation service companies to formally register their workers at the social insurance authority and pay social insurance contributions in accordance with the Social Insurance Law.⁴³ While the ride-sharing act has provided drivers for ride-sharing platforms such as Uber and inDrive. with a regulatory framework, legislative gaps and fragmented laws leave platform workers in other sectors, such as food and on-demand delivery, lacking recognition and/or protection.

The Labor Law: From the 2003 Labour Law to the Draft Labour Law of 2021

The current labour law, Law No. 12/2003, is long out of date and unable to capture the recent rapid changes resulting

from digitalization of labour relations. The law lacks a clear definition of (and therefore of entitlement to) safe working conditions and regulations, and does not require the payment of a minimum wage. At the end of 2022, a discussion was held in the House of Representatives' Manpower Committee, and the proposed Labour Law of 2021 was approved in principle.⁴⁴ However, the discussion of the law was abruptly postponed to plenary sessions in the House of Representatives, and there was some news that the government had withdrawn the draft legislation to amend some controversial points.

This draft law enforces a minimum wage set by the government, increases the period and frequency of maternity leave for women workers, and increases annual paid leave for certain workers.⁴⁵ It also sets the standard employment contract to cover an unlimited period and restricts limited contracts to a minimum of one year. To prevent forced dismissals (where many workers are forced by their employers to pre-emptively sign a resignation letter whilst signing their contracts), the draft law requires resignations to be written and signed by the worker and approved by the administrative authority, and delegates jurisdiction regarding unfair dismissals to the specialised labour court.⁴⁶

Although the draft law introduces some beneficial regulations, it also includes some debatable clauses.⁴⁷ For example, it decreases the annual paid leave from 21 to 15 days during the first year of employment and decreases the minimum annual salary rise from seven percent to three percent. Additionally, while the law aims to guarantee gender equality and ban gender-based discrimination by banning all discrimination in the workplace (Article 3) and discrimination against women (Article 49), it maintains a controversial clause granting the Minister of Manpower the authority to define the conditions, circumstances, and timings in which women are not allowed to work, e.g. night shifts.⁴⁸

WHILE EGYPT'S DRAFT LABOUR LAW OF 2021 AIMS TO GUARANTEE GENDER EQUALITY AND BAN GENDER-BASED DISCRIMINATION BY BANNING ALL DISCRIMINATION IN THE WORKPLACE (ARTICLE 3) AND DISCRIMINATION

AGAINST WOMEN (ARTICLE 49), IT MAINTAINS A CONTROVERSIAL CLAUSE GRANTING THE MINISTER OF MANPOWER THE AUTHORITY TO DEFINE THE CONDITIONS, CIRCUMSTANCES, AND TIMINGS IN WHICH WOMEN ARE NOT ALLOWED TO WORK.

However, in 2021, the Minister of Manpower released two decrees (43 and 44) cancelling the ban on women working in specific industries (with the exception of mining and underground work, and the exclusion of pregnant women) and allowing women to work at night in industrial fields, with the requirement that employers obtain a permit, and that the workplace provides safety measures and safe transportation.⁴⁹ The draft law also regulates the workers' right to strike, with the condition of resorting to the relevant trade union organisation and notifying the employer and the relevant administrative authority 10 days in advance of any strike action.⁵⁰ If there is a valid collective agreement in place between workers and an institution, the draft law bans strikes with the aim of rectifying this agreement until it expires, and also bans strikes in "strategic institutions"—giving the Prime Minister the right to decide on which particular institutions are classed as strategic.⁵¹

Overall, the draft labour law is an important step towards providing workers with more rights and protection in the labour market. However, it needs to be closely examined to ensure that regulations are not too complex or restrictive. Most importantly, regulations should take into account the needs of all workers, including those in platform work and other new forms of employment.

Platform Workers Missing from the Legal Framework

Most categories of platform workers are still missing legal recognition and regulations. As a result, platform workers are, in most cases, perceived and treated by platforms as self-employed or contractors rather than employees. Consequently, platform workers are rarely registered for social insurance and/or taxation, and seldom receive any form of social security such as sick pay, pensions, health or accident insurance.

MOST CATEGORIES OF PLATFORM WORKERS ARE STILL MISSING LEGAL RECOGNITION AND REGULATIONS. AS A RESULT, PLATFORM WORKERS ARE, IN MOST CASES, PERCEIVED AND TREATED BY PLATFORMS AS SELF-EMPLOYED OR CONTRACTORS RATHER THAN EMPLOYEES.

In 2019, the Social Insurance Law no. 148/2019⁵² was passed to unify all social protection laws under one umbrella. The law divided all those subject to its provisions into four categories: employees working for others, employers, Egyptian workers abroad, and irregular workers.⁵³ Under those categories, the law expanded social insurance coverage to include new employee categories such as irregular and seasonal workers.⁵⁴ The law covered fishermen, domestic workers, overland transportation employees, and owners of sole proprietorships and familial businesses.⁵⁵ Casual workers can also join the social insurance scheme by paying their own contribution, which entitles them to ageing, death, and disability insurance, as well as a minimum pension of 900 EGP paid once pension conditions are met.⁵⁶ In addition, the law reduced the insured person's contributory deduction for all categories except owners and entrepreneurs.⁵⁷

PLATFORM WORKERS REMAIN OUTSIDE THE SOCIAL INSURANCE LAW UNDER ITS CURRENT EXECUTIVE REGULATIONS BUT THIS COULD BE TEMPORARILY RESOLVED BY INCLUDING PLATFORM WORK IN THE PROFESSIONS LISTED UNDER IRREGULAR WORK. THE MAIN ISSUE IS THAT THE LAW TIES SOCIAL INSURANCE TO LABOUR (I.E. ONLY TO WORKERS), RATHER THAN PROVIDING UNIVERSAL COVERAGE.

While the law divided workers into four specific categories, platform workers are not eligible to be considered under this scheme, even as irregular workers. The social insurance law stipulates the presence of a regular working relationship between the worker and the employer for consideration under the “regular employment” category. This is defined by the executive regulations⁵⁸ (a list of provisions accompanying laws governing their implementation) as work that belongs, by its nature, to the employer’s activity (for instance, a factory production worker for a textile production company) and lasts for at least six months. It is legally debatable whether platform workers (at least for most platforms) meet these conditions to qualify as regular employees under the law. Although some exemptions were made for specific professions such as fishing, construction, cargo and shipping workers, and land transportation, the majority of platform workers are not covered.⁵⁹

Under the category of self-employment, the law requires either regulation by special laws or licences from competent authorities for workers to be registered, which is inapplicable to most freelance professions, with minimal exceptions (the ride-sharing law.)⁶⁰ And in terms of the irregular employment category, the law lists the specific professions that fall under the category, while the National Authority of Social Insurance fails to list platform workers under its (small) self-employed category.⁶¹ Platform workers thus remain outside the Social Insurance Law under its current executive regulations. Although this could be temporarily resolved by including platform work in the professions listed under irregular work,⁶² the main issue is that the law ties social insurance to labour (i.e. only to workers), rather than providing universal coverage.

THE POSSIBILITY OF FORMING A UNION COMMITTEE FOR PLATFORM WORKERS IN A CERTAIN SECTOR ON THE CITY OR GOVERNORATE LEVEL IS NOW MORE IN REACH AS THE MINIMUM NUMBER OF WORKERS NEEDED FOR ESTABLISHING ONE HAS BEEN AMENDED FROM 150 TO 50 WORKERS.

Platform workers also face restrictions in practising their

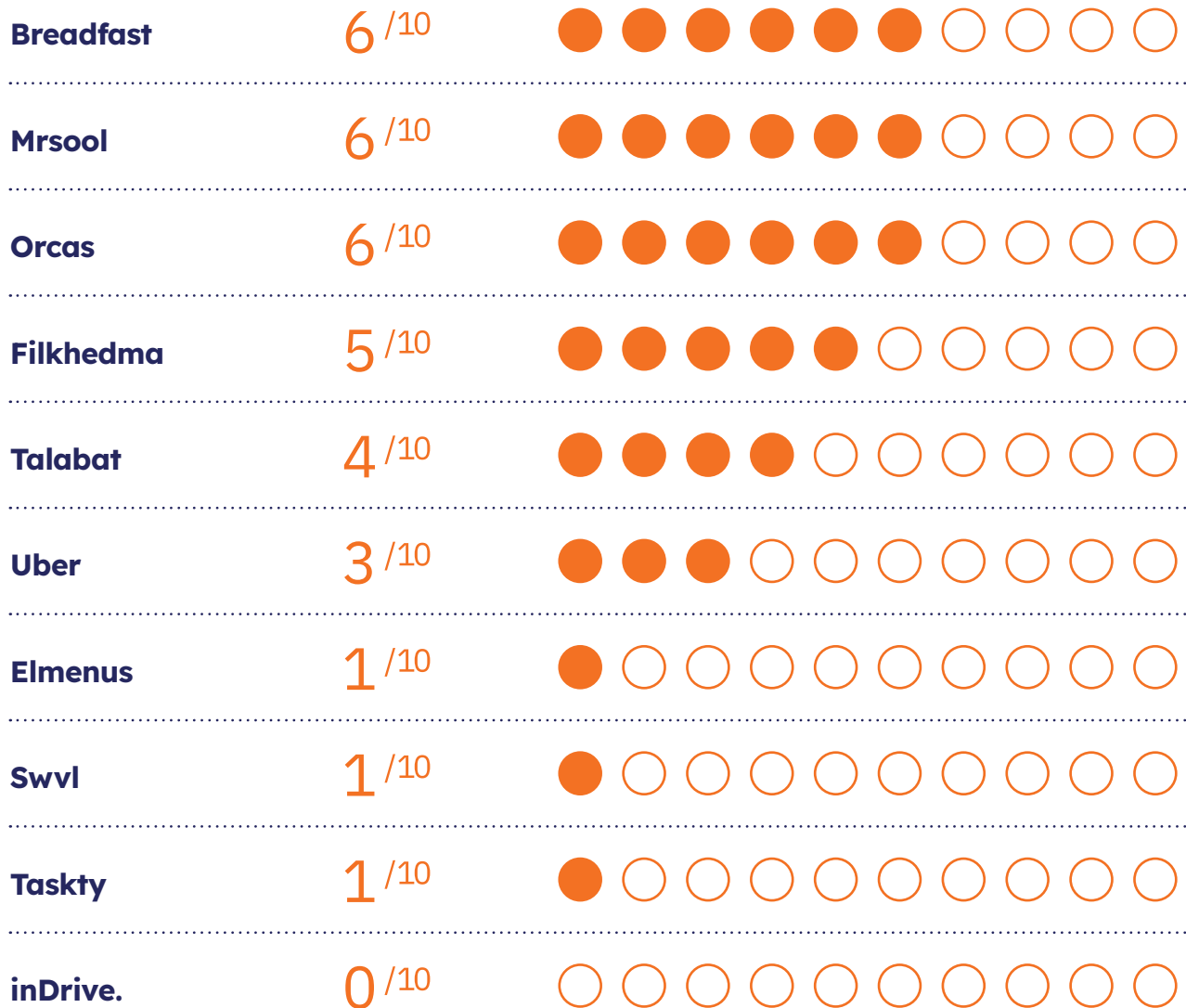
right to union representation, which further restricts their access to social protections. The Law for Workers Unions and the Protection of the Right to Union Association number 213/2017⁶³ was amended in Law number 142/2019⁶⁴ due to criticisms of the 2017 law, and included many positive changes. However, workers still face many restrictions when it comes to the application of the executive regulations in creating new trade unions or workers’ organisations. Those issues materialise in the executive authority’s powers and limitations, with the authority refusing to receive incorporation documents without requesting any amendments from representatives⁶⁵—which violates the law’s stipulation that workers’ organisations are considered free to practise their activity from the moment of filing.⁶⁶

The atomised, temporal, and loosely regulated nature of platform work also makes it difficult to envision a worker-led organisation on the company/establishment level.⁶⁷ However, the possibility of forming a union committee for platform workers in a certain sector on the city or governorate level is now more in reach as the minimum number of workers needed for establishing one has been amended from 150 to 50 workers.⁶⁸ It is worth noting that some areas of legislation have been quicker than others at integrating freelance and platform labour; while not paying taxation is considered an advantage by many informal workers, the Tax Authority has begun expanding the implementation of its Value-Added Tax Law (no. 67 of 2016) to include some areas of freelance and platform work.

Overall, platform workers remain far from being included or even acknowledged under Egyptian legislation, and as it stands, most platform workers lack a clear categorisation in terms of their labour, keeping them outside of the mandate of the social insurance law. This lack of recognition enables platforms to treat workers as self-employed/independent contractors and not provide them with social security. While recent legislative developments have resulted in improvements for those falling under the respective legislations, platform workers are still unprotected, even in the Draft Labour Law of 2021. Against this lack of a social safety net, restrictions on worker mobilisation keep workers from being able to seek channels of collective representation within the platforms, or collectively seeking social protection through unionisation. This and other issues are addressed later in this report.

Fairwork Egypt Scores 2022/23

Minimum standards
of fair work



THE BREAKDOWN OF SCORES FOR
INDIVIDUAL PLATFORMS
CAN BE SEEN ON OUR WEBSITE:

[FAIR.WORK/EGYPT](https://fair.work/egypt)

Explaining the scores

We scored 10 platforms in Egypt along five principles of fair work, based on desk research, worker interviews and several rounds of meetings with platform management. Out of the ten platforms covered in this study, four offer on-demand delivery services, three operate in the ride-sharing/transportation sector, two are domestic work platforms and one is a tutoring platform. Uber and inDrive. are ride sharing platforms that operate globally. Swvl, a bus hailing platform originally based in Egypt, now operates across the region. Both Talabat and Mrsool are delivery platforms founded in the Gulf Cooperation Council (GCC) and also operate in Egypt. The remaining five platforms are homegrown startups. These are Breakfast, EIMenus, FilKhedma, Orcas and Taskty.

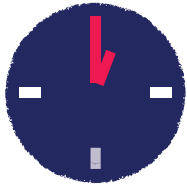


Fair Pay

Evidence shows that eight platforms (Orcas, Mrsool, Talabat, Breakfast, Uber, Filkhedma, Taskty, and Swvl) pay their workers at or above the minimum wage, which in 2022 was EGP 2,400 per month (USD 80.22),⁶⁹ or EGP 554 per week (USD 18.52) for a six-day work week.⁷⁰ When assessing minimum wage, the scores took into account not only the amount paid by the platform to the worker for hours worked, but also the cost of providing

task-specific equipment and paying for work related costs out of pocket, including waiting time between jobs, travel costs, vehicle maintenance, mobile phone data, gas, and any traffic fines incurred.

Only one platform, Orcas, could provide evidence that they pay their workers a living wage, currently assessed as EGP 5045 per month (USD 168.66), or EGP 1164 per week (USD 38.91) for 2022.⁷¹



Fair Conditions

Platform workers are subject to health and safety risks during the course of their work. These risks include accidents, aggressive or discriminatory behaviour, and sexual harassment. Seven of the platforms (Breadfast, Filkhedma, Elmenus, Mrsool, Orcas, Talabat, and Uber) were able to evidence action taken towards providing workers with sufficient protection for their health and safety.

Four delivery platforms, Breadfast, Elmenus, Mrsool and Talabat, provide their couriers with safety gear such as helmets, safety vests and windbreakers. Additionally, there are policies in place to mitigate risks associated with lone working. For instance, Breadfast couriers have a rest stop in their warehouses, while Talabat is creating rest stops for couriers on the road in cooperation with the MoSS. They also provide medical insurance and an accident reimbursement

system, ensuring compensation in the case of road accidents and recovery costs.

Filkhedma, the domestic-services platform, offers its workers detailed safety training. It also has a clear policy stating that female workers are allowed to reject tasks in single-male adult households.

Orcas, the tutoring platform, ensures that workers are compensated for cancelled sessions. It also provides a detailed training manual and kit. The platform has also incorporated a communication channel between the tutors and management in case an issue arises with students or their parents on the job.

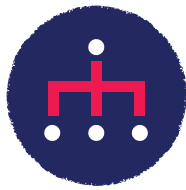
Uber, a ride-sharing platform, provides a documented policy to protect workers from task-specific risks, including an accident insurance policy.



Fair Contracts

Five platforms, Breadfast, Filkhedma, Mrsool, Orcas and Uber have clear and accessible terms and conditions. They are made available in Arabic and abide by local laws. Additionally, a data protection policy

is available which complies with Egyptian law. Some platforms could evidence that they notify their workers of proposed changes to terms and conditions.



Fair Management

Five platforms, Breakfast, Filkhedma, Mrsool, Orcas and Talabat, could evidence an effective communication channel between the worker and the platform, as well as a documented process to appeal decisions affecting workers. Delivery platforms in particular provide different mechanisms for communication such as Whatsapp groups with area managers, and offline and online support. Evidence was provided to show that workers are not disadvantaged if they raise concerns.

Breakfast, Mrsool and Talabat have policies in place to deal with malicious orders by problematic customers, including customers repeatedly cancelling orders or illegal items.

Four platforms could evidence an anti-discrimination policy. In consultation with the Fairwork Egypt team, Breakfast adopted an anti-discrimination policy and added it in a statement in their hiring page. Filkhedma

provided evidence of practical measures of inclusion and released graphics-based facebook posts encouraging people with disabilities to apply for the platform. Mrsool added an anti-discrimination policy in their terms and conditions. Additionally, Mrsool and Talabat evidenced campaigns to integrate vulnerable groups. Mrsool's initiative with the MoSS highlights the importance of the involvement of women and people with disabilities in the platform. This was evidenced in their video campaign and press conference with the ministry. Talabat also provided evidence of a Memorandum of Understanding with the United Nations High Commissioner for Refugees (UNHCR), where they worked on easing the regulations needed to include refugees in the platform. Orcas provided evidence of an anti-discrimination policy; however, the platform was unable to provide evidence highlighting additional measures taken for inclusivity.



Fair Representation

Relevant to this principle is law number 213/2017, amended in law number 142/2019, which grants the Minister of Manpower the authority to deal with the regulation and execution of matters related to the implementation and creation of trade unions. However, due to the nature of platform work and with no law regulating it, it is difficult for a union representing platform workers to be formed.

Against this backdrop, however, two platforms were able to provide evidence towards implementing mechanisms of collective worker voice. Mrsool publicly declared their interest in and support of the creation of a trade union for its riders. Additionally, Mrsool's partnership with the MoSS stipulates the creation of a community organisation for riders. Orcas was the other platform that provided initiatives encouraging tutors to participate and engage in a Facebook group





















where they can raise their concerns, carry out discussions with colleagues and create polls. The group was created by Orcas and allows only tutors to join. In consultation with the Fairwork team, Orcas added a tutor as an administrator in the group. They announced in the group and in their newsletter this new development and assured tutors that they could freely and anonymously reach out to this group admin about any concerns without any fear of repercussions. Orcas also posted a statement on their website and tutor's kit declaring their willingness to recognize an independent body for freelancers once it comes into existence.

None of the platforms could provide evidence of support for democratic governance (additional point 5.2) given the current legislative framework in Egypt posing some restrictions on unionisation.

PLATFORM IN FOCUS

Orcas

Orcas Tutoring is an Egypt-based e-learning and tutoring ‘edtech’ platform that offers private lessons for elementary and secondary school grades kindergarten through grade 12 (KG-12) students online or in person. The platform allows users to access over 3500 tutor profiles specialising in different subjects. Tutors on the platform are referred to as ‘independent tutor partners’ and are sorted by the school system, hourly rate, nationality, gender, ratings and reviews.

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	 1
 Principle 3: Fair Contracts	 Provides clear and transparent terms and conditions	 Ensures that no unfair contract terms are imposed	 1
 Principle 4: Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	 1
 Principle 5: Fair Representation	 Assures freedom of association and the expression of worker voice	 Supports democratic governance	 1

Orcas’s total score





The platform also provides information about tutors' work experience, educational background, and average ratings.⁷² The platform provides flexible part-time earning opportunities for expert educators by connecting them to students and parents seeking a personalised learning experience. Orcas was founded in 2013 by four co-founders under the name Cairositters, a platform for babysitters and tutors. They came up with the idea when they were university students who wanted to find part-time opportunities to make additional income for themselves and their friends.⁷³ They also wanted to provide a solution for parents struggling to find qualified babysitters or tutors while also offering part-time opportunities for students aged between 17-28.⁷⁴

The platform started out as a booklet including a list of tutors that was distributed among parents. In 2014, the founders created a Facebook page in order to build a customer base, and in 2017, they launched their mobile app with over 1,000 babysitters and tutors and 2,000 recurring customers. In 2019, the (renamed) Orcas app was used by over 20,000 parents across the Egyptian cities of Cairo, Alexandria, El Gouna, and the North Coast.⁷⁵ Orcas are now expanding their operations to Pakistan.⁷⁶

Orcas was one of the seven platforms assessed in our first Fairwork Egypt ratings report in 2021, scoring four out of ten (Fair pay 1.1, 1.2; Fair conditions 2.1; and Fair contracts 3.1). This year, they scored six out of ten, adding points for Fair Management 4.1, and Fair Representation 5.1.

When compared to other tutoring/domestic work digital labour platforms, Orcas offers some best practices to consider. For example, the platform ensures that the minimum rates charged by tutors are above the national minimum wage and the local living wage in Egypt. As such, the platform scored both points for Fair Pay. Orcas also arranges an onboarding session for tutors to provide them with a training manual and tutors' toolkit, and a guide to the application. During the onboarding session, representatives from Orcas interview tutors in order to get to know them better and assess their level. There are four levels: Bronze, Silver, Gold, and Platinum.⁷⁷ Tutors that have previous teaching experience can start on a higher level according to their T&Cs and policies. Almost all tutors start at the Bronze level and by working more hours while maintaining a good rating, they are able to move to a higher level.⁷⁸ Once the tutor reaches the Platinum

level, they are able to set their own hourly rate. Tutors also have the opportunity to increase their own hourly rates by completing more tutoring service hours and helping out other tutors by writing tip-based blog posts on the Orcas website. This incentivises tutors to interact with one another rather than leaving them atomised, which is the norm for other digital labour platforms.

In this year's research, Orcas was again able to score 2.1 as they provided evidence of a detailed training session, and evidence that tutors are compensated for cancelled sessions. After consultation with the Fairwork team, Orcas added a new feature on the platform for tutors to express problems with clients (a feature that is especially pertinent to workers in a domestic setting who face lone-working risks). The platform now supports tutors by addressing any issues that arise with clients during tutoring sessions.

Orcas also provided evidence of a pay structure that does not incentivize workers to work excessively. For example, tutors are expected to work at least six hours per week (as opposed to forty to forty eight hours) and their rating is not

affected by their availability. The management also shared with the Fairwork team a partnership agreement with the insurance brokerage company Amenli,⁷⁹ which provides Orcas tutors with a small discount and an instalment plan for health insurance coverage.

Orcas ensures that all tutors receive terms and conditions (T&Cs) which they must consent to electronically before creating a tutor account on the app. The management provided evidence that T&Cs are available to tutors at all times, in both English and Arabic. The tutors we interviewed confirmed that they received a contract and have access to T&Cs. Following ongoing discussions with the Fairwork Egypt team, Orcas also reworded a statement regarding the use of personal data to make it more worker friendly. As such, the platform was awarded a point for Principle 3.1. However, like all the platforms examined in this report, the contract has a clause limiting liability for the platform, and thus Orcas falls short of achieving the additional point 3.2.

All the tutors we interviewed mentioned that the platform



provides a clear communication channel with a responsive management that handles their cases and schedules calls to address their concerns. Tutors can also raise their concerns and communicate with a human representative via email or through the platform interface. Orcas's management provided evidence of a process to appeal deactivation. There is also a community Facebook group created by Orcas for tutors to express their concerns without repercussions.

The community Facebook group created by Orcas allows tutors to participate and raise concerns and discuss issues with colleagues. Orcas also allows tutors to create polls to collectively vote when a certain issue is raised in the group. As a result of our ongoing conversation with the management, the platform agreed to add a tutor as a moderator to the Facebook group to act in the capacity of a representative and to democratise the running of the group. In addition to the Facebook group, there are other mechanisms for the expression of collective worker voice, including focus groups for tutors to take part in discussions and provide feedback. Additionally, the platform hires freelancers who are also tutors on the platform in an effort to incorporate them in the decision-making and capacity building of the team. The freelancers are hired to work with Orcas's education teams on specific tasks such as facilitating training activities and creating lesson plans and assessments for students.

Following discussions with the Fairwork Egypt team, Orcas issued a statement on their willingness to recognize an independent body of tutors/freelancers, which is available on their website⁹⁰ and the tutor's kit. These amendments showcase their efforts in encouraging platform workers to voice their concerns without fear of repercussions.





















Orcas is to be commended for taking impactful steps towards fairer conditions for its tutors. This is relatively uncommon for platforms operating in similar sectors, globally. The Fairwork Egypt team hopes to continue conversations with Orcas next year to encourage further democratisation of the platform, and adoption of additional policies to further benefit the platform's tutors.



PLATFORM IN FOCUS

Breadfast

Breadfast was launched in 2017 as a platform that delivers freshly made bread and pastries to customers' doorsteps every morning. The platform now offers "more than 2,500 supermarket items, comprising a range of breakfast products as well as other household items including coffee, dairy, meat, fruits, vegetables, personal hygiene products and a small selection of electronic items."⁸¹ The platform delivers its goods from their warehouses and a web of grocery "dark stores".⁸²

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	 1
 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	 1
 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	

Breadfast's total score



The platform's workers are referred to as 'Breakfast riders' who deliver fresh, perishable goods from a Breakfast warehouse to a customer's doorstep in 20 minutes. The platform currently operates in Cairo, Giza, Mansoura, and Alexandria,⁸³ and is expanding to other locations in Egypt and the MENA region.⁸⁴

Breakfast has a notable relationship with its workers. For example, the platform offers a monthly salary to their workers as well as an employment contract. Because the workers have contracts, they are automatically registered for social insurance. Furthermore, it offers health insurance and sick pay. The platform currently employs around 1,000 riders.⁸⁵

All the workers we interviewed stated that they make above the national minimum wage (2400 EGP), during active working hours, and after costs. The platform also provided evidence of a service agreement that shows that workers receive a base pay of 3500 EGP per month and additional income for every delivery made, allowing their hourly earnings to be above the minimum hourly wage which is 12.5 EGP (based on a 48-hour working week). For this reason, Breakfast was able to score point 1.1 for Fair Pay, but not the additional point 1.2, which requires all its riders to receive more than the local living wage (5045 EGP per month, 26.3 EGP hourly rate) after work-related costs.

Almost all the workers we interviewed reported that the main risks associated with delivery were road safety, traffic accidents, and congestion. One worker told us that because orders had to be delivered in under 20 minutes, the fast-paced journey to a customer's doorstep could be dangerous, given Cairo traffic. Breakfast scored both points for the Fair Conditions principle, 2.1 and 2.2, because the platform provided sufficient evidence showing that the platform is trying to mitigate task-specific risks and ensure safe working conditions and a social safety net. Breakfast also provides an onboarding training session and a guide for workers to deal with harassment and abuse, and distributes safety vests to workers and provides rest stops for workers between orders.

Breakfast sets a good example of a platform mitigating risks associated with lone working. Breakfast also provided evidence that they compensate workers for income loss due to sickness (commensurate with their monthly base pay) and that they provide financial support for medical operations caused by road accidents. After

consultation with the Fairwork Egypt team, Breakfast is working on designing a policy for sick leave and medical coverage to ensure that its workers are aware of Breakfast's policy. This is alongside the health insurance that they already provide.

The Breakfast contract is in Arabic and is accessible and understandable to workers. After consultation with the Fairwork Egypt team, Breakfast also added an ethical data protection policy, earning them Principle 3.1. Even though the platform provided evidence that workers are notified of proposed changes to contracts in a reasonable timeframe, the contract does have a clause limiting liability for the platform, and hence fell short of attaining Principle 3.2.

Breakfast scored both points for Fair Management, 4.1 and 4.2. An accessible channel is available for all riders to communicate with a human representative, and according to accounts provided by Breakfast riders, there is a designated representative in different locations responsible for the riders that operate in each location. According to our interviews with Breakfast riders, there is a Whatsapp group they can use to report their concerns to a representative from Breakfast, who is responsive and effectively solves riders' problems.

Breakfast has also initiated what they refer to as the 'Last Mile team'. This is a team that acts as a link between the platform and delivery associates, with more than half of the team's members having previously worked as Breakfast riders. The role of the team is to recruit new Breakfast riders, enhance retention and address any work-related issues. This measure can, in essence, overcome the barriers to effective communication and make the platform management more approachable by workers.

Following discussions with the Fairwork Egypt team, Breakfast added a statement to their hiring page guaranteeing that the platform will not discriminate or tolerate discrimination. This allowed Breakfast to score the second point for the Fair Management principle.

While Breakfast did not score any points for Principle 5, we hope to continue our conversation with the platform to develop mechanisms that would prioritise collective worker voice and give them a say in shaping the platform's policies.

Workers' Stories

Mahmoud,* 53, ride-sharing platform driver

Mahmoud* is a 53-year-old married man with three children. For the last three years, he has been working across multiple ride-sharing platforms in the evenings to supplement the income he receives from his day-job in sales. The constantly increasing cost of living has driven Mahmoud into working for ride sharing platforms, despite the challenges he faces. In his time driving for one platform, Mahmoud has found it difficult to deal with some riders. From rudeness to assault, he told us about the risk of being alone with strangers in a car, including one occasion when he was assaulted by an intoxicated passenger.

This risk is exacerbated by another challenge—not having medical or car insurance. Mahmoud told us how the risk of not being insured posed a daily challenge for him, explaining how even the accident insurance provided by the platform was too low and unlikely to cover any substantial medical care. Mahmoud also mentioned other challenges, such as the lack of a clear communication channel between drivers and management, and occasional changes in the agreement he signed with the platform without prior notification.

Because of his largely negative experience as a platform worker, Mahmoud recognizes the importance of collective action. He has participated in plenty of strikes and actively engages with an initiative founded by ride-sharing drivers across Egypt, the “Million Driver Initiative—by drivers, for drivers”. The initiative attempts to acknowledge and solve the many problems faced by drivers. According to Mahmoud, “the initiative has around 20,000 participating-drivers, and the number increases every day”.

Mahmoud told us that the initiative has a legal advisor who is helping make ride-sharing platforms better for drivers by suggesting revisions to the terms and conditions and attempting to amend them to improve working conditions. The advisor also offers legal advice to drivers seeking grievances when deactivated by the platform.

Mahmoud believes that the initiative’s bargaining power is strengthened by the number of drivers participating in it. He also believes that such strength in numbers will protect other drivers working for this ride hailing platform from taking legal measures against them or deactivating them from the platform. And while Mahmoud does not plan on continuing to work for this specific platform for much longer, he strongly maintains that ride-sharing drivers deserve better working conditions and contracts, and to attain the rights they are barred from.

Nada*, 32, and Mona*, 40, domestic workers

Nada, 32, and Mona, 40, work for the same domestic work platform in Cairo to support their respective families. Although single and childless, Nada has financial commitments including supporting her siblings and paying for her education to earn a Bachelor's degree. Nada's commitments drove her to join a domestic work platform to supplement her income from her hair salon, which she cited as unstable, especially during the winter months. Mona, who found herself solely responsible for four children and accumulating debts after her divorce, joined the platform to meet her financial obligations.

The rising cost of living has pushed both women into taking up as many orders as they can. For Nada, that has meant working seven days a week, and still wanting to take on even more jobs. For Mona, it has been more challenging. She explains that while she tries to take on as many orders, she finds the platform inconsistent in terms of what they assign her, and finds herself left waiting for work and struggling to make a living.

Both women work tirelessly to maximise their income from the platform; still, they remain disappointed by how much they make. Nada raised the issue of facing deductions for obscure reasons; while Mona spoke to us about how customers will sometimes order the less-expensive service and expect to be provided with the more expensive one. This has been especially problematic for Mona as she is wary of raising any complaints because, in her experience, that has resulted in her getting sidelined and receiving even fewer jobs.

They each face different challenges. For Nada, she has found that her different roles—as a breadwinner, full-time university student, and platform worker—often clash. Although she cited flexibility as the most attractive feature of platform work, she also mentioned having previously been deactivated from the platform for refusing orders during exam season or because of her class hours. Nada also struggles to balance her role as a platform worker with her other roles. The lack of a clear communication channel with the platform makes this more difficult. There are no means of directly contacting management other than a chat that is only available during jobs. Given that, when any problems or concerns arise, Nada often finds herself needing to head to the platform's headquarters outside of her time on the job. This costs her time she cannot afford.

Mona, on the other hand, is bothered by the feeling that the “platform favours customers at the expense of workers.” This, to her, has come up generally in the form of discount codes which directly impacted her pay, and more personally, in a story she told us of having to comply with a misleading request. Having arrived at a location expecting to clean a small apartment, Mona was surprised to find the customer had a large apartment that had been locked for months, and was in desperate need of deep cleaning. When Mona tried to flag to the customer that her request had been incorrect, the customer “threatened to accuse [Mona] of stealing a diamond ring.” Knowing that it was her words against the customer's, Mona had no choice but to spend the entire day cleaning through layers of collected dust for far less money than she was meant to earn.

Both women—despite having raised concerns about their work for the platform in their interviews—plan on continuing to work for the platform. Nada says that she wants to continue supporting herself and her family until she graduates with her Bachelor's degree next year, before she can finally get a job related to her degree. Mona will continue to work for the platform until a better opportunity arises, as she needs to fulfil her financial obligations, especially after failing to secure government assistance having lost her legal documents in the apartment she had shared with her ex-husband.

* Names in this section have been changed to protect the workers' identity

Vulnerability Amidst Severe Economic Crisis

The surge in demand for different forms of platform-mediated work in Egypt in 2021 was associated with a significant increase in the number of platform workers to meet the needs of consumers, which has extended into 2022. While platform-mediated work is riddled with challenges of low wages, precarity and poor working conditions, it has provided thousands of individuals across the country with opportunities during pressing economic times, giving them a dependable source of income. However, as the economy has continued to stumble on unprecedented challenges, demand for platform-mediated services has not been unaffected, and the dependability of platform work has therefore faltered, putting many platform workers into positions of further vulnerability.

Just as the Egyptian economy was beginning to recover from the pandemic's effects, the aftermath of Russia's invasion of Ukraine in February 2022 rippled across the country, resulting in a rise in the cost of wheat and oil as a shortage of imports hit, triggering a food security crisis. Egypt is the world's largest importer of wheat, with imports (mostly from Russia and Ukraine) constituting 62 percent of the country's national wheat supply.⁸⁶ Wheat is also key to the country's food security, representing an average of 37 percent of an Egyptian's caloric intake in recent years.⁸⁷ With rising bread prices, and pressing wheat shortages, the stakes have been high for Egyptians, especially as Egypt's national (Baladi) Bread Subsidy program has come under threat, putting the nation's poorest under further strain.⁸⁸

In parallel, Egypt has witnessed a significant drop in one of its major sources of finance, namely tourism. With 30-40 percent of all visitors to Egypt coming from Russia and Ukraine, Egypt's post-pandemic recovery has been challenged.⁸⁹ One large hotel in Sharm El-Sheikh reported losing 70 percent occupancy after the war, adding that while there have been slight rises in visitors from other countries, "none of these can be compared with those from Ukraine and Russia before the war."⁹⁰

As a result of these factors, Egypt is facing one of its worst periods of foreign exchange shortage, indebtedness and inflation. Reliance on wheat imports from Russia and Ukraine has contributed to rising food prices, with foods and beverages being 30.9 percent more expensive compared with a year ago.⁹¹ Inflation has also been

exacerbated by the fall in the value of the Egyptian pound, which was worsened by the nation's adoption of exchange rate flexibility as demanded by the International Monetary Fund (IMF) within the conditions of a new loan.⁹² This has resulted in the value of the USD nearly doubling—from EGP 15.6 to the dollar earlier in 2022, to EGP 30 as of early 2023.

PLATFORM WORKERS HAVE ENGAGED IN STRIKES TO ADVOCATE FOR BETTER PAY AND WORKING CONDITIONS. IN APRIL, 2022, 12,000 TALABAT RIDERS TOOK TO THE STREETS ON A TWO-DAY STRIKE TO DEMAND HIGHER WAGES.

The country's falling currency came after months of a foreign exchange shortage first set off by the Russian invasion of Ukraine, triggering a significant capital flight out of Egypt, partly fuelled by the rise in global interest rates. This took place as foreign portfolio investors pulled \$20 billion "out of local debt" in the first quarter of 2022.⁹³ The war's inflationary pressure on wheat, as well as other basic commodities, has also depleted the nation's foreign currency resources. And while the Central Bank attempted to reattract foreign portfolio investments by raising interest rates, its measures have fallen short of relieving the economy from the pressure on the Egyptian pound.⁹⁴

Grappling with the country's economic woes has pushed the government to seek support from the IMF for the fourth time in the last six years, making Egypt the second most indebted country to the IMF after Argentina.⁹⁵ As part of its agreement with the IMF, Egypt received \$3 billion. This loan comes with the demand for structural reform including shrinking the role of state entities in the economy, as well as "a permanent shift to a flexible exchange rate".⁹⁶ The IMF has also warned of potential "political and social pushback",⁹⁷ especially since many Egyptians had already been struggling with inflation for months prior to the adoption of a flexible exchange rate.

This has taken place against the backdrop of a slowdown in global economic recovery and disruptions in global supply chains. These have further strained Egypt's

economy and put downward pressure on its economic growth. The dangerous combination of heightened inflation and slower growth have left the nation struggling with stagflation.⁹⁸ In the wake of such harsh economic conditions, all economic stakeholders have been left worse off. Business confidence has become threatened by the rise in prices combined with a fall in the purchasing power of consumers. Meanwhile, new vulnerabilities have been exposed for consumers as they face rising costs of living and increased job insecurity.

Against this background, platform workers have engaged in strikes to advocate for better pay and working conditions. In April, 2022, 12,000 Talabat riders took to the streets on a two-day strike to demand higher wages.⁹⁹ The courier-delivery platform, Mrsool, has recognized its workers' calls for social insurance and protection against the dangers they face on a day-to-day basis, and decided to take initiative. In an interview with Ahram Online, the platform's country manager, Karim Gamal, said that they support creating an entity to represent their workers and preserve their rights—a sentiment matched by the platform's proposal to the Ministry of Social Solidarity to cooperate on a protocol to promote the rights of couriers, as we discussed earlier.¹⁰⁰

In August 2022, the Ministry, in collaboration with Mrsool, launched the "Your Road is Safe" initiative, targeted at delivery workers. The initiative was launched at a press conference hosted by the Ministry and Mrsool, and attended by delivery platform workers, journalists, and members of the Fairwork Egypt team upon invitation from Mrsool's management. The initiative entails creating a framework to govern home delivery platforms and protect home delivery platform workers in Egypt. The initiative will include courier delivery workers under the umbrella of social protection by providing them with insurance that covers pensions, injury, and death. As it stands, platform workers covered under this initiative are free to choose the duration of their subscription to the social insurance scheme, their contribution to it, payment frequency (annually, quarterly, or monthly), and to decide on their retirement age (55, 60, or 65).¹⁰¹ This is important for platform workers because as the social insurance law stands, platform workers are generally not allowed to register under any social protection schemes, as they don't fall under any of the existing categories, as we discussed earlier.

As part of the initiative with Mrsool, 8000 workers will receive protective helmets and other protective gear to protect them from job-related risks and dangers. The initiative will also support the creation of a representative body for workers in the home-delivery sector by founding an association affiliated with the Ministry; it will also involve providing courier workers with training and awareness sessions. The first phase of the initiative has already taken place in Egypt's largest cities, Cairo and Alexandria, with plans to expand to other cities.¹⁰²

Since its launch, the initiative has expanded to include Talabat, which began their collaboration with the Ministry in December 2022. As part of its agreement with the Ministry, Talabat will be setting up rest stops for their riders, which will include water dispensers, mobile charging stations and benches. Talabat will also be providing 12,000 riders with windbreakers to ensure their well-being during the extreme weather conditions of winter. Similar to Mrsool, Talabat's agreement with the Ministry will also include their courier-delivery workers under the umbrella of social protection, and will provide them with training and risk awareness sessions. Additional delivery platforms are currently in conversation with the Ministry to include their workers under the scheme. This is a major milestone for platform workers in the economy, because as of last year, only ride-sharing platform employees were covered by a social insurance scheme.

THE 'YOUR ROAD IS SAFE' INITIATIVE ENTAILS CREATING A FRAMEWORK TO GOVERN HOME DELIVERY PLATFORMS AND PROTECT HOME DELIVERY PLATFORM WORKERS BY BRINGING THEM UNDER THE UMBRELLA OF SOCIAL PROTECTION (INSURANCE THAT COVERS PENSIONS, INJURY, AND DEATH).

Other platforms have also started making individual efforts to protect their workers. In the summer of 2022, the grocery delivery platform, Breadfast, launched a health insurance program for all its Delivery Associates to "ensure their safety during delivery commutes and

provide them with a secure environment across Egypt".¹⁰³ Breadfast also maintains a safety net for its Delivery Associates by entitling them to paid time off in the event that they are sick. Workers on sick leave receive their full monthly base pay, which ensures that they don't experience sudden poverty if they fall ill—a fear harboured by many platform workers, and which is made worse by Egypt's current economic conditions.

AS AN ALREADY VULNERABLE GROUP, PLATFORM WORKERS HAVE EXPERIENCED A DOUBLE BURDEN AS STAGFLATION HIT THE EGYPTIAN ECONOMY. WITH NO SIGNS OF ECONOMIC RECOVERY IN SIGHT, EGYPT'S ECONOMIC HARDSHIP IS LIKELY TO INTENSIFY.

Actions taken by platforms like Mrsool, Talabat and Breadfast have offered their workers some protection in these challenging economic times. However, workers on other platforms remain increasingly vulnerable. The current state of the economy has exacerbated existing vulnerabilities and exposed new ones. As an already vulnerable group, platform workers have experienced a double burden as stagflation hit the Egyptian economy. With no signs of economic recovery in sight, Egypt's economic hardship is likely to intensify. Without safety nets to fall back onto, the challenges for platform workers will be aggravated. Ride-sharing and domestic work platform workers, as well as some delivery platform workers, remain completely unprotected and therefore exposed. And while the actions taken by the Ministry, particularly through the initiative, have constituted a step forward towards better working conditions for many platform workers, more can and should be done to mitigate the severe economic crunch and afford platform workers the protection they deserve. The changes in the legislative environment detailed in previous sections should be coupled with the requirement for all platforms to register their workers in social insurance, provide their workers with at least minimum wage, and ensure the safety of their workers by providing them with accident insurance, health insurance and sick pay.

Platform changes

In this second round of Fairwork ratings in Egypt, our research and ongoing conversations with platforms in Egypt has led to six out of the ten platforms we evaluated showing a willingness to improve the working conditions of their workers. This has translated into four platforms seeing an improvement to their ratings compared to last year. Four platforms scored five or higher, and these positive scores provide grounds for a better and fairer trajectory for the platform economy in Egypt. The low scores for the other platforms, however, show the need for enacting legal and regulatory processes, and intervention to fully include platform workers in labour protections and social insurance schemes.

Fair Conditions:

Orcas added a new feature on its applications for tutors to express problems with clients. The platform will now be mitigating the risks of lone working by providing adequate support.

Breadfast added to its starter kits additional information on “the Last Mile team” and ways for workers to reach out to this group. The Last Mile team can provide support to workers who seek help with issues related to safety.

Fair Contracts:

Mrsool updated the company’s governing law to Egyptian law in their terms and conditions and will be sharing the news with their workers in early 2023.

Breadfast has added a data protection policy in its hiring link.

Orcas reworded a statement regarding the use of personal data to make it more worker friendly.

Fair Management:

Breadfast added an anti-discrimination policy in its hiring link.

Mrsool added an anti-discrimination policy to its updated terms and conditions.

Filkhedma added in its recruitment posts an explicit welcome and call for people with disabilities.

Fair Representation:

Orcas added one of the tutors on the platform as a moderator on the Facebook group. It announced this new development to all its tutors and ensured that they can reach out without any fear of repercussion while retaining their anonymity.

Orcas issued a statement on its willingness to recognize a trade union and engage in collective bargaining. The statement can be found on their website and tutor’s kit.

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.

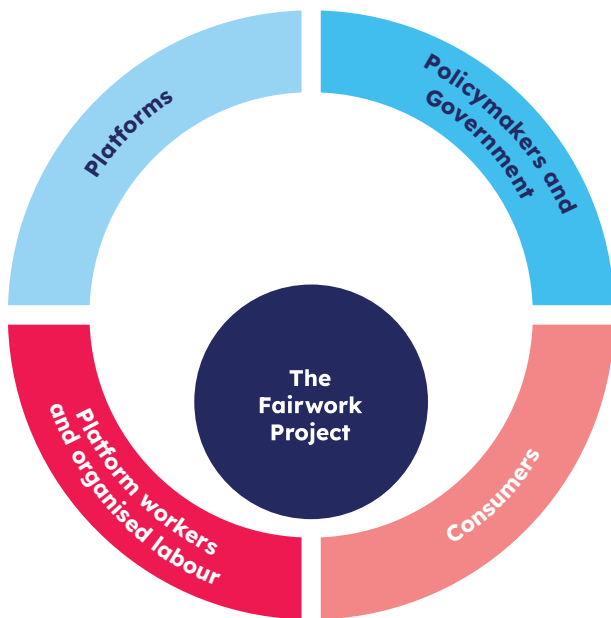


Figure 1: Pathways of Change

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 report shows that platforms can adopt a wide range of business models. Notwithstanding, they still have control over the jobs they mediate and as such are accountable for providing

workers the basic rights that their counterparts have access to in the formal sector.

Fairwork’s theory of change provides a useful and effective guide for long-term and long-lasting improvement in the platform economy. The theory of change includes four avenues for better working conditions: engaging with platforms, policymakers, workers, and consumers.

Engaging with platforms:

Most of the platforms included in this year’s research are local and homegrown. Building on last year’s scores, these platforms still show an appetite for incorporating changes and better practices. A testament to that is the ten platform changes we saw this year, which can be compared to only three in 2021. For instance, Orcas, Mrsool, and Talabat improved their ratings and enacted various changes in the course of a year. Mrsool and Talabat’s score improvement is largely the result of their collaboration with the MoSS.

This year’s scores attest to the willingness of platform management to model fairer work practices, and is a testament to platform workers’ power in bringing their demands to the forefront. Soaring prices partially triggered by the Russia–Ukraine war, the depreciation of the Egyptian pound, and the increasing foreign debt, will translate to higher unemployment levels and a lower standard of living. Thus, platforms have an increasing responsibility to concentrate their efforts in providing support, safety nets, and wage increases to their workers, and to ensure that work-related costs, especially gas, do not push workers below the local minimum wage. Against this background, we hope that platform changes continue

in favour of workers, and that positive impact is sustained looking ahead.

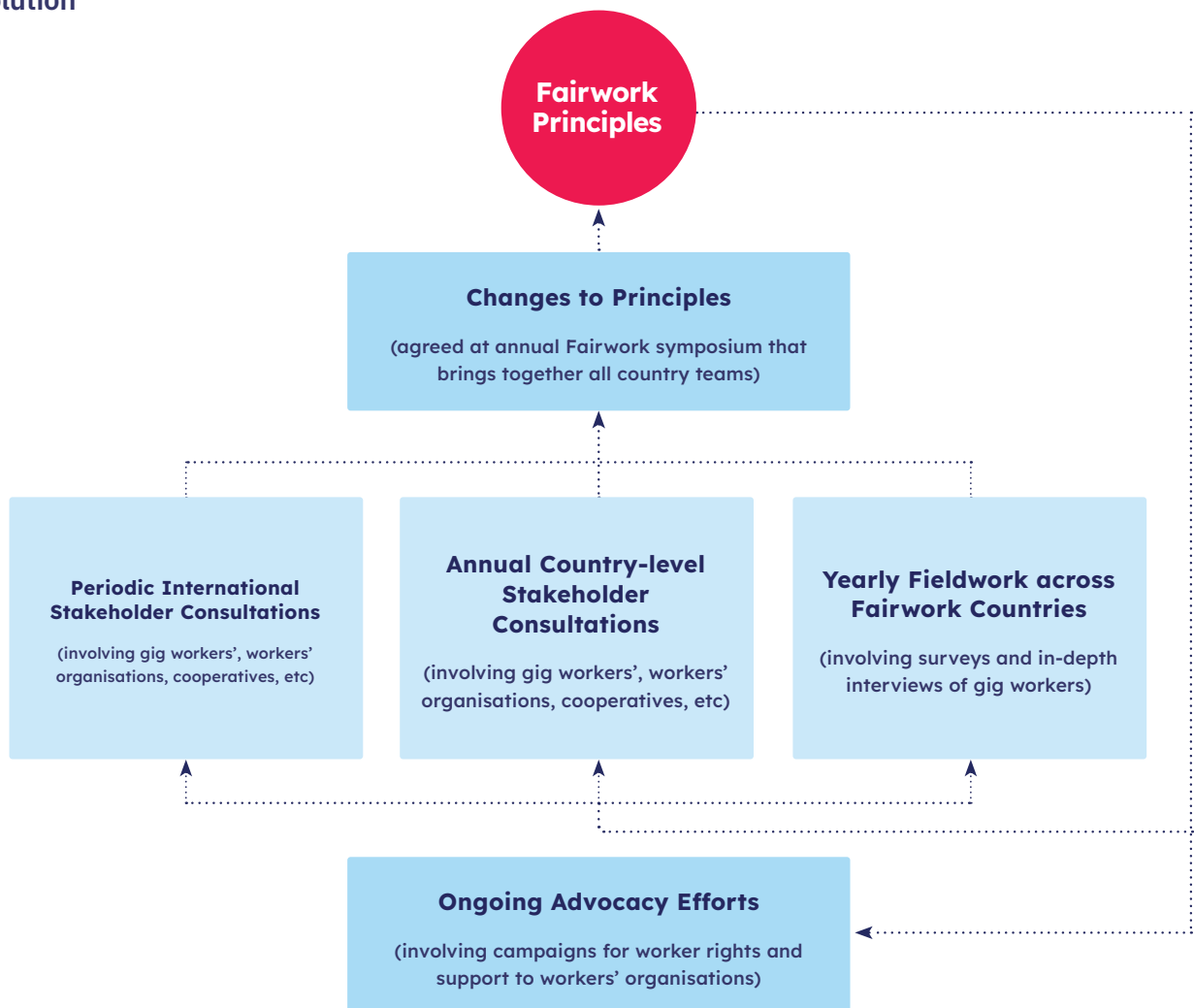
We made sure that platform management was represented at our stakeholders’ workshop this year where we discussed the legal landscape surrounding gig work in Egypt in light of the Fairwork principles. Titled “Gig Workers in Egypt’s Legal Landscape”, the workshop was held online on September 28, 2022 and was attended by Karim Gamal, country manager of the regional gig-work platform Mrsool, an on-demand courier service startup; Hassan El Azhari, lawyer and co-founder of technology and law community, Masaar; Dr. Irene Selwaness, Assistant Professor at Cairo University’s Faculty of Economics and Political Science; and Salma Hussein, Regional Research

Manager at Friedrich Ebert Stiftung (FES).

Gamal emphasised Mrsool’s commitment to its workers. He underlined the initiative Mrsool has taken towards supporting their couriers and spoke about resorting to the press to highlight the workers’ suffering, as well as actionable steps the platform has taken towards bettering couriers’ experience by collaborating with Egypt’s Ministry of Social Solidarity.¹⁰⁴

We were also invited by Mrsool to attend the launch of their “Your Road is Safe” Initiative with the Ministry of Social Solidarity. The collaboration includes starting an initiative to produce and distribute helmets to courier drivers, supporting workers to initiate a representative

Figure 2: Fairwork’s Principles: Continuous Worker-guided Evolution



committee, and ensuring workers are socially insured.

Engaging with policymakers

The second pathway to change is to engage with policymakers with the aim of advocating for the legal protection and rights of platform workers in Egypt. Towards this endeavour, the Fairwork Egypt team worked with Masaar - Technology & Law Community, a civil society initiative of lawyers and technologists aiming to promote digital rights in Egypt. We collaborated on four legal review papers related to platform workers: the social insurance law, the trade union law, the personal data protection law, and the draft labour law. These papers will be disseminated and posted on our blog.¹⁰⁵ In addition, these papers will be used in future conversations with policymakers. Our team also engaged with the Ministry of Social Solidarity and are exploring avenues for collaboration and partnership.

Engaging with consumers

Consumers are the cornerstone of any economy. With access to enough information, consumers will be mindful about the platforms they choose to interact with. The Fairwork ratings can give consumers an indication of the practices and policies adopted by the platforms they engage with/purchase from. The yearly ratings we provide give consumers the means to choose the highest scoring platforms. This, in turn, will pressure platforms to improve their conditions and scores to meet the minimum thresholds. Through these means, we enable consumers to be workers' allies in the journey towards a fairer platform economy. 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.

The Fairwork Egypt team conducted a survey to gain insights on the perspective of consumers towards platform work and working conditions. The survey served as an experimental exercise where we reached out to university students and the teams' contacts list. We received 62 responses. The survey results were used in a social media and visual campaign on Egypt's platform economy. The results found that 96.7 percent of respondents use platforms and 87% of them are more likely to use a platform if they know workers are treated fairly. When asked how we can improve working conditions for

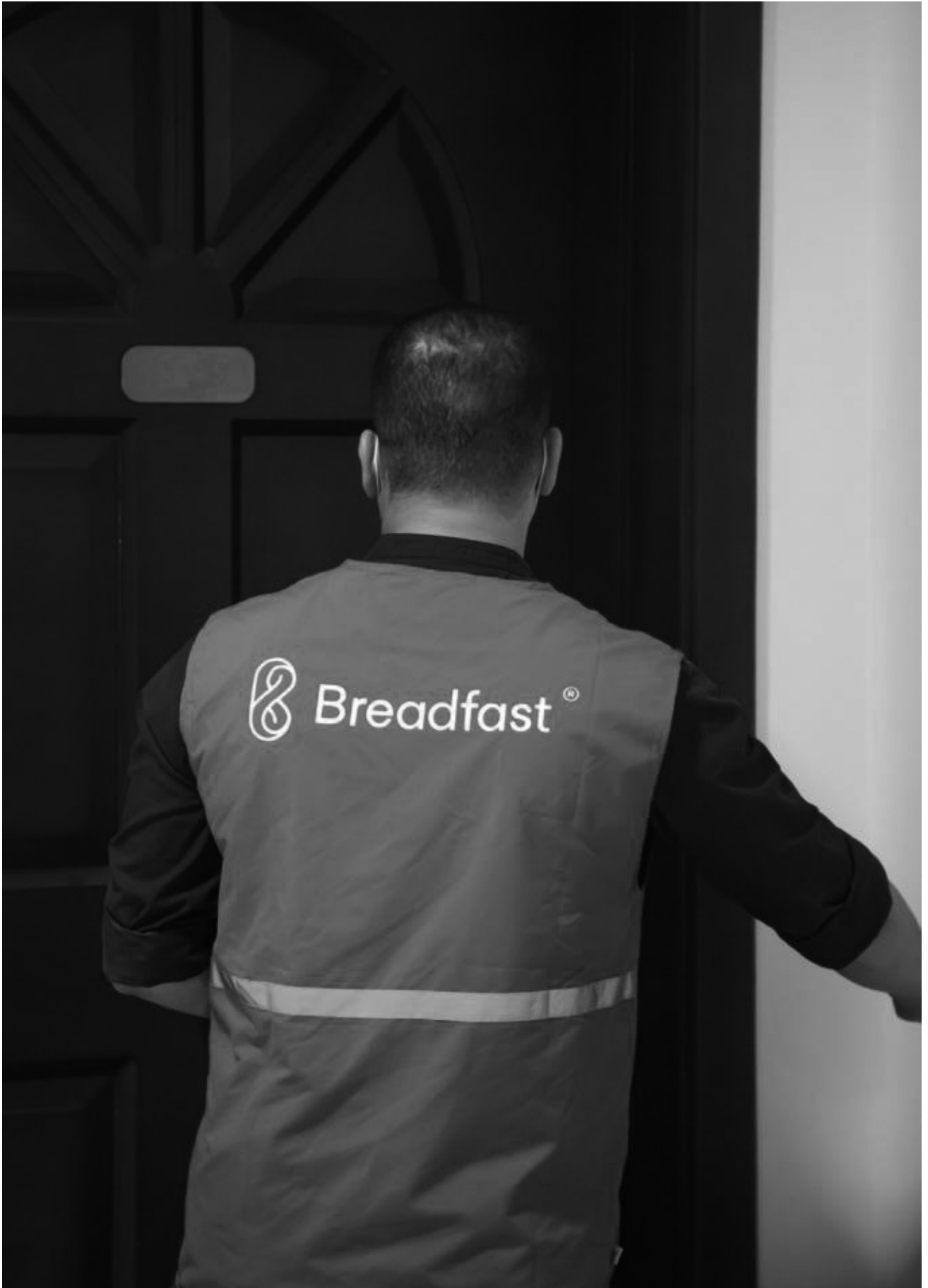
platform workers some of the responses included health insurance, higher salary, sick leave, contracts and platform regulation.

Additionally, the Fairwork Egypt team has so far reached out to thirty organisations to sign the Fairwork pledge. Two organisations signed, and four are in progress. The Fairwork pledge encourages organisations to publicly endorse our work and make our scores available to their staff or members, as well as to commit to meaningful changes in their own practices.

Engaging with workers

Platform workers are at the core of Fairwork's pathways of change. The workers in Egypt informally engage with each other and organise through social networking groups such as Whatsapp, Telegram and Facebook. There is no official representative collective body for platform workers in any of the sectors in Egypt. However, there are meaningful steps being taken by platforms for a collective association, such as the initiative with the Ministry of Social Solidarity. We hope that this will serve as a model for other platforms and provide an opportunity for them to collaborate with the ministry to protect their workers.

Our scores show that some platforms are more willing than others to cooperate, and to ensure that policies are put in place for better working conditions—meaning that low pay, poor conditions, inequity, and a lack of agency and voice are not accepted as the norm. We hope that our work highlights the contours of today's platform economy and paints a picture of what it could soon become, with continued dedication, research and advocacy, and most of all, through listening to platform workers and collaborating with managers.



The Fairwork Pledge

As part of this process of change, we have introduced a Fairwork pledge. This pledge harnesses ethically minded organisations' to support fairer platform work. Organisations like universities, schools, businesses, and non-profit organisations irrespective of whether or not they make use of platform labour, can make a difference by supporting labour practices guided by our five principles of fair work. Those 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 on the Pledge, and how to sign up, is on the Fairwork website.¹⁰⁶

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

WWW.FAIR.WORK/PLEDGE



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”¹⁰⁷. 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”¹⁰⁸. 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 excluded from the definition. The ILO’s definition of “digital labour platform” is widely accepted and includes many different business models¹⁰⁹.

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 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. In contrast, cloudwork platforms cannot because (by their nature) the work be performed from anywhere and so different market factors, risks/harms, and regulations apply, depending on where the work is performed.

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

How does the scoring system work?

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

Each Fairwork Principle is divided into two thresholds. Accordingly, for each Principle, the scoring system allows the first to be awarded corresponding to the first

threshold and an additional second point to be awarded corresponding to the second threshold (see Table 1). The second point under each Principle can only be awarded if the first point for that Principle has been awarded. The thresholds specify the evidence required for a platform to receive a given point. Where no verifiable evidence is available that meets a given threshold, the platform is not awarded that point.

Table 1 Fairwork: Scoring System

Principles	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 vehicle¹¹⁰. Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage¹¹¹. 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 hours¹¹². 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 costs¹¹³.

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:

- 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^{114 115}.

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 risks¹¹⁶. 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 risks¹¹⁷. 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 workers¹¹⁸. 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 interface¹¹⁹.
- 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 status¹²⁰.
- 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 mechanism¹²¹ 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 interface¹²².
- 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 representation¹²³.

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.¹²⁴

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111 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.

112 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.

113 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.

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

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

116 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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118 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.

119 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.

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

121 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.

122 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."

123 See ILO (2021) World Employment and Social Outlook 2021: The role of digital labour platforms in transforming the world of work International Labour Office – Geneva

124 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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Please note that this report contains sections in common with other Fairwork reports, notably the Fairwork Framework, parts of the Impact and Next Steps section and the Appendix.

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Conflict of interest statement

None of the researchers have any connection with any of the platforms and the work undertaken received no funding or support in kind from any platform or any other company, and we declare that there is no conflict of interest.

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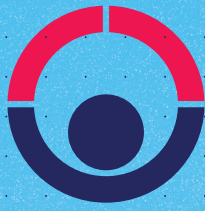
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