

**Committee:** Economic and Social Council (ECOSOC)

**Issue:** Addressing inequalities to social inclusion through wage protection policies in the era of gig economy

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## INTRODUCTION

Creating an income from short-term tasks is a concept that has been around for a long time. Professions like writers, musicians, photographers, tradespeople and truck drivers have always been gig workers; in fact, it can be argued that the term 'gig' originates from the music industry.

However, the surfacing of the digital era, combined with the financial crisis of the 2000s, has allowed the gig economy to create its own market. With people suffering from unemployment or underemployment, many workers have taken up part-time jobs in an attempt to ensure income. In order for them to manage, their schedules have had to become flexible; and that is exactly what the gig economy offered. Currently, globally-recognized companies like Lyft and Uber use the internet and smartphone-based applications to both hire and assign workers.

In the gig economy, neither the consumer nor the employee come in direct contact with the employer. It is the simplicity of this system that makes it problematic. When taking a step back and looking at the gig economy from a more educated perspective, one can see issues like the monopoly of markets by giant-companies, or the lack of state control, along with all the disadvantages to gig workers themselves.

## DEFINITION OF KEY TERMS

### Gig economy

A way of working that is based on people having temporary jobs or doing separate pieces of work, each paid separately, rather than working for an employer.<sup>1</sup>

### Gig worker

Someone that does short-term work for one or more clients. A good example is a taxi driver working for Uber, or a host in Airbnb. Gig workers are also known as freelancers, while another common term used is 'crowd workers'.<sup>2</sup>

### Social inclusion

The process of improving the terms of participation in society, particularly for people who are disadvantaged, through enhancing opportunities, access to resources, voice and respect for rights.<sup>3</sup>

### Non-standard forms of employment

It is an umbrella term for different employment arrangements that deviate from standard employment. This includes temporary employment, part-time employment, multi-party employment, disguised employment and gig work. In temporary employment workers are engaged for a limited amount of time; however, there is a fixed term and a part-time worker's hours are fewer than those of a full-time worker. In a multi-party employment relationship, the worker is not directly employed by the company he provides services to, but contractual agreements including multiple parties. Lastly, in disguised employment, there is an altered presentation of reality in order to abolish worker protection laws.<sup>4567</sup>

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<sup>1</sup>"GIG ECONOMY: Definition in the Cambridge English Dictionary." GIG ECONOMY | Definition in the Cambridge English Dictionary, [dictionary.cambridge.org/us/dictionary/english/gig-economy](https://dictionary.cambridge.org/us/dictionary/english/gig-economy).

<sup>2</sup>"What Is A Gig Worker?" Thimble, 5 May 2020, [www.thimble.com/blog/gig-worker](https://www.thimble.com/blog/gig-worker).

<sup>3</sup> Un.Org, 2020, <https://www.un.org/esa/socdev/rwss/2016/chapter1.pdf>.

<sup>4</sup> What Are Part-Time and on-Call Work?, 11 Nov. 2016, [www.ilo.org/global/topics/non-standard-employment/WCMS\\_534825/lang--en/index.htm](https://www.ilo.org/global/topics/non-standard-employment/WCMS_534825/lang--en/index.htm).

<sup>5</sup> What Is Temporary Employment?, 11 Nov. 2016, [www.ilo.org/global/topics/non-standard-employment/WCMS\\_534826/lang--en/index.htm](https://www.ilo.org/global/topics/non-standard-employment/WCMS_534826/lang--en/index.htm).

<sup>6</sup> What Is a Multi-Party Employment Relationship?, 11 Nov. 2016, [www.ilo.org/global/topics/non-standard-employment/WCMS\\_534834/lang--en/index.htm](https://www.ilo.org/global/topics/non-standard-employment/WCMS_534834/lang--en/index.htm).

<sup>7</sup> Disguised Employment / Dependent Self-Employment, 11 Nov. 2016, [www.ilo.org/global/topics/non-standard-employment/WCMS\\_534833/lang--en/index.htm](https://www.ilo.org/global/topics/non-standard-employment/WCMS_534833/lang--en/index.htm).

## **BACKGROUND INFORMATION**

### **Historical Background**

The term 'gig' for jobs originates from jazz musicians who used to perform gigs at restaurants and bars back in 1915, but some argue that the term was first used 10 years earlier than that. However, it was after the Second World War that gig-type work became widely promoted by companies, as it offered temporary work and was a way to boost the economy and at the same time decrease unemployment. The third defining moment for the gig economy, as we know it today, was in 1994 when Amazon was founded and the gig economy expanded into the internet and grew to be the giant it is now.

### **Legal limitations**

When it comes to the controversy surrounding the gig economy, part of it usually regards the legal issues arising. Due to the fact that gig workers' employment status is not 'employee', they are not included in labour law, which in return can cause issues with fair pay and taxation, as well as leaving them unprotected from harrassment and discrimination in the workplace.

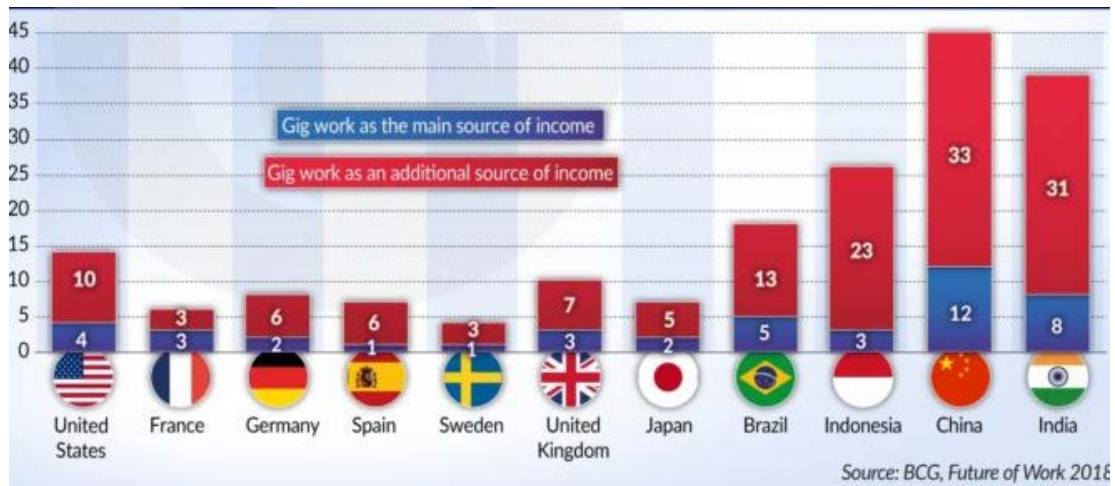
### **Pay and Labour**

Labour laws mediate the relationship between employees and employers, while they primarily concern the rights and responsibilities of unionized workers. They set employment standards regarding working conditions, age of labour, employment terms, minimum wage working hours, discrimination, unionizing, health and safety.

When it comes to salary, they ensure that the worker gets a fair deal of pay for the amount of work he does; however, seeing that gig workers using platforms like Amazon or Uber cannot unionize, they are not protected by such legislation. According to statistics, on average, gig workers earn 58% less than full-time employees.<sup>8</sup> Other than that, there are no overtime protections, so gig workers can practically be working uncontrollably, which could prove to be physically and mentally damaging.

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<sup>8</sup> "24+ Crucial Gig Economy Statistics for 2020." Fortunly, 20 May 2020, fortunly.com/statistics/gig-economy-statistics#gref.



Gig work as the source of employment in selected countries in 2018 (%)

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This shows the extent to which corporations in the gig economy lack basic accountability, not only leaving their workers unprotected, but not doing anything as an attempt to compensate them as well.

### Taxation

In the eyes of the state, gig workers are independent contractors, meaning they must apply taxes to each payment provided by a client rather than having the company do so for them. This is not something simple for the common gig worker, but at the same time it is absolutely necessary. In order for this to happen, the worker must be aware of the tax rates and tax laws, as well as being capable of performing the procedure or have the financial capability of hiring an accountant.

### Economic Impact

#### Lack of training and skill development opportunities

When recruiting new full-time employees, companies offer training and skill development courses, while other workers climb up the ranks starting as interns and having a mentor. However, this is not true for gig workers who need to find methods of self-training and managing their career themselves. This not only puts them in a disadvantageous position

<sup>9</sup> "Image: The Gig Economy Keeps Growing ... – IEEE Future Directions". Images.App.Goo.Gl, 2020, <https://images.app.goo.gl/cyNm1ygPuFMELjMo8>.

compared to regular workers competition-wise, but can also obstruct their career development, as such professions do not have distinctive rankings.

On the other hand, even if companies tried to train gig workers, there is the barrier of communication. In the gig economy, the lack of interpersonal interaction between employer and employee forbids the application of the same organisational values being applied to regular employees, as it does not allow for face-to-face communication or engagement.

### **Threat to long-standing industries**

The high growth rate of corporations operating by the gig economies principals is now challenging other corporations, forcing them to adapt and develop technologically. Moreover, there are several cases where the gig economy has actually replaced long-standing industries, good examples being Uber and the taxi industry along with Airbnb and the hotel industry.

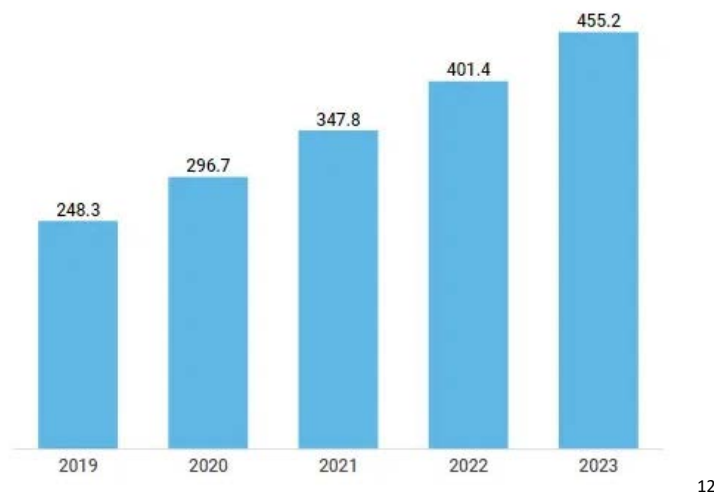
Since 2018, Uber has overtaken the global taxi industry. Now people no longer have to call the local taxi company's line -which puts you on hold and charges you- and ask for a taxi, or wait for a taxi to pass by. Uber offers people the possibility to have taxi services anywhere, anytime without even having to make a call and this is what has made it so popular. However, the rise of Uber has come at a cost to the overall taxi industry. Individual taxi drivers were put out of work, while local cab companies shut down as well. In a way, it was damaging to taxi drivers overall, as they were really left with no choice, but to partner with Uber and have part of their salaries deducted or be made unemployed.

In the case of Airbnb, the hotel industry was the one to take the hit. Airbnb is appealing to the public, since it offers short term rental of apartments all around the world, in all price ranges. But seeing Airbnb's huge success, more and more people want it so they put their properties on Airbnb instead of renting it normally, while others have bought houses with the sole purpose of putting them up on Airbnb. This is damaging to the hotel industry since this increase of apartments on the app increases competition within Airbnb, resulting in a price drop, making Airbnb even cheaper and thus more appealing than hotels. From another perspective, it narrows the real estate market and makes it harder for individuals to find houses for long-term rental. Many apartment owners have put their apartments on Airbnb since short-term rental is more profitable than long-term, decreasing the available choices for long-term renters, decreasing competition between owners, allowing a huge price increase.

### Unknown size and uncontrollable growth

According to a Gallup Workplace report, 29% of all workers in the U.S. have an alternative work arrangement as their primary job. This includes a quarter of all full-time workers and half of all part-time workers.<sup>10</sup> It is also estimated by the U.S. Bureau of Economic Analysis (BEA) that the gig economy grew at an average rate of 5.6% annually in 2006-2016, compared to a remarkably lower growth rate of 1.5% of the overall economy.

The gig economy currently provides 4% of the total US employment, a percentage similar to industries like transportation, real estate, finance and insurance.<sup>11</sup> It is the gig economy’s great size alone enough to show that it is here to stay, and that while there are limitations and issues, it is undeniably a significant source of employment.



Projected gross volume of the global gig economy (US\$ billions)

### Less reliable workers

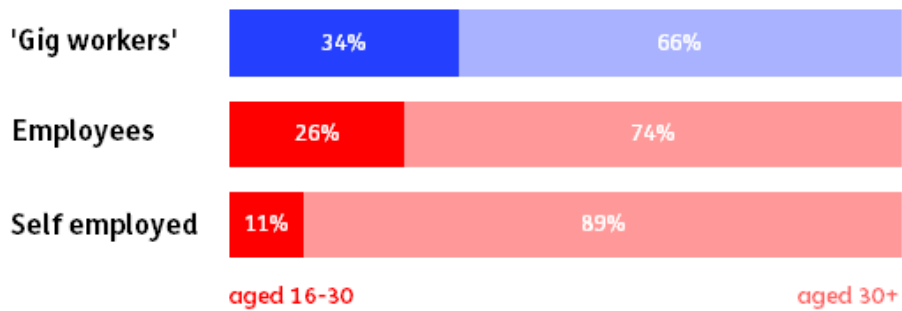
Most of the time, the reason for gig workers doing ‘gigs’ is the fact that for some reason they cannot commit to a full-time job and want a more flexible schedule. However, since there is no predetermined schedule in gig corporations like Uber, businesses should be thorough in their screening of their potential employees, ensuring that they will not take

<sup>10</sup> “Gallup Says 36% Of U.S. Workers Are in the Gig Economy.” Small Business Labs, [www.smallbizlabs.com/2018/08/gallup-says-36-of-us-workers-are-in-the-gig-economy.html](http://www.smallbizlabs.com/2018/08/gallup-says-36-of-us-workers-are-in-the-gig-economy.html).

<sup>11</sup> Longley, Robert. “Gig Economy: Definition and Pros and Cons.” ThoughtCo, [www.thoughtco.com/gig-economy-4588490](http://www.thoughtco.com/gig-economy-4588490).

<sup>12</sup> “Image: The Gig Economy: Capitalism At Its Most Brutal? | ASEAN Today”. Images.App.Goo.Gl, 2020, <https://images.app.goo.gl/ozyMJLaFonVSNCYr8>.

advantage of the schedule’s flexibility and that the team they will end up with is reliable. For example, no taxi gig-company would want to hire a driver who is never available and declines all requests for rides, bringing no money to the employer.



Proportion of gig workers aged under and over 30 by employment status, UK

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## Social Protection

### Customer safety

Since the screening process of hiring gig workers is usually minimal and happens virtually, there is little or no actual test of the worker’s actual skill set. Other than that, there is hardly ever an examination of the candidate’s criminal background, social skills or mental state. In the case of Uber, this could mean having an unqualified driver putting the customer in danger, while other possible scenarios are having a racist, a rude or a dangerous driver. The same goes for Airbnb, where having a host with a serious criminal background could be alarming due to him having access to the very apartment you are renting.

<sup>13</sup> Images.App.Goo.Gl, 2020, <https://images.app.goo.gl/iQrXHnh1MnDKFt677>.

### **No perks and welfare cover**

Gig workers do not enjoy certain perks and benefits provided to regular workers. One important benefit for regular workers is health insurance, meaning that in the case something happens to the individual and they need medical care, the medical bills will be covered by an insurance company. There are also retirement plans offered, ensuring that after the worker retires, he receives a pension in order to have a source of income in his post-employment course of life. A benefit just as important is unemployment insurance, meaning that if the individual is made redundant, he receives an allowance to financially sustain him at this time of unemployment. Another benefit is that regular employees are usually allowed to use company money to cover work related expenses, which, depending on the job, could involve using a company car, or paying for gas or stationary supplies.

However, gig workers enjoy none of the aforementioned benefits. They need to pay their own insurance plan and work-related expenses. Also, since they have no safety-net offered by the employer, they should plan ahead and put money to one side so they have some savings to fall back on in case of unemployment or retirement.

### **The Psychology of the Gig Worker**

While this does not apply to gig workers that work in apps like Uber, Lyft or Airbnb, the lack of human contact could be a problem for people doing deskwork from home, for example digital marketers. Since gig workers have a virtual workplace and employer -rather than actual ones- they really do not go to an office or have any co-workers. It has been proven that a healthy workplace boosts performance, but most importantly allows the workers to have a sense of community within their company, as well as develop social relations with co-workers. Lacking an actual workplace, gig workers may find themselves spending the day isolated working from a remote site or home. While this adds to flexibility, the negative effects on the worker's mental health are very real.

Stress is another very real problem in sectors of the gig economy like the arts or online selling. A musician, for example, is in constant stress of looking for his next gig, especially if music is his only source of income. Gig workers usually undergo unexpected changes in their current gig as well, like being relocated, changes in salary or even being let go. Also, there is a fluctuation in demand around the year, taking for example the higher demand for Airbnb rental in the summer for some countries, or certain seasonal items on Amazon.



This stress is also increased by the fact that there are no paid vacations or sick days. Independent workers are paid per assignment, meaning that they will only be paid once the task is complete. Not to mention the risks of not getting paid for a completed assignment due to the bureaucratic costs involved, meaning that a percentage of the paycheck going to the employer is most of the paycheck itself.

## **MAJOR COUNTRIES AND ORGANISATIONS INVOLVED**

### **United States of America (USA)**

According to Payoneer's Global Gig-Economy Index of Q2 2019, the US is the most lucrative country for gig economy workers, where the gig economy currently provides 4% of total national employment.<sup>14</sup> However, there were no measures for the protection of the gig worker, up until 2019 at least, when California passed law AB5, which gave gig workers employee benefits. This meant that from January 1, gig workers are reclassified as regular employees, and are now entitled to retirement plans, sick leave, holiday, unemployment and disability insurance. However, this law did more harm than good since it led to many companies cutting ties with Californian gig workers. Other states have not yet followed, but gig workers in the state of New York are pushing for a change.

### **United Kingdom (UK)**

The United Kingdom has the second largest gig economy worldwide and its growth is very rapid as well, since it tripled in size from 2016 to 2019 and accounts for more than 4.7 million workers.<sup>15</sup> This shift has affected the regular job market, as currently one in 10 adults works in a gig platform, opposed to one in 20 in 2016.<sup>16</sup> However, there was controversy about gig work leading to the exploitation of workers causing the instigation of the 'Taylor

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<sup>14</sup> Longley, Robert. "Gig Economy: Definition and Pros and Cons." ThoughtCo, [www.thoughtco.com/gig-economy-4588490](http://www.thoughtco.com/gig-economy-4588490).

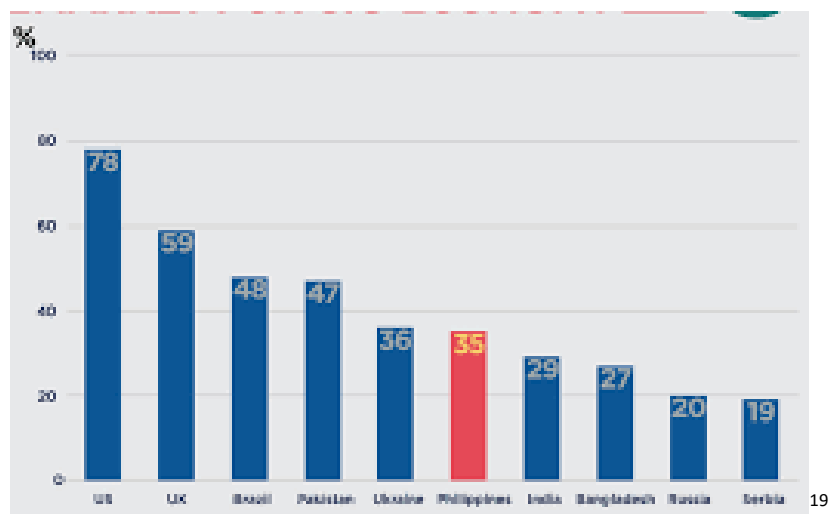
<sup>15</sup> "Gig Economy In Britain Doubles, Accounting For 4.7 Million Workers". The Guardian, 2020, <https://www.theguardian.com/business/2019/jun/28/gig-economy-in-britain-doubles-accounting-for-47-million-workers>.

<sup>16</sup> "UK'S Gig Economy Workforce Has Doubled Since 2016, TUC And FEPS-Backed Research Shows". Tuc.Org.Uk, 2019, <https://www.tuc.org.uk/news/uks-gig-economy-workforce-has-doubled-2016-tuc-and-feps-backed-research-shows>.

Report' in 2019, which is nothing other than a list of recommendations about how labour law should be adjusted to this new challenge.

## Brazil

Brazil is the country with the third fastest growing earnings for freelancers, as they saw a 48% increase in 2019.<sup>17</sup> To illustrate the popularity of gig work in the country, the number of gig workers is 35 the times the number of people working in Correios, the country's biggest employer.<sup>18</sup>



Fastest-growing markets for the gig economy

## European Union (EU)

The EU has been attempting to regulate the gig economy, as well as bring transparency and predictability to gig workers since 2017. Back then, it adopted labour reforms that would set the universal minimum standards applying to all workers. Other than that, in April 2019 the Members of the European Parliament (MEPs) adopted new rules introducing minimum rights for all employees including those on atypical contracts, like gig workers. These rules protect workers by improving working conditions in ways such as offering

<sup>17</sup> Gilchrist, Karen. "The 10 Countries With The Fastest-Growing Earnings For Freelancers". CNBC, 2020, <https://www.cnbc.com/2019/08/07/the-10-countries-with-the-fastest-growing-earnings-for-freelancers.html>.

<sup>18</sup> "Brazil'S Gig Economy Gains Ground". The Brazil Law Blog, 2020, <http://www.thebrazillawblog.com/brazils-gig-economy-gains-ground/>.

<sup>19</sup> "Image: Philippines' Fast-Growing Gig Economy | The ASEAN Post". Images.App.Goo.Gl, 2020, <https://images.app.goo.gl/vkjCckGysAAwtRac9>.

free compulsory training, overtime protections, as well as forbidding an employer from firing a worker for getting another job after-work hours.

### **International Labour Organization (ILO)**

The ILO was created in 1919, and since that moment it has created many international labour standards, mainly through Conventions and Recommendations, providing minimum criteria for domestic labour regulations and policies. Despite the fact that the labour situation in many countries' is still problematic, it goes without saying that ILO standards have been absolutely crucial for the growth of the labour market the past years, as well as the guidance of numerous domestic legislations and practices. As a consequence, with the standards of the ILO, better labour conditions have been created for employees around the world.

### **TIMELINE OF EVENTS**

<b>Date</b>	<b>Description of Event</b>
1915	The term 'gig' for 'job' is used by jazz musicians, however some say it goes back to 1905.
1940s	As a way to boost the economy after the Second World War, large companies promote gig-type work, by offering temporary employment.
1994	Amazon is founded and it becomes the first online platform allowing anyone to buy items -books specifically- online, as well as sell them.
1995	Craigslist is released, providing local San Francisco-based online classifieds devoted to jobs, items wanted and for sale, gigs, services, resumes, housing, and more.
1999	Elance, now known as Upwork, is launched. A website addressed to freelancers, allowing them to use the internet to find new projects and clients.

2005	YouTube goes live and it allows any user with a camera to upload entertaining content and make money by incorporating ads in their videos.
2008	Airbnb launches, allowing individuals to rent their homes and apartments to guests short-term.
2009	Uber -the ridesharing app- is released and allows people to drive their own vehicle and provide taxi services. TaskRabbit is also founded, a platform where freelancers can perform microtasks like assembling IKEA furniture.
2010	WeWork is launched, providing individuals and businesses with the possibility of leasing desks and small offices by the day or month.
2012	Lyft -yet another ridesharing app- joins the industry and expands quickly to soon rival Uber.
2014	UK employees are granted the right to request flexible work schedules after 26 weeks of continuous, full-time employment.
2018	In the first major federal ruling on the gig economy, Uber workers are classified as independent contractors, rather than employees.

## UN INVOLVEMENT: RELEVANT RESOLUTIONS, TREATIES AND EVENTS

### Domestic Workers Convention

The Domestic Workers Convention was signed by the UN and adopted in 2011 by the ILO, being legally binding for all signatory countries. Its purpose was to protect domestic workers - which were more than 50 million at that point in time - from exploitation in terms of working overtime or being underpaid. The treaty gives domestic workers basic rights like taking days off, predetermined hours and a minimum wage. Currently it has been ratified by eight member states namely Bolivia, Italy, Mauritius, Nicaragua, Paraguay, Philippines, South Africa and Uruguay, while other member countries including Venezuela, Bahrain, the Philippines, Thailand, Spain and Singapore have taken action to improve domestic working conditions ever since. However, it has not yet been signed by the USA, the Russian Federation, China, the UK, France or DPRK.

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

### ILO's Report of 2018

This report provides one of the first comparative studies of working conditions on five major micro-task platforms that operate globally as well as recommending 18 principles for ensuring decent work on digital labour platforms. It is based on an ILO survey covering 3,500 workers in 75 countries around the world and other qualitative surveys.<sup>20</sup> The report analyses the working conditions on these micro-task platforms, including pay rates, work availability and intensity, social protection coverage and work–life balance.

### Law AB5

In 2019, California passed the AB5 law giving gig workers employee benefits, which went into effect on January 1 2020. It called for a change of gig workers employment status to that of a regular employee, meaning that gig workers are now entitled to retirement plans, sick leave, holiday, unemployment and disability insurance. However, the effectiveness of this law is arguable since it has led to many companies like Uber letting go of Californian gig workers.

### ILO's Paper on 'Decent Work and the Digital Gig Economy'

This paper presents a review of current evidence and ideas relating to the digital gig economy, aiming at systematically reviewing both impacts and recommendations for the digital gig economy in order to create a union list of standards.<sup>21</sup>

### Taylor Review

The Taylor review was instigated by the British government as an attempt to regulate the UK gig economy's rapid growth and achieve decent work and development for domestic

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<sup>20</sup> Janine Berg, Marianne Furrer. "Digital Labour Platforms and the Future of Work: Towards Decent Work in the Online World." Report: Digital Labour Platforms and the Future of Work: Towards Decent Work in the Online World, 20 Sept. 2018, [www.ilo.org/global/publications/books/WCMS\\_645337/lang--en/index.htm](http://www.ilo.org/global/publications/books/WCMS_645337/lang--en/index.htm).

<sup>21</sup> Hummedia.Manchester.Ac.Uk, 2020, [http://hummedia.manchester.ac.uk/institutes/gdi/publications/workingpapers/di/di\\_wp71.pdf](http://hummedia.manchester.ac.uk/institutes/gdi/publications/workingpapers/di/di_wp71.pdf).

workers in the UK. It came into force on April 3 and its three main aims were to tackle exploitation, clarify labour law in that sector of work, as well as incorporate the market concerning domestic workers into the long term economy. However, it has been criticized by labour lawyers and trade unions, claiming its insufficient to truly extend labour protections to domestic workers.

## **POSSIBLE SOLUTIONS**

### **Regulating minimum guarantees**

The existing guidelines regulate the traditional labour relation and the independent contractor's relationships, meaning that categories like the gig workers are out of the scope of current standards. Therefore, a solution to the problem would be to have the ILO create a special parameter that can regulate the minimum guarantees that gig workers need.

### **Social security**

Social security is usually meant for employees. Thus, the employment status of the worker is important. There could be a special category for gig-workers designed to differentiate it from employee and the self-employed, having some benefits included. Such could be a smaller retirement plan, a lower price insurance package and a predetermined number of days off. On the other hand, this would be a serious hit to the gig economy and its rules, risking changing it forever. Such a change seriously affects the meaning of gig work as we know it and could either lead to a recession in the gig economy or make companies find loopholes in the legislation and keep treating their gig workers as now.

## **Introduction of a basic income**

The basic income is, in contrast to traditional systems, universal and not dependent on worker status. It means that every citizen receives a monthly payment, where in some countries it is paid regardless of their employment status, while in others only those below the poverty line receive it. Introducing a basic income would provide protection not only to gig workers, but all citizens especially in countries with high unemployment. However, one could argue otherwise, since an increase in federal tax and cost savings would be required for such a thing to happen.

## **Awareness of labour rights**

Workers should be more educated about their labour rights properly so they know when they are being exploited. Such things could firstly take place in the education sector via some classes or seminars about labour law and worker's rights during the final years of high school. Employers should also inform their employees of their rights when they are first hired, as well as provide them with a platform to report any violations.

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## **Pictures/graphs**

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