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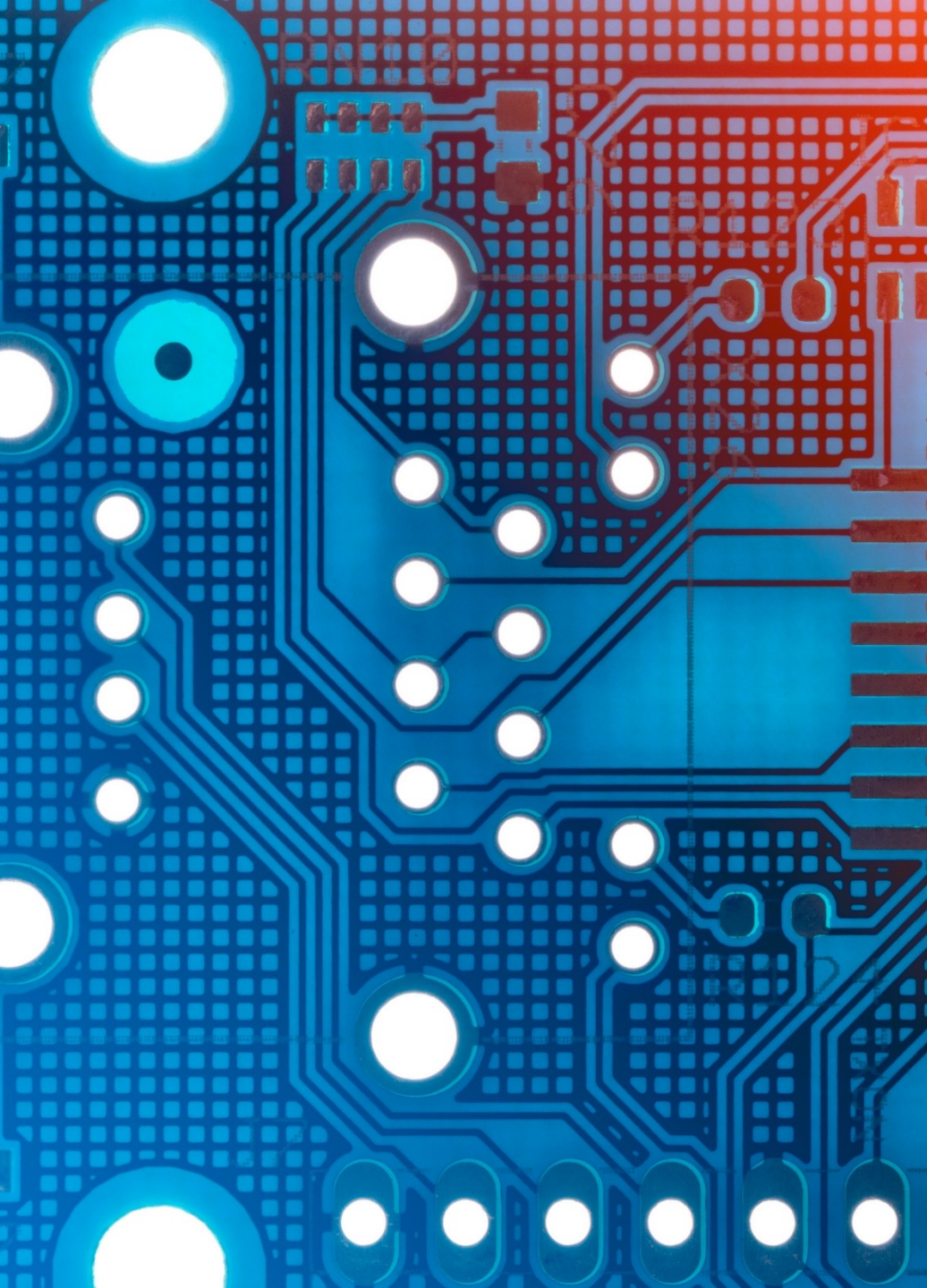
ASIA-PACIFIC
SOCIAL PROTECTION WEEK 2023
Social Protection in a Changing World

26–28 September • ADB Headquarters, Manila, Philippines

Decent Work in the Platform Economy

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The Platform Economy

An ecosystem where diversity reigns

- Multiple Sectors of Activity
- Different objectives
- Multiple Business Models
- Various forms of service provision
- Different forms of work

A rapidly evolving ecosystem

Some opportunities and risks

Opportunities:

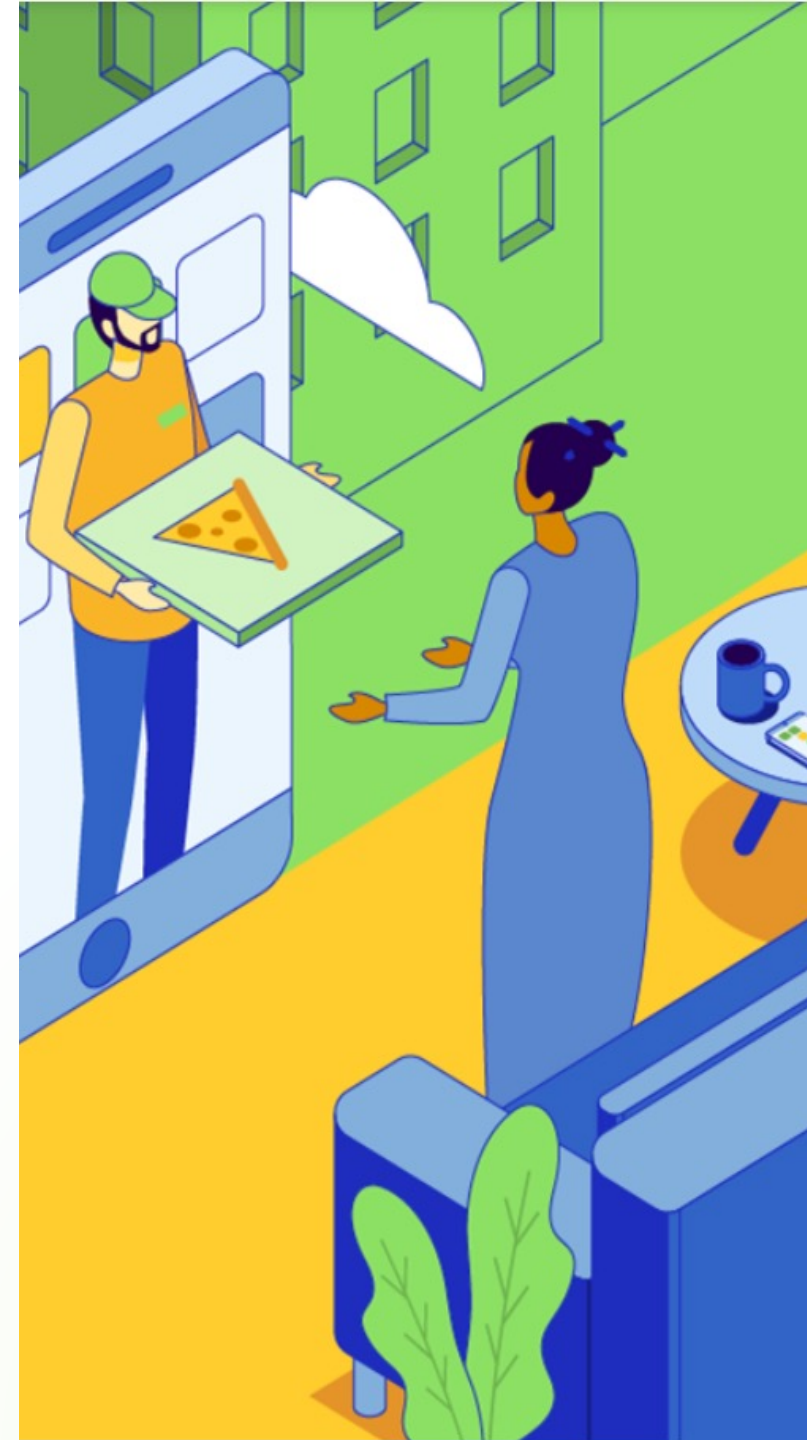
- ▶ Benefits consumers (better access to products and services, particularly in underserved areas).
- ▶ Facilitates labour market participation of workers, in particular people with disadvantages
- ▶ More flexibility and autonomy for workers, allowing them, among other things, to better reconcile work and personal life.
- ▶ More efficient use of resources through better matching of supply and demand

Risks:

- ▶ Unfair competition between companies
- ▶ Undeclared activities (informality)
- ▶ "Commodification" of work that the use of automated control and decision-making systems can generate.
- ▶ **Decent work deficits** →→→

Which platform workers are protected (I)?

- ▶ In most countries, labour protection is intrinsically linked to the employment relationship.
- ▶ Some platforms use employment contracts, but most classify their workers as self-employed.
- ▶ Guidance : ILO Employment Relationship Recommendation, 2006 (No. 198)
- ▶ The amount of litigation over the classification of work on platforms has been steadily increasing: No unanimity of position of courts of justice
- ▶ Legislative developments, similarly lacking in uniformity



Which platform workers are protected (II)?

- ▶ Some countries opted in their legislation for the presumption of the existence of an employment relationship under certain criteria
- ▶ Other countries classify workers as self-employed but guarantee them certain rights and place certain responsibilities on platforms to provide protection.
- ▶ Some countries use a third category of employment status, between self-employed and salaried.



Possible decent work deficits

Labour income

Working time (including issues such as rest, possibility to switch off, waiting time)

Health and safety at work

Termination of the employment relationship and deactivation of freelancers

Conflict resolution

Maternity protection

Protection of workers' personal data

Access to social protection

Extend social protection to platform workers and other categories:

- ▶ Determine employment status
- ▶ Ensuring coverage of dependent workers
- ▶ Extending coverage to the self-employed
- ▶ Mandatory coverage
- ▶ Comprehensive and adequate protection

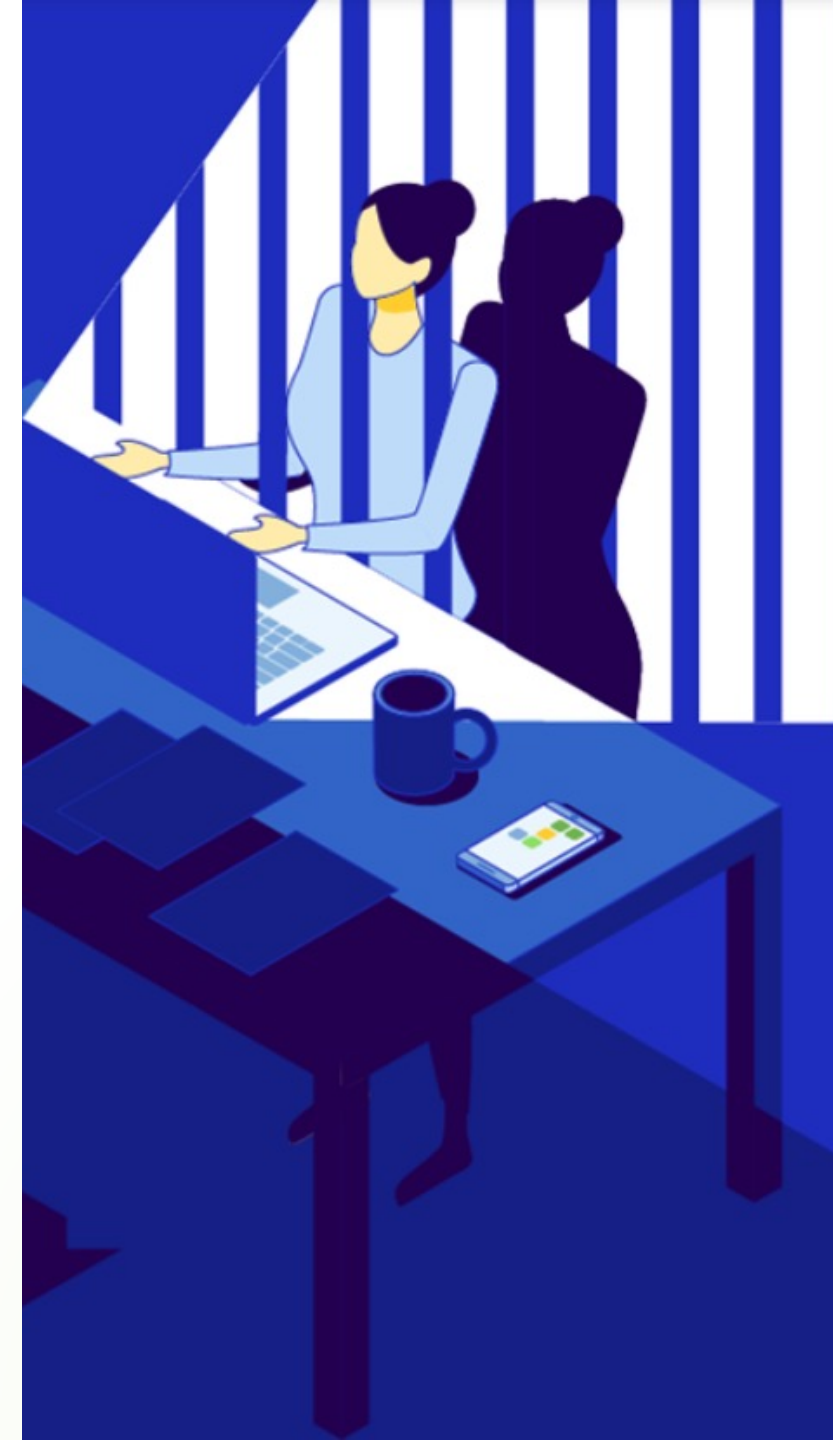
(Resolution and Conclusions on social protection (social security) adopted at the ILC 2021)



The need for an equitable sharing of social protection financing responsibilities between platforms and conventional employers

Cross-border transactions

- ▶ Platforms, clients and workers may be located in different jurisdictions.
- ▶ ILO standards focus mainly on implementation and enforcement in national territory
- ▶ An example: the challenges of labour dispute settlement





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position

No tripartite ILO position on work on platforms at this stage

The tripartite constituents agreed that :

- ▶ The ILO should take the lead in defining ways to ensure that all workers on the platform enjoy decent work while maximising the opportunities that PE offers.
- ▶ The ILO Governing Body decided in March 2023 to include in the 2025 and 2026 International Labour Conference a **standard-setting discussion** on decent work in the Platform economy.
 - →→will normally lead to a new international standard or standards on decent work in the platform economy.
 - →→process will be launched in January 2024.

 **THANK
YOU**



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