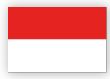


Does legislation in G20 countries ensure decent working conditions for gig and platform workers?

Regulation in the platform economy is relatively new. But here are some quotable examples that can be used to initiate necessary reforms.



1. In 2021, the Ministry of Human Resource and Social Security in **China** issued guidelines to extend labour protections to platform workers. The guidelines introduce a new concept of “establishment of a less-than-complete employment relationship”. The guidelines extend the right to the minimum wage to all platform workers.



2. The **Indonesian** Social Security Provider for Employment (BPJS) allows self-employed workers to self-register and access work injury benefits. The system is accessible to the platform workers.



3. **India** enacted its Social Security Code in 2020. Though yet to be implemented, the Code extends social security benefits to the platform workers by requiring the platforms to pay a certain percentage of their revenues to the social security system for providing various social security benefits to the workers. On 24 July 2023, the Rajasthan assembly passed a bill, Rajasthan Platform-Based Gig Workers (Registration and Welfare) Bill, 2023, extending social security to gig workers in the state through the establishment of the Platform-Based Gig Workers Welfare Board.



4. The **Republic of Korea** (South Korea) made amendments to various employment acts in 2020, entitling platform workers to various insurance benefits.



5. Under the **Argentine** monotributo regime, the self-employed workers and freelancers enter the formal economy by making a single monthly payment which unifies the tax component (VAT and income tax) and the social security component (pension and healthcare contributions)



6. In December 2020, the Federal Labour Court in **Germany** classified microworkers/crowdworkers as “employees” by looking at the coercive effects / incentives created by the platform’s rating and booking system.



7. **South Africa** applies anti-discrimination law to all workers, including platform workers.



8. **Brazil** provides for the protection of delivery workers, in relation to the covid, and also requires accident insurance by platforms. The Brazilian government is also working on legislative reform.



9. In the **US**, AB5 was enacted by California in 2019 creating a presumption of employment and establishing a simple test on classification. However, Prop-22 was passed in November 2020 as a ballot initiative which allows companies to classify workers as independent contractors. New York (USA) enacted the first-ever law to improve working conditions of food delivery riders by setting the minimum pay, access to bathrooms in restaurants, etc. The Federal Trade Commission (FTC) put platforms on notice in September 2022 by issuing a policy statement promising to protect gig workers from unfair pay and contracts. In October 2022, the Department of Labor (DOL) published a proposal that would reverse a Trump-era rule that lowered the bar for classifying workers as independent contractors.



10. In 2021, the **UK** Supreme Court decided that Uber drivers are workers and have the right to minimum wage, holiday pay, sick pay, etc. The UK has three employment categories: employee, worker and independent contractor.



11. In 2019, **Italy** enacted a reform requiring that the sectoral collective agreement for the sector of activity must apply to the platform workers. In the absence of a collective agreement, the Law provides for a “minimum level of protection”, recognising certain rights for self-employed platform workers, including minimum wage, protection from discrimination, premium wage payment for night work, holiday work and payment of their industrial accident and occupational disease insurance.



12. Since 2016, **France** has incorporated a concept of the platform’s “social responsibility” towards its workers, including self-employed workers. The platform is required to pay any industrial accident insurance contributions that the worker may have been paying, as well as recognise their right to vocational training and to join a union. In 2019, another law required that self-employed transport and delivery platform workers should have a “charter” in which the platform provides for “additional social protection guarantees”.

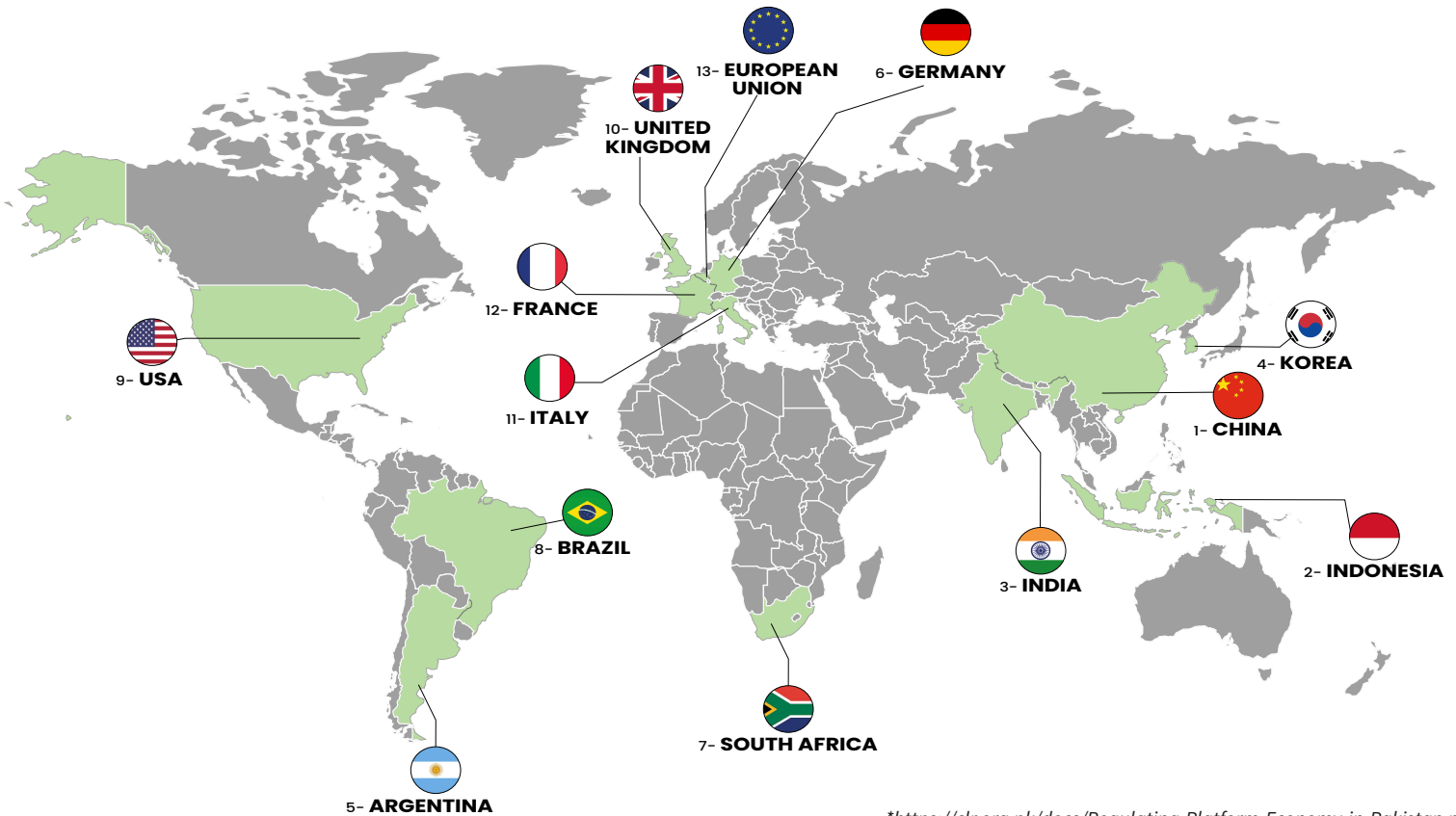


13. In December 2021, the **European Commission** proposed a Directive to improve the working conditions in platform work. On 2 February 2023, the European Parliament (EP) voted in favour of amendments to the European Commission’s platform worker directive that would introduce a presumption of employment and increase algorithmic transparency. The Council of the European Union adopted its position on the proposal on 12 June 2023. The number of criteria for determining an employment relationship have been revised from five to seven.



14. During the 347th Session of the **ILO Governing Body** (March 2023), it was decided to place an item on the agenda of the 113th Session (June 2025) of the International Labour Conference on decent work in the platform economy for standard-setting with a double-discussion procedure.

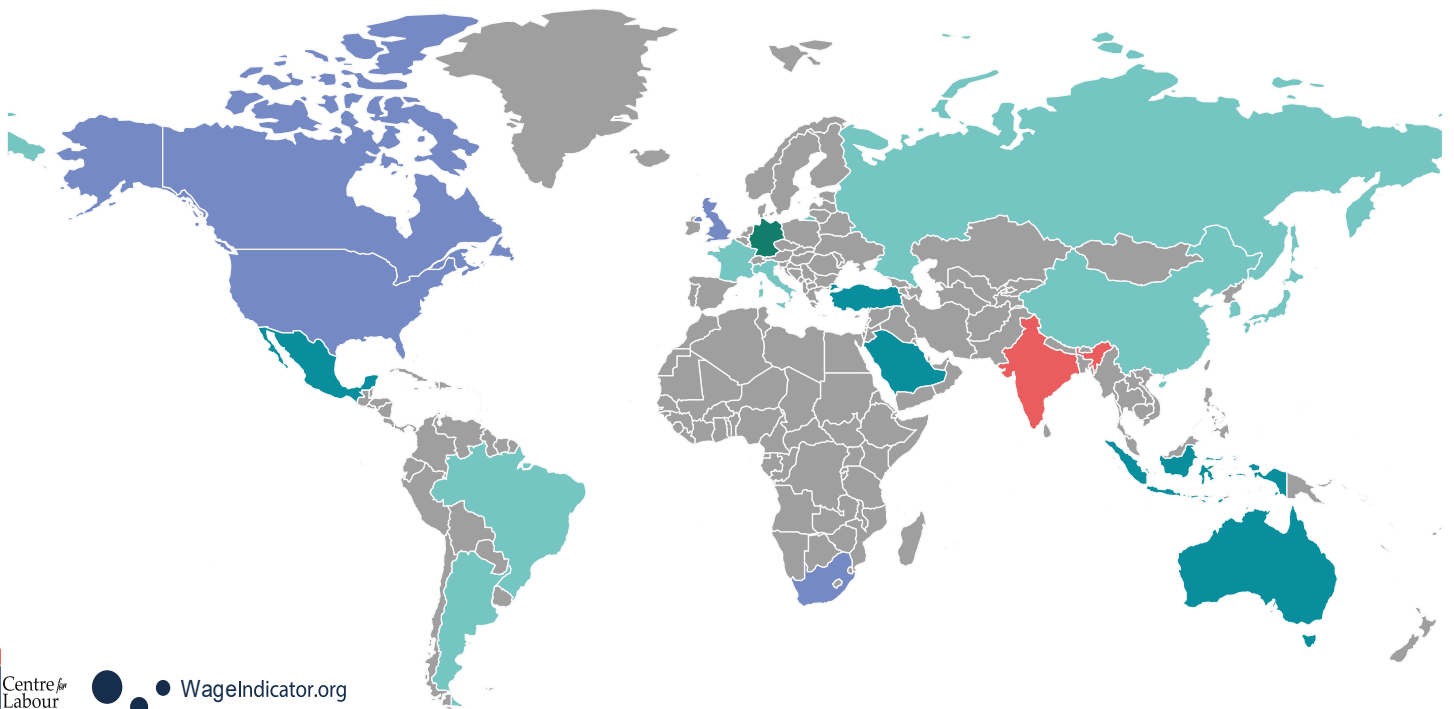
Best practices in regulating the platform work in G20



**<https://clr.org.pk/docs/Regulating-Platform-Economy-in-Pakistan.pdf>*

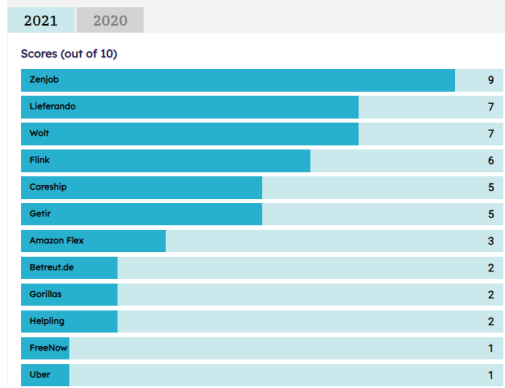
**Other than 19 country members, the G20 has the European Union and the African Union as its members.*

Does the law guarantee basic social protection to the gig economy workers in G20 countries?

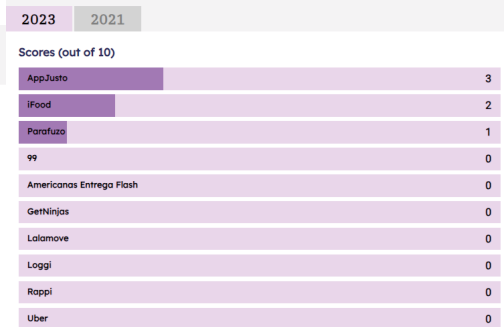


An inventory of how platforms in some of the G20 countries measure up against our Fairwork Principles

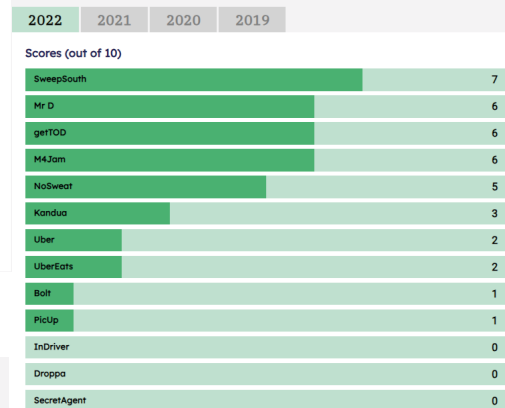
Germany



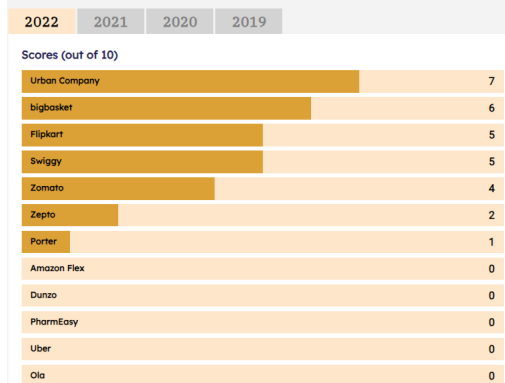
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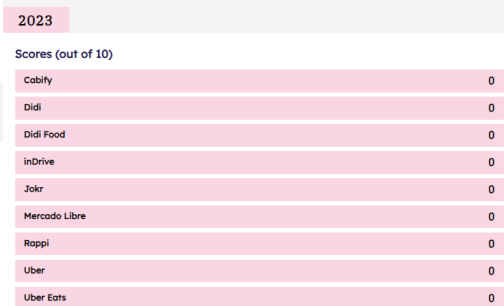
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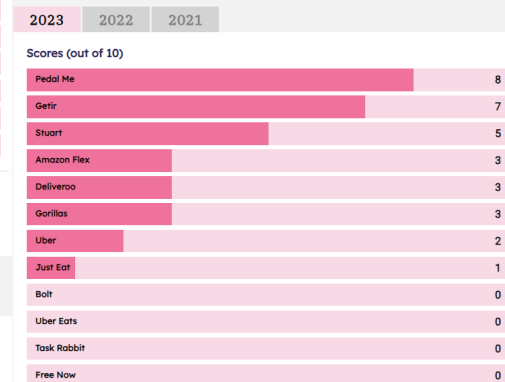
India



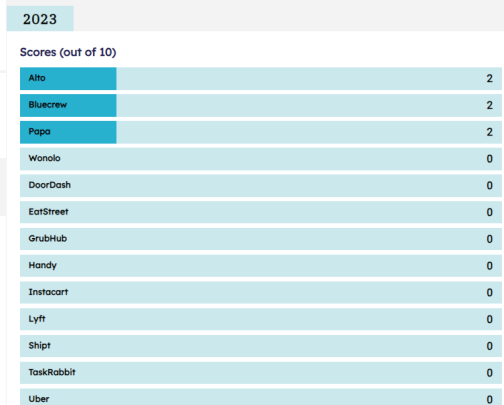
Mexico



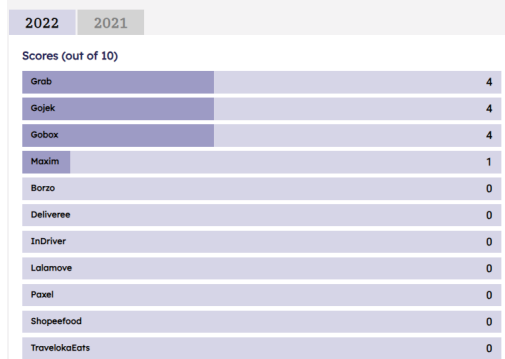
United Kingdom



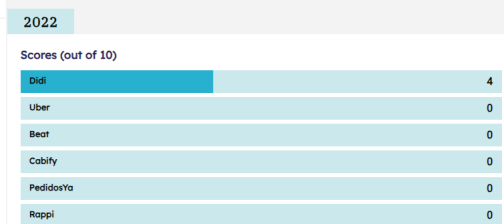
United States



Indonesia



Argentina



France

