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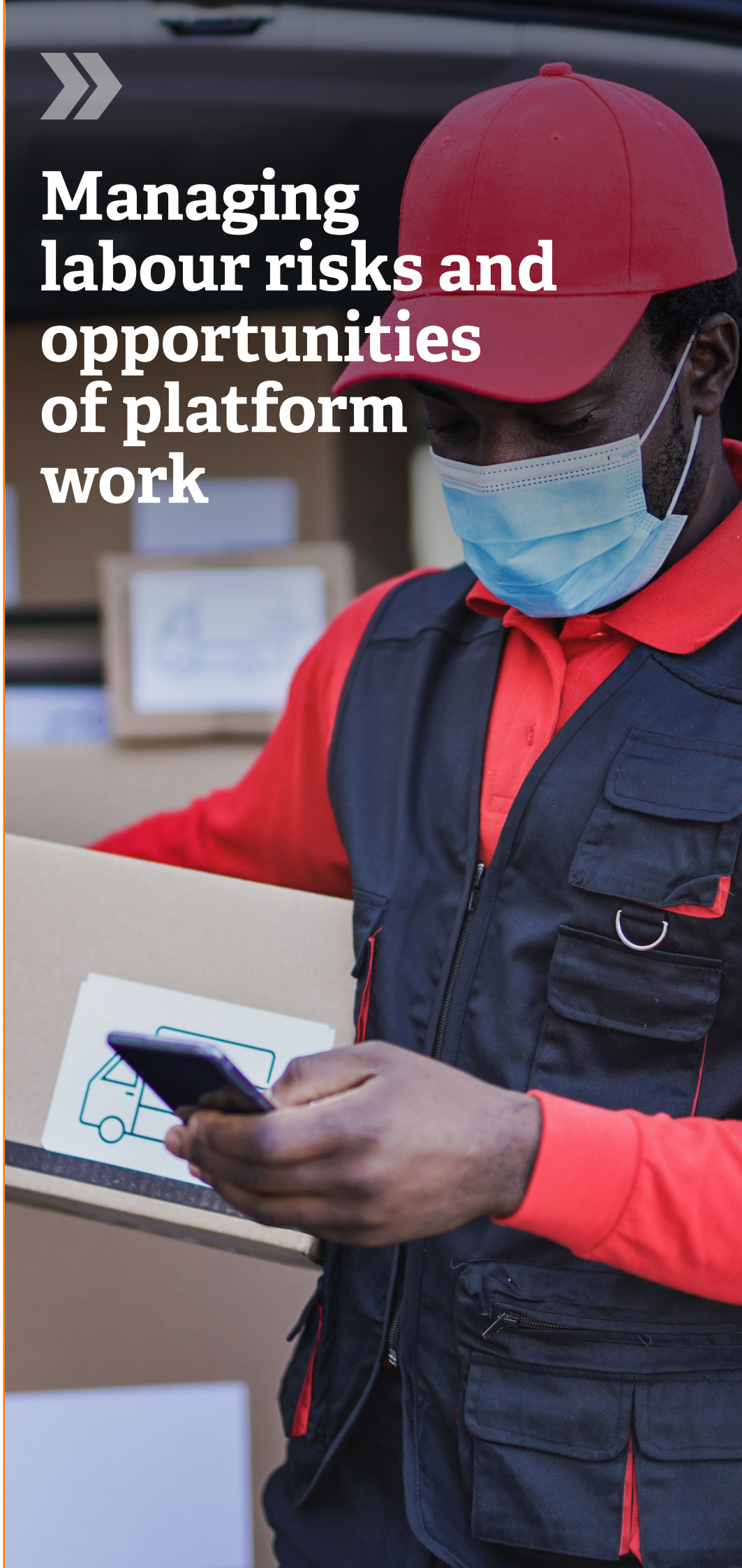
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Report leads:

British International Investment
SIFEM



Managing labour risks and opportunities of platform work



Disclaimer

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Foreword

Digital technology is essential to modern economies and can provide countries with new paths to development. It is an enabler, opening up opportunities across a wide range of sectors from agribusiness to retail (e-commerce), transport and manufacturing. Technology-based businesses are increasingly common in emerging market investment portfolios.

One area which has grown exponentially in the past decade is digital labour platforms. Through these platforms, individual workers are able to provide services to companies or individuals in exchange for payment. According to some estimates, there are up to 40 million platform workers in the global South alone, and it is estimated that by 2025 one third of all labour transactions will be mediated by these digital platforms.ⁱ Digital labour platforms can provide the opportunity to facilitate sustainable development through job creation, particularly in labour markets with high unemployment and degrees of informality.

Given these opportunities, SIFEM and British International Investment (BII) have a growing focus on platform work. Our activity includes direct investments in digital labour platforms and companies developing and/or using platforms, as well as indirect investments through venture capital (VC) and other funds in our portfolios. While great scale and access to under-served groups has the potential to achieve significant development gains, platform work also brings challenges for responsible investors with respect to labour and working conditions. As development finance institutions committed to responsible investing, we aim to promote adequate risk controls to ensure these platforms can help to improve worker livelihoods.

Platform work has only become mainstream in the last decade and therefore there is little existing guidance on best practice for working conditions, social protection and worker safety. In addition, the implementation of international standards and government regulations is not straightforward. This is because platform workers often fall into grey areas of labour law in nearly every economy in which they operate.

This guidance aims to provide an overview of key concepts, focusing on digitally- intermediated labour and location-specific platform work. It explores potential benefits in developing economies, associated labour risks, and options for responsible investors to build into their decision-making. The guidance has been designed for investment professionals, Environment, Social and Governance (ESG) and impact specialists, as well as business integrity and corporate governance teams. The note is accompanied by case studies of positive examples from emerging markets and a toolkit for responsible investors who are gauging this type of labour risk in their portfolios. That said, considering the quickly evolving landscape of platform work, this guidance cannot provide answers for every scenario, and we expect good practice in digital labour platforms to evolve rapidly.



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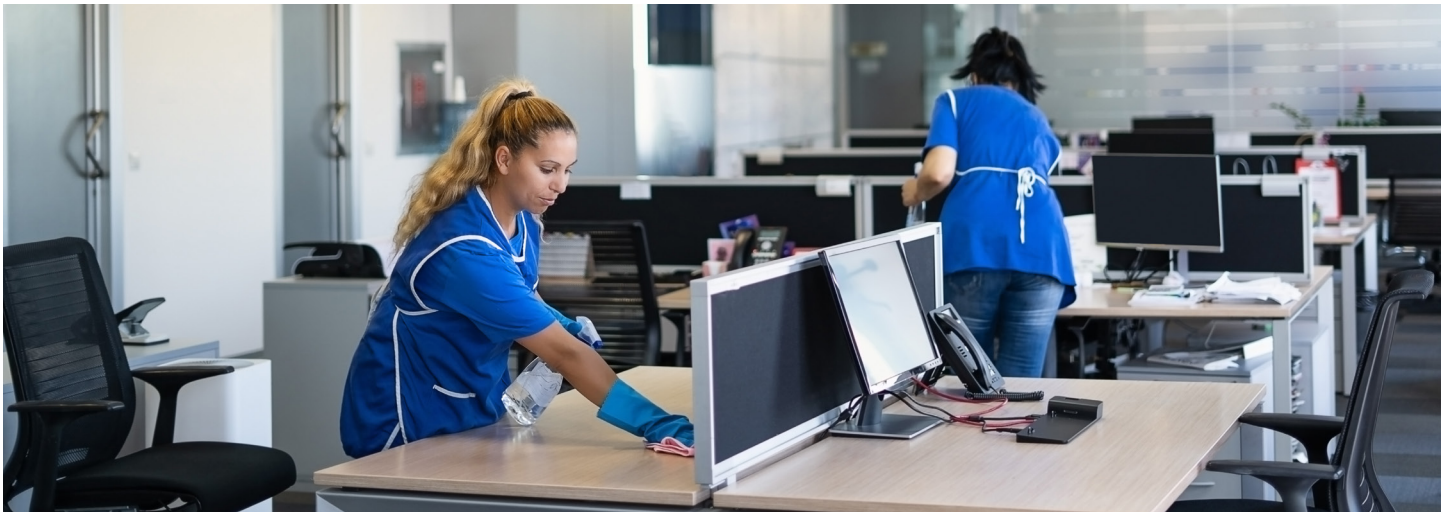
Jörg Frieden

Chairman
Swiss Investment Fund for Emerging Markets

ⁱ [Graham et al., 2020, 'The Fairwork Foundation: Strategies for improving platform work in a global context', Geoforum The Fairwork Foundation, Strategies for improving platform work in a global context | Elsevier Enhanced Reader](#)

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Executive summary

What is this guidance?

This guidance note seeks to provide guidance to Development Finance Institutions (DFIs) and Fund Managers (FMs or investors) on platform work, focusing on those platforms that connect supply and demand for labour ('digital labour platforms'). It seeks to shed light on the potential of platform work in emerging markets and, equally, what investors can do to better prepare for its challenges, allied to two central questions: which elements of the platform economy are conduits for development, and what are the preconditions to achieve this positive development impact?

In recent years, platform work has reached new geographical markets, attained unprecedented levels of growth, and developed novel ways of engaging workers and customers. The COVID-19 pandemic and associated path to recovery has seen large numbers of workers – in many cases, out of economic necessity – engaging in new ways of working including platform work. Because of this evolving landscape, this guidance note does not look to definitively answer how platform work opportunities and challenges should be addressed. Rather, it attempts to provide some context and analysis while also highlighting relevant labour risks, opportunities, and measures to address both.

This guidance is also accompanied by a practical toolkit for environmental, social and governance (ESG) and impact staff, which offers practical support in relation to platform work companies along the investment cycle.

What is platform work?

Platform work is based on a triangular relationship between i) clients or users requesting a service ii) workers providing the service, and iii) a digital app or platform operator (typically owned and managed by private firms) acting as an intermediary between the two. A digital labour platform lets individual workers provide services, via the platform, to users (either other individuals or organisations) in exchange for payment. These services can include transportation, delivery, household tasks and professional services. While there are several permutations of platform work, it is possible to distinguish between location-specific platform work, which is typically app-based and performed locally (for example, delivery and transportation services), and platform work which is not location-specific – often referred to as 'cloudwork' or 'crowdwork'.

Digital labour platforms have grown exponentially in the past decade, increasing in number from at least 142 in 2010 to more than 777 in 2020.¹ There are estimated to be up to 40 million platform workers in the global South alone, and it is estimated that by 2025 one third of all labour transactions will be mediated by these digital platforms.²

This guidance note focuses on **location-specific platform work**. These use algorithms and analytics to match demand and supply, and govern the digital marketplace through rating systems and incentives. The business model thrives on lower costs of search and information, and is rapidly scalable.³ Most platforms follow a 'get big fast' strategy, relying on scale (network effects), meaning that platform investments can be highly dynamic.

Why is platform work relevant to development and impact investors?

The digitisation of the global economy provides new opportunities for emerging and developing economies to 'leapfrog' in progress. Moreover, platform work investments are increasing in significance within the portfolios of development and impact investors in emerging markets, in sectors including transport and logistics, domestic services, and information and communications technology. Platform investments may serve to increase the scope for DFIs and impact investors to access and create new opportunities, at scale, in labour markets characterised by high underemployment or informality. However, these contexts can also give rise to greater labour risks.

What are the potential benefits of platform work in developing economies?

Increased investment in platform work in emerging markets reflects both the growing momentum of digital labour platforms in these markets, and the insight that platforms can be harnessed to achieve real developmental gains. Platform work is a potential source of much-needed jobs, particularly for youth, in labour markets where underemployment and informality prevail. Workers in platform markets often benefit from low entry barriers and flexibility, which can facilitate the labour market integration of under-represented groups. Women, including with unpaid care responsibilities, people from lower socio-economic backgrounds, persons with disabilities, migrants, refugees – who frequently depend on insecure employment in the informal economy – can access jobs through platforms that were previously unattainable.

Growing rates of digital access and low transactional costs have allowed the platform economy to gain ground in activities typically characterised by informality, potentially serving as vectors of opportunity and formalisation in these activities. In labour markets where most workers are engaged in informal work, the choice for many workers is not between formal employment or informal work, but between forms of informal activities necessary to meet basic needs, often experienced as 'underemployment'. Platforms can serve to coordinate and codify these activities – developing structure, requirements for participation and incentives for workers – which can serve as a vector for progressive formalisation in highly informal contexts.

At the outset, the extent to which investors can generate positive impact through their platform investments will be tied to when and how risks are identified and managed. For opportunities to be realised, risks must be addressed systematically and at an early stage.

What are the risks associated with platform work?

With great scale and disintermediated access to vulnerable or under-served groups, investors are also learning that platform work brings challenges. Engaging with large numbers of lower-income, potentially vulnerable individuals, requires investors to consider relevant risks, especially in markets where supply of labour greatly exceeds demand. These risks may relate to working conditions and protections for platform workers, safety for workers and users, data protection, data access and confidentiality. Concerns have frequently been raised about working conditions for platform workers, particularly how to ensure job and income security, access to social protection, skills and career development, and rights to collective representation. COVID-19 has also led to an influx of workers into the platform economy, extending the potential impact of these risks and creating new risks relating to the health and safety of workers and customers.

The contractual status of platform workers has also been scrutinised, especially in mobility and transport platforms, which have also tended to be among the first digital ventures to be scaled in emerging economies. A key concern is that some platform workers are engaged in forms of 'disguised employment', whereby 'self-employment' serves to deprive the worker of the rights and protections entailed by an employment relationship. This uncertainty may lead to protracted legal battles and reputational risks, as well as operational impacts, especially should they give rise to industrial action. Uncertainty regarding future regulation of platform work may threaten the long-term viability of certain business models, leading to some degree of investor hesitation in those markets where the regulatory environment is likely to shift. These challenges can hinder the realisation of potential development goals and positive impact creation.

What can investors do?

Investors can seize opportunities to unlock the potential for impact by developing risk-mitigating actions, recognising that working with investees to enhance their practices may, in turn, cement both their long-term commercial viability and returns to economic development.

The first practical challenge for investors is to ensure that platform work – and any associated risks – are identified in the due diligence phase. Investments which entail digital intermediation of supply and demand of labour may not be immediately identifiable from a project concept, and digital platforms may be used by business which are not themselves 'platform' operators (for example to provide delivery services). Further, platform work may arise in the context of intermediated transactions in an otherwise 'low-risk' portfolio, and related risks may go unidentified.

Investors' ESG standards do not call for the prohibition of self-employment arrangements, unless they constitute a breach of national law. Rather the approach is to identify specific ways in which the use of such arrangements impacts negatively on workers, and to seek to mitigate these impacts. One important building block for mitigating risks relating to platform work is to ensure workers have access to an effective grievance mechanism – regardless of employment status or arrangements – and that the platform has specific policies in place to address identified risks and those that apply to all workers.

Another key response relates to the monitoring of platform investments and understanding the importance of post-disbursement oversight. A core characteristic of companies in the platform economy is their ability to scale and adapt. By using technology and building value through effectively acquiring a customer base, platform companies are uniquely positioned to change and expand the nature of their business. This may entail adding a financing component to its services, for example, through a vehicle lease-to-own scheme in transport or delivery businesses, or even morphing into a 'Super App' which combines different services in a single app, for example, e-wallet, telecom services, and delivery services. These changes may offer greater opportunities for impact as well as new or heightened ESG risks due to the expansion of areas in which they operate. For example, integrating a financing component within a transport service platform may create risks of indebtedness for drivers, adding to other issues, such as health and safety. Awareness of these potential changes in company vision is key to maintaining investor oversight over profitability as well as the potential for negative consequences including reputational damage. Appropriate key performance indicators (KPIs) can be used to monitor and track progress in relation to both ESG management and impact in line with international standards (e.g., IRIS+).

Investors can help build the business case for addressing these issues by referring to leading platform companies. For instance, some platforms are moving toward a more integrated workforce based on an employment relationship, to sustain and deliver better service and retain skills. Investors may find that platform companies are receptive to case studies on topics such as worker-directed measures regarding health and safety, particularly after the pandemic. Additionally, the public is increasingly aware of challenges affecting platform workers and may serve as a pressure point for action.

These topics are covered in greater detail throughout this guidance and in the Investor Toolkit on platform work that accompanies this note.



01

Introduction

This guidance note for DFIs and investors explores work conducted through digital labour intermediation platforms – platform work – focusing on key concepts, opportunities, and challenges.

Platform investments are increasingly represented in the portfolios of emerging market investors, covering a range of sectors including logistics, agribusiness, information and communications technology (ICT), retail (e-commerce), transport and manufacturing. Within the platform economy, digital labour platforms have grown exponentially in the past decade, increasing from at least 142 platforms in 2010 to more than 777 in 2020.⁴ An estimated 90 million people are registered with platforms in emerging markets, and it is estimated that by 2025 one third of all labour transactions will be mediated by these digital platforms.⁵

This reflects both the growing momentum of platform work in these markets, and the insight that platforms can be harnessed to achieve real developmental gains. In particular, platform work is a potential source of much-needed jobs, particularly for youth, in labour markets where underemployment and informality prevail.⁶

Platform work has gained ground in informal sectors, and platform investments may allow investors to access and create new opportunities, at scale, for those relying on informal activities for their livelihood.

In labour markets where most workers are engaged in informal work, platforms can in principle serve to coordinate and structure informal activities through creation of standards, requirements for participation, and incentives for workers. This may serve as a vector for progressive formalisation.

Another core characteristic of platform work is its scalability.⁷ With limited capital, platforms can connect supply and demand and gain traction, allowing for exponential growth. With more workers participating in the platform, more customers are attracted by shorter waiting times and lower costs, which in turn results in more business for workers.⁸

While great scale and disintermediated access to vulnerable or under-served groups can achieve significant development gains, some investors are also learning that platform work brings challenges.

Engagement with large numbers of lower-income, potentially vulnerable individuals, means there are several risk considerations for responsible investors, including the working conditions of platform workers, safety (for both workers and users), privacy, and access to social protection.

This guidance note provides an overview of key concepts – including the nature of platform work and its relevance to development and impact investors. Although the concept of platform work can be expansive, the guidance's focus is on digitally-intermediated labour, and primarily location-specific or geographically-tethered platform work (involving work that must be undertaken in a specific location).

Building on these key concepts, this guidance note then explores the potential benefits of platform work in developing economies, associated labour risks, and options for investor action.



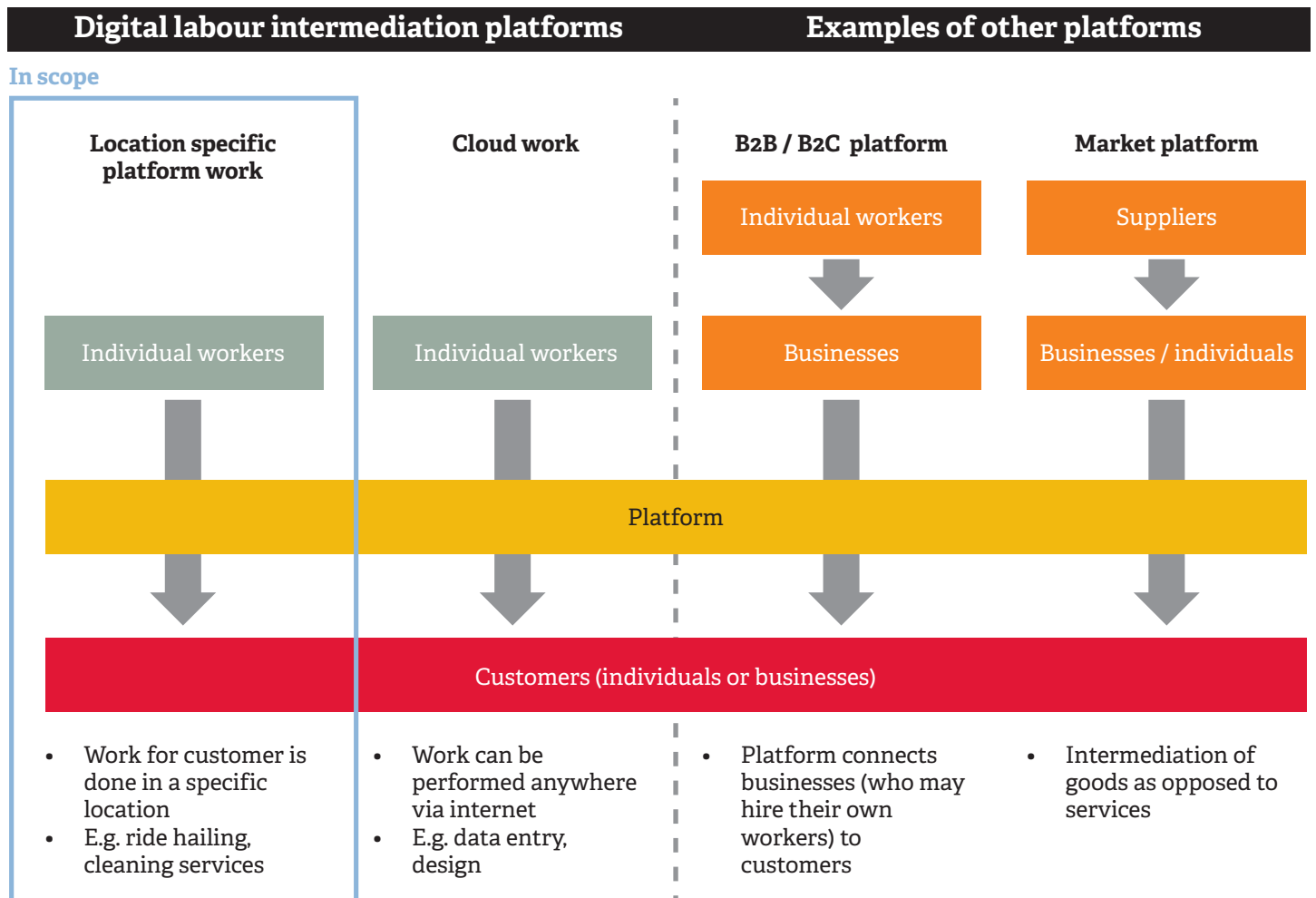
02

What is platform work?

As a subset of the broader platform economy, platform work involves the **supply of labour** by an **individual** which is **mediated through a platform**. Other platforms – such as

business to business (B2B) or business to customer (B2C), or platforms which intermediate the supply of goods – are not covered by this guidance note (see Figure 1 below).

Figure 1: Platform subsets within the broader platform economy



Platform work is based on a triangular relationship between i) clients or users requesting a service, ii) workers providing the service, and iii) a digital app or platform operator (typically owned and managed by private firms) acting as an intermediary between the two. The range of services intermediated via platforms can be varied, and often include:

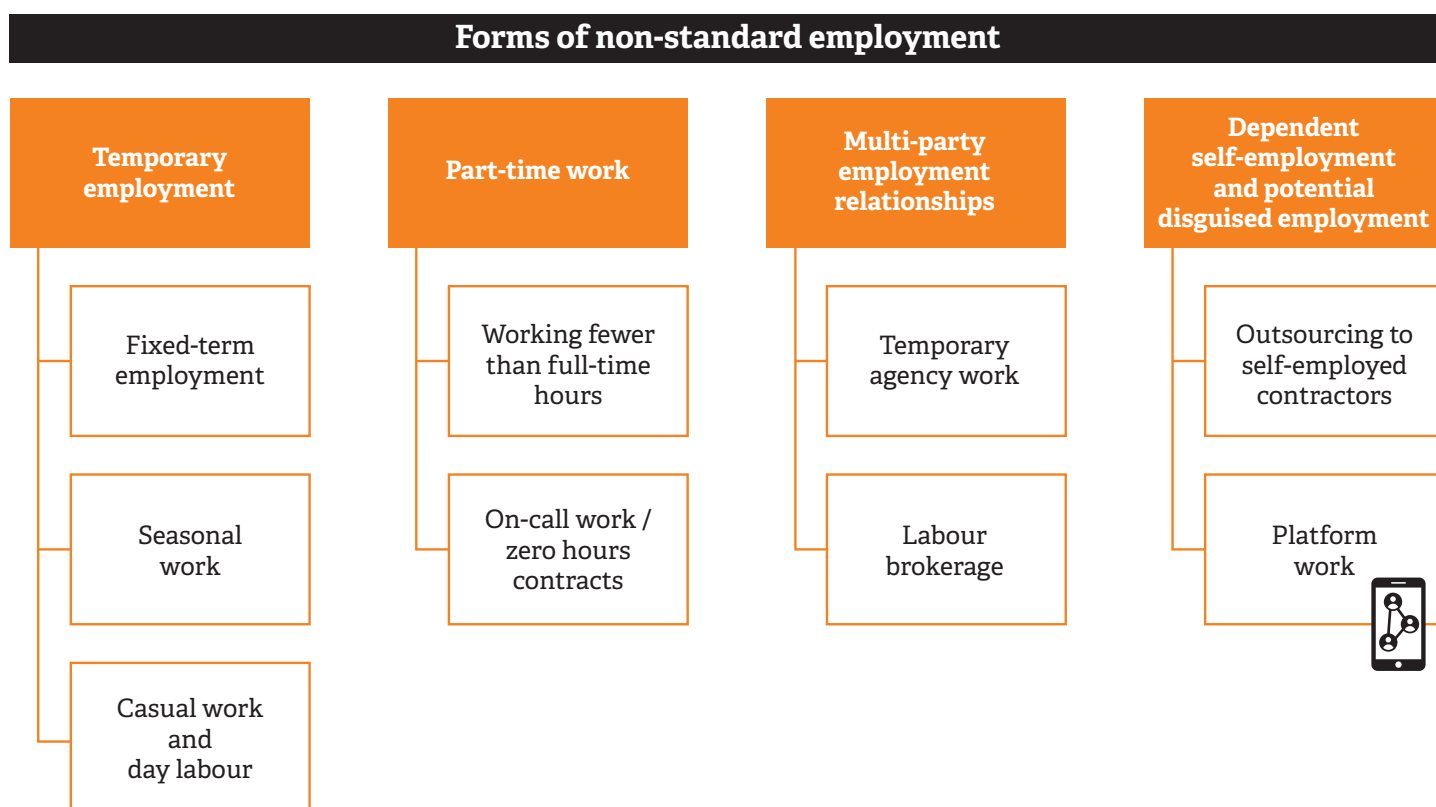
- **Household tasks** such as cleaning and personal care, for example a platform facilitating on-demand home cleaning and laundry services.
- **Transportation** including ride sharing, delivery, and logistics, for example a platform linking commuters with motorcycle taxi services.
- **Professional services** such as programming or tutoring, for example a company allowing individuals to bid on tasks ranging from business administration to web design.

As discussed in the introduction, the focus for this note is on **location-specific or geographically-tethered platform work**. These platforms require work to be done in a specific location due to the nature of the service provided (e.g., transport or domestic services). This contrasts with 'cloudwork' or 'e-lancing', which can theoretically be performed from anywhere using the internet.

Digital labour platforms can be differentiated according to a further range of characteristics, including the complexity of tasks, legal status of workers, form of supply and demand matching (e.g., bidding or allocation by algorithm), degree of economic dependency, pricing structure, and degree of task autonomy.

All forms of platform work require basic access to digital infrastructure. Workers engaged in these platforms are often called 'gig workers'. However, while new in its digital form, the 'gig economy' in one sense describes the range of interactions and activities which have always characterised the informal economy. What has evolved is the way in which workers and providers are able to access work and a market for goods.⁹ The gig economy not only encompasses work enabled by a digital platform, but also several other 'non-standard forms of employment' such as zero-hours contracts, casual and day labour and other dependent self-employment, as described in Figure 2.

Figure 2: Forms of non-standard employment



To distinguish between these workers, this guidance note refers to workers engaged in work intermediated by digital platforms as 'platform workers' and their labour as 'platform work'.

Why is platform work relevant to development and impact investors?

Platform investments can be linked to a compelling development rationale within emerging economies, involving:

- The need to create jobs and income-earning opportunities – at scale, and at pace – to curb unemployment and underemployment for young and growing populations, fostering economic and social inclusion particularly for youth, women and vulnerable groups including migrants.
- The need for transformative development of the structure of the economy, boosting productivity, innovation and thus value creation, and accompanying transformative increases in human capital (namely workforce skills and competences).
- The need to foster forms of economic growth which are environmentally sustainable and socially inclusive, providing real opportunity and reward for those at the base of the pyramid.

However, these factors can also be linked to labour risks. Access to informal and vulnerable segments of the economy gives rise to both opportunities and challenges. The scale of the platform economy may mean lack of visibility over the workforce which can be exacerbated by the intermediated relationship and deliberate efforts to minimise visibility or control. High degrees of flexibility can be linked to insecurity and lack of protection.

Therefore, it cannot be assumed that positive development impacts (discussed in the section below) are automatic. Platform companies are increasingly recognising the importance of addressing risks associated with their operations precisely in order to unlock this potential. Initiatives such as the Charter of Principles for Good Platform Work have been endorsed by a range of globally significant platforms,¹⁰ while other platforms have revised their business model to address social concerns and improve worker security.

There can be a strong business case for encouraging responsible platform work based on:

Business continuity and growth	Platform work often depends on a dispersed workforce and can take place in contexts where supply of labour outstrips demand. There may be limited investment in worker training and satisfaction. In this context, it can be challenging to build company culture and values, to the detriment of customer service and retention; lowering turnover; boosting morale; and increasing productivity. In Kenya, for example, concerns about quality are cited as the main reason corporate customers are hesitant to engage with platform service providers. ¹¹ Training and upskilling can accelerate the pace and effectiveness with which workers represent brand values and standards, key to engaging with customers in public-facing services, such as ride-hailing, last-mile delivery and home tasks. While platforms disrupt many aspects of service provision, customers continue to be attracted by the quality of a service offering.
Competitive advantage through supply-side 'stickiness'	While a focus on customer growth and retention is key for platforms, this may be supported and driven by a parallel focus on worker retention and development, particularly in highly competitive platform markets where workers can choose freely between platforms. This worker 'stickiness' can be achieved through better working conditions, including incomes and insurance, and assistance in accessing other benefits, such as e-wallets, pensions and education packages.
Legal risk management	Platform companies around the world have been faced with controversies relating to 'grey areas' of employment regulation, particularly where it is alleged workers or providers are in forms of 'disguised employment' that avoid employer liabilities. This has specifically been an issue in ride-hailing and last-mile delivery services. Although legislative interventions and judicial findings have varied, platform companies have not always avoided sanctions and penalties. Public demonstrations and strikes by platform workers have also occurred, especially for companies in the passenger transport and delivery sector. There is, therefore, a strong business rationale to understand context-specific risks in relation to a particular platform, including consideration for national law, sectoral and workforce characteristics, civil society concerns, and likely regulatory developments. Investors may also be impacted by portfolio companies' compliance with the law, and often, investors standards will include legal compliance as a minimum standard.
Reputational risk management	Beyond compliance with legal requirements, businesses should consider how claims, substantiated or not, of unfair treatment can impact market share and their social license to operate. Investors may also be impacted by these fluctuations.
Investor relations	Understanding and addressing risks related to platforms' business may serve to ensure disbursement and a continued relationship with sources of financing throughout multiple funding rounds. For investors, this may impact their relationship with investees, how they plan for future rounds, and how they monitor investments.










What are the potential benefits of platform work in developing economies?

Platforms can be harnessed to achieve real developmental gains in emerging markets. While much of the debate in industrialised economies has focused on the disruptive impact of platform work on established economic systems, its role in countries where these systems look different are not always amenable to direct comparison. In labour markets where most workers are engaged in informal work, the choice for many workers is not between formal employment or informal work, but between forms of informal activities necessary to meet basic needs, often experienced as ‘underemployment’. Platforms may in principle act as a formalising force – coordinating and structuring activities that previously existed within the informal economy.

Job creation through platform work is an evident benefit, particularly in labour markets where underemployment and informality are common. Workers can benefit from low entry barriers and flexibility through platforms that facilitate the labour market integration of under-represented groups. This might include youth, women (including those with unpaid care responsibilities), people from lower socio-economic backgrounds, persons with disabilities, migrants, and refugeesⁱⁱ (who frequently depend on insecure employment in the informal economy).ⁱⁱⁱ

Some potential benefits and opportunities associated with platform work are summarised in Figure 3.

Figure 3: Opportunities for platform workers

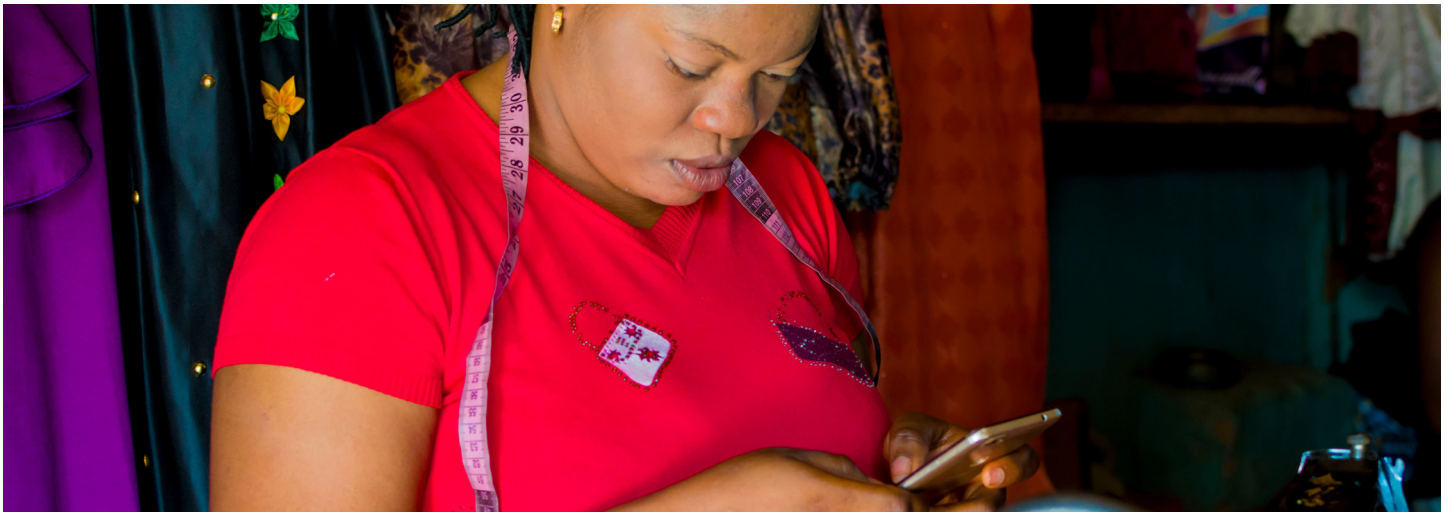
	Flexibility	Choice over when and how to work may assist individuals facing barriers to full-time work, such as care responsibilities, mental and physical health limitations and poor local infrastructure. ¹² Depending on the type of platforms, workers can also choose to work at peak times to generate additional income. The option for horizontal mobility, for example, when a Super App may employ workers in different sectors, may also be particularly appealing to young workers. ¹³
	Demand	Platforms may expand demand, provide access to a larger pool of potential customers and end-users, and greater opportunities to market skills. Platforms may also be able to learn workers' preferences to match them with appropriate work opportunities ¹⁴ and optimise their access to demand.
	Inclusivity	Platforms may reduce barriers to entry in particular sectors, and for specific parts of the workforce, such as for women, persons with disabilities, migrants, refugees and younger workers.
	Expanded income	Platform work can supplement other forms of income, which can be particularly significant in the context of a lack of income-generating opportunities (under-employment).
	Formalisation	Platforms can support more formalised business and labour transactions, particularly in emerging markets, where a large share of work takes place in the informal economy. It may also be the case that platforms which provide outsourced Human Resources (HR) and payroll functions can serve to formalise and document recruitment and employment practices, in line with national law.
	Reliable payment	Quick, reliable payment through digital channels, with fraud prevention and protection measures, may be more desirable than alternatives in the informal economy.
	Distribution of opportunity	Creating more opportunities for remote working and bringing work, services and goods to marginalised communities, both globally and within countries. ¹⁵
	Upskilling	Providing workers with knowledge they cannot access in a more informal setting, including technical skills, digital literacy, soft skills and financial skills – either through ‘onboarding’, ongoing training or in-app support. These may be of particular importance for young workers entering the labour market. ¹⁶ Research has highlighted the significant potential of platform-led upskilling, including examples of carpentry apprenticeships for tradespeople offering services on platforms, or defensive driver training to ride-hailing app workers. ¹⁷
	Access to financing	Platforms may serve as pathways to secure financing, for example, for tools needed to work within the platform, previously inaccessible to workers with lack of credit history or inability to afford traditional loans.

The realisation of these opportunities for positive impact requires companies, and investors, to work actively to mitigate risks associated with the platform economy. For example, workers' access to an expanded income will only materialise if they earn a decent wage through fair and transparent price fixing and allocation of work. To understand how to address risks to maximise positive impact, it is important to understand risks specific to both platform work and an investee's sector and country of operation. Section 5 explains some of these challenges, highlighting examples of good practice for each area of risk. Also, the Investor toolkit on platform work that accompanies this guidance note has practical tools for addressing risk along the lifecycle of an investment.

ii See for instance, ILO 2021a: ‘Towards decent work for young refugees and host communities in the digital platform economy in Africa: Kenya, Uganda, Egypt’.

iii However, it should not be assumed that most platform workers in emerging and developing economies are from the base of the economic pyramid:

ILO (2021b) survey findings indicate that a majority of workers on digital labour platforms are highly educated and male (see: ILO (2021) [World Employment and Social Outlook: The role of digital labour platforms in transforming the world of work](#)).



05

What are the risks associated with platform work in emerging economies?

The potential for platforms to scale rapidly creates opportunities for responsible investors to reach more livelihoods than ever before. But with greater scale and access to vulnerable groups come challenges and risk. Some of these risks may relate to compliance with national laws and investor standards, particularly the [International Finance Corporation's \(IFC\) Performance Standard 2 \(PS2\) on Labour and Working Conditions](#). As elaborated in Section 5.1 below, the application of PS2 to platform work presents challenges.

However, beyond PS2, risks relating to labour and working conditions should be linked to broader environmental and social risk management considerations as well as reputational risk factors. As noted above, they are also a condition for realising positive development impact. Therefore, it is important to understand the robustness of an investee's management systems and the application of relevant policies and procedures in practice. This may engage [PS1 \(Assessment and Management of Environmental and Social Risks and Impacts\)](#) or [PS4 \(Community Health Safety and Security\)](#) if platform workers are considered as part of the broader community. The broad range of labour risks and considerations are addressed in Section 5.2.

5.1 Employment status and the applicability of investor standards

The triangular relationship between individual worker (sometimes called 'partner' or 'provider'), platform, and customer can pose challenges to the application of PS2. Although the legal relationship between workers and customers and platforms is difficult to generalise across platforms and regulatory contexts, engaging workers as self-employed independent contractors is a common model.

One of the main concerns voiced by workers, trade unions and broader civil society regarding the rise of the platform economy has been that platform workers are often not fully protected by labour laws or social security regimes due to their independent contractor status. Although many workers legitimately engage through platforms on the basis of self-employment, significant concerns have been raised that some platform workers are engaged in forms of 'disguised employment' (also called 'dependent self-employment'), whereby nominal self-employment is used to minimise employment liabilities and deprives workers of rights and protections entailed by an employment relationship.

The legal status of workers engaged through platforms will depend on relevant national legislation and arrangements specific to the platform. National labour law does not necessarily afford all labour rights to all workers, and workers in the platform economy may be excluded from some or all employment rights. However, in many cases there is significant 'regulatory lag': local law typically will not have been designed to regulate platform activities and may not provide a clear classification of platform workers. This fact can make the application of PS2, which refers extensively to national law, difficult in some circumstances.

The three options that typically arise under national labour or employment law are as follows:

- Workers are classified as being under the control and supervision of the operator of the platform and working for the platform to a sufficient degree that they are afforded all labour rights under national law
- Workers are classified as being partially under the control of the platform operator and are afforded some, but not all, rights under national law
- Workers are considered to be freelance operators or entrepreneurs and have no labour law rights.

Some national legislative frameworks provide that labour rights and specific redress mechanisms are only available to workers classified as employees. For example, workers may not have access to unemployment insurance or workers' compensation for injuries, overtime pay, minimum wages, rest periods or paid leave, maximum working hours, health insurance and pension coverage, or safety and health prevention. However, national legal systems are responding to the new realities of platform work^{iv}. Platform companies should seek continued legal advice on these developments.

5.1.1 Scope of Performance Standard 2 (2012)

The challenge for PS2 interpretation is similar to the challenges which can exist within national legal systems (as described above). Platforms will often be limited to matching skill or work availability with customer demand, with very little control over the way in which the work is done. The significant question is therefore: how are platform workers classified under PS2?

The standards elaborated within PS2 apply in different ways to **direct workers, contracted workers, and supply chain workers**.

With respect to platform workers that are engaged as self-employed independent contractors:

- They are unlikely to meet the definition of 'direct workers' under PS2 (that is, 'workers directly engaged by the client') unless there is an employment relationship between workers and the platform investee
- Although PS2 applies to 'contracted workers', relevant provisions (paragraphs 24 – 26) focus on **contracted workers engaged by third parties** as opposed to individuals that are own-account self-employed. As such, these provisions focus on management systems in place by firms or businesses that employ workers, and which are in turn contracted by DFI clients. This does not clearly include own-account self-employed workers.
- Supply chain worker clauses (which refer to the ongoing supply of goods and materials to the core business processes of the project) are **inapplicable to the provision of services** by platform workers.
- The Performance Standards do not include any obligation for clients to engage their workforce according to more 'conventional' or standard employment arrangements.

Despite this potential gap in coverage, **it should be noted that PS2 provisions on health and safety (paragraph 23) apply to independent contractors broadly**, regardless of the control exercised by the company or employment status. Management of health and safety risks should therefore be a key consideration for investor clients.

Further, paragraph 2 of PS2 specifies that “*the requirements set out in this Performance Standard have been in part guided by a number of international conventions and instruments, including those of the International Labour Organization (ILO) and the United Nations (UN)*”. Relevant conventions include the ILO's core labour standards, and the ILO is clear that “*the full range of fundamental principles and rights at work [that is, the core labour standards on child and forced labour, non-discrimination and freedom of association] are applicable to platform workers in the same way as to all other workers, irrespective of their employment status*”.^{v,18}

Beyond the considerations above, other labour risks should be assessed and managed, whether as part of PS1 (which creates a broad obligation to identify, evaluate, and mitigate environmental and social risks, regardless of whether they are specifically covered in the other PSs), PS4 (which could be applicable to platform workers, either as members of the community or as a client's main interface with the community), or broader reputational risk considerations. Although labour issues will vary according to context, relevant risks are elaborated in further detail below.

5.2 Key risks by area

The following section addresses some common and pressing challenges raised in connection with labour and working conditions in the platform economy. Some of these issues may be addressed as a way of managing reputational risks. Optimising the employment-related development benefits of platform work investments is conditional on having robust approaches to identifying and addressing labour risks.

In many cases, risk mitigation approaches are still emerging and there remains significant scope for identifying solutions and sharing best practices. Identifying and addressing risks in this changing environment will be key towards achieving opportunities for positive impact. For a clearer picture about the relationship between risks and opportunities, please see [Annex 2](#).

^{iv} See OECD (2020), [Going Digital Toolkit policy note](#) which describes the policy issues related to platform work and identifies innovative policy initiatives to improve the quality of these jobs and enable workers to take advantage of new opportunities in the changing world of work:








^v ILO Committee of Experts on the Application of Conventions and Recommendations 2020 [Promoting employment and decent work in a changing landscape](#).

5.2.1 Health and safety

Poor health and safety management can be a salient risk within the platform economy. This may be due to a lack of coverage under national health and safety laws; lack of training; working in an unregulated space such as a home or private vehicle; long hours linked to income maximisation; and isolated or remote work. Access to personal protective equipment (PPE) may also be limited, and some workers may not have (or may not be able to afford) appropriate equipment nor training. Sectoral realities such as safety risks in transport and logistics, or assault and harassment against ride-hailing workers, may also be tied to particular platforms.¹⁹

Additionally, platforms may not be mandated to provide insurance for workers (e.g., health insurance, accident benefits, or workers' compensation), and workers might not have coverage or might not know which coverage is suitable.

Investors and their clients should consider all relevant safety risks within the framework of PS2 (as discussed in Section 5.1.1), above and beyond national law requirements if necessary, in cases where legal frameworks do not adequately address platform work.

Summary of challenges	Potential measures
 Safety and health concerns related to 'gig work' (e.g., lack of training, long hours, no formal workplace, limited access to PPE).	
 Safety and health concerns related to sector (e.g., traffic, long hours, night-time work).	
 Safety and health concerns related to gender-based violence and harassment.	<ul style="list-style-type: none"> • Health and safety policies and procedures are specifically extended to platform workers, including risk assessments that specifically address platform workers.
 Safety and health concerns related to COVID-19.	<ul style="list-style-type: none"> • Provision of training to platform workforce on health and safety.
 Limited access to health insurance (including challenges in affording insurance, understanding insurance needs and product availability for specific needs) and consequent loss of income should workers get sick or are injured.	<ul style="list-style-type: none"> • Ensure performance standards or KPIs are reasonable and can be achieved without encouraging unsafe or unhealth practices (e.g., extended working without breaks or leave). • Engaging with workers to understand key risks and potential improvements for safety.
 Limited policies on health and safety as well as potential poor oversight and assistance.	<ul style="list-style-type: none"> • Support in case of accidents.
 Regulatory framework regarding safety and health does not apply to independent workers, or does not cover workers in situations other than the 'workplace'.	

Good practice examples: providing for worker safety

Safety may be a key entry point into provision of better practices, and is closely related both to working hours and incomes. Protecting workers from serious accidents and illness may be a minimum standard sure to provide a clear business case rationale and provide for impact, especially for sectors such as informal ride-hailing that may be poorly regulated or unregulated and pose significant safety risks to both drivers and riders. Platforms are addressing issues related to health and safety from many angles.

For example, a food delivery service in Australia has gathered a panel of its drivers to share their experience regarding safety, and to propose safety improvements.²⁰ This demonstrates how platform-worker cooperation can lead to better practices while supporting business continuity and growth. Other platforms, including a motorcycle ride-hailing platform in Nigeria, are also starting to provide accident insurance and have introduced accident support teams to assist their drivers.




Safety is also a key component of training for workers. In Nigeria, the motorcycle ride-hailing platform emphasises training on safe driving and use of PPE – for the protection of both riders and customers. It also uses the platform's tools to 'nudge' workers to remind them of safety tips before a ride.

Potential measures on how training, health and safety policies and reasonable KPIs may help provide for worker safety are included in the Investor toolkit for platform work.

5.2.2 Working conditions and income

Tied to questions of employment status (see Section 5.1), the level of legal protection that platform workers receive is another important consideration. Depending on jurisdiction, workers not considered employees may not benefit from protections or benefits such as minimum wage, overtime pay, paid leave, rest periods and maximum working hours.²¹

In cases where incomes earned through a platform are low, workers may be incentivised to work longer hours or choose to avoid rest to maximise earnings. Workers without paid sick leave will likely need to continue working instead of taking time off to recover. These situations may in turn jeopardise health and safety outcomes for both workers and customers. Unpicking the relationship between legal protections, earnings, benefits, and working hours, is therefore important for understanding both risks and maximising opportunities.

Summary of challenges		Potential measures
	Workers lack access to minimum wage, overtime pay, paid leave, rest periods and maximum working hours.	<ul style="list-style-type: none"> • Ensure wage structures as well as basic performance or service standards (including KPIs) are clearly communicated to the workforce, particularly where performance requirements impact income or where pay deductions are possible. • Explore with the client the relationship between service standards, earnings, benefits, and working hours to determine if there may be associated health and safety risks (e.g., incentives to work long hours, work without rest, or work while sick). • Additional forms of insurance or benefits have been explored by certain platform companies such as paid sick leave or other forms of financial aid (see good practice examples below). There may also be opportunities to engage with a client in cases where incomes are unduly low (e.g., compared to sector norms or other similar platforms).
	The regulatory framework does not provide them with these rights and PS2 does not cover them.	
	Contracts are unclear (and are not readily accessible) to workers regarding working conditions and wage structures.	

Good practice examples: providing for better working conditions

The pandemic has also shown there may be space for the redesign of working relationships within the platform economy. For example, some companies have granted paid sick leave to workers who test positive for coronavirus and have increased wages or offered other forms of financial aid, sometimes extended to workers' families, as well as issuing healthcare advice and PPE to workers.²²

While these responses have been subject to limitations, as noted above, a better understanding of the challenges faced by platform workers may be the gateway for a gradual introduction of enhanced policies. For example, a Colombian cleaning service company is providing workers with formal employment, including documented contracts of employment and registration allowing for access to health care services and pensions.

It is crucial to ensure that platform workers understand their working conditions, which should include clear and transparent information on relevant KPIs and performance standards – particularly those which may impact working hours or remuneration. For more information on practical steps towards better working conditions please see the Investor toolkit on platform work.







5.2.3 Discrimination, violence and harassment

The fact that scalability allows platforms to reach vulnerable groups may also exacerbate challenges regarding discrimination and harassment. Discrimination may be linked to broader societal factors which can make developing solutions difficult. While some jurisdictions have protections against discrimination which apply irrespective of a worker's employment status, some jurisdictions may offer fewer rights and protections to non-employee workers, while adequate enforcement can be hard to accomplish in any event.²³

Platform quality standards are one potential avenue for discrimination. Standards may be assured through customer ratings and reflected in platform algorithms that assign tasks or match workers to customers. Customer bias and bias built into the algorithms (whether intentionally or not) may adversely impact women and minority workers.²⁴ For example, women can be adversely affected by ride hailing platform algorithms where a safer driving style is correlated to longer waiting times for customers.²⁵

Women are more likely to be victims of violence and harassment.²⁶ This may limit possibilities for women to join platforms in certain sectors, or make it harder for women to earn the same income as men in the same sector. For example, women may be more likely to avoid taking up tasks in areas where crime rates are higher or to carry out tasks at night due to safety concerns.²⁷ A study carried out in partnership by the International Finance Corporation (IFC) and a global ride-hailing platform showed 64 per cent of the women drivers surveyed cited safety concerns as the reason more women did not sign up as drivers.²⁸

Others may face more limited opportunities to join platforms due to care and domestic responsibilities (particularly women) and limited access to digital technologies or other necessary equipment.²⁹ Addressing issues such as safety – or a lack of digital literacy and limited access to connectivity among marginalised groups – may be key to securing a qualified pool of workers, maximising impact and addressing risk.

Summary of challenges	Potential measures
 <p>Societal challenges that affect the supply of workers and customer demand, and hinder potential for impact, such as obstacles related to digital access; mobility; care responsibilities; access to front-end assets and others (accessing smartphones, bank accounts, etc); underrepresentation in certain sectors (due to cultural perpetuation of male/female sectors, safety concerns, etc).</p>	<ul style="list-style-type: none"> • Policies on violence and harassment can be extended to platform workers (and can be linked to safety concerns). Policies against discrimination can also specifically include platform workers.
 <p>Bias built into algorithms (including customer bias aggregated through reviews system).</p>	<ul style="list-style-type: none"> • Grievance mechanisms should be accessible to platform workers and allow issues relating to discrimination, violence, and harassment to be raised. Special procedures can be developed to respond to serious cases of discrimination, violence and harassment.
 <p>Safety concerns, including gender-based violence and harassment.</p>	
 <p>COVID-19 related challenges (such as increased care responsibilities).</p>	<ul style="list-style-type: none"> • App technology may allow for enhanced precautions against violence and harassment (see good practice examples below).
 <p>Limited policies on discrimination and harassment, as well as poor oversight and assistance.</p>	
 <p>Gaps in regulatory framework concerning discrimination and harassment (particularly outside the workplace).</p>	

Good practice examples: furthering equal access to opportunities

Understanding issues that affect vulnerable groups disproportionately will be key to maximising opportunities for impact. For example, platform companies and the IFC have partnered in the Digital2Equal initiative, which includes the collection of data, particularly gender disaggregated data – using the advantages digital platforms have in capturing and analysing data – to further women. For example, surveys of platform workers can help determine how family and domestic responsibilities prevent women from accessing the job market, while also helping investors explore what can be done to maximise impact.³⁰ Other initiatives are also undertaking investigative work to understand how the platform economy can empower women and ‘build gender-inclusive markets in emerging markets’.³¹ Investors may want to consider how they can support companies in their data collection efforts, harnessing their power for the benefit of workers and, ultimately, companies.

Another way a domestic work platform in South Africa is furthering equal access to opportunities is by making data management fairer. In many platforms, if workers fail to accept a certain number of tasks in a determined period, they lose access to certain benefits and potentially work. This platform does not penalise workers that, for example, take time off due to care responsibilities. It has also addressed the challenge of digital connectivity by providing data free access to their app, shouldering the data cost. For more information on how data management may impact workers, please see the Data protection, data management and communication section below.

An essential issue to ensure equal access to opportunities is tackling gender-based violence and harassment (GBVH). Technology, intrinsic to the platform economy, may also help ensure worker and customer safety against harassment. For example, an Indian beauty service provider where workers went into customers’ homes included SOS buttons on their app. A Kenyan platform for trades professionals also allows for complaints of abuse and exploitation to be filed through its ratings system.³² Awareness raising may also be facilitated through digital media and training programmes. The IFC has partnered with a global ride-hailing platform seeking to raise awareness on sexual harassment and obstacles for women in accessing platform economy opportunities.³³

Other platforms have addressed obstacles to inclusion of persons with disabilities. From a customer perspective, a global ride-hailing platform has raised driver awareness on how to provide a more inclusive service. In Malaysia, for example, a ride-hailing and food-delivery platform carried out an initiative to encourage deaf and hearing-impaired persons to join as drivers, by providing resources such as automated introductory messages to customers and flashcards for easier communications.³⁴



During the COVID-19 pandemic, certain companies have taken a stand regarding customer discrimination against workers based on ethnicity or religious affiliation egregiously linked to the spread of the virus.³⁵

For more information on how, for example, policies, access to an appropriate grievance mechanism and leveraging platforms’ technology may help further equal access to opportunities please see the Investor toolkit on platform work.

5.2.4 Representation

Characteristics of the platform economy, such as the individualisation of platform work and high rotation of workers, has implications for the ability of platform workers to form workers' organisations and bargain collectively.³⁶

Laws may set minimum membership requirements for recognition of unions and their ability to represent workers in negotiations. Additionally, laws may only recognise the rights of employees to organise, although there are growing examples of self-employed workers' organisations.

Summary of challenges		Potential measures
	A lack of opportunities for workers to organise leads to less bargaining power, making it harder to advocate for better working conditions and higher incomes without fear of repercussion.	<ul style="list-style-type: none"> • Workforce engagement may be possible through forums, surveys or regular check-ins. Studies can be undertaken to understand workforce perspectives on key issues as well as labour challenges and risks. • Some platforms have considered the advantage of engaging directly with workers' organisations (see good practice examples below).
	The individualistic character of platform economy leads to less opportunities for worker organisation.	
	Legal frameworks may not recognise organisations of independent workers which may hinder leverage.	

Good practice examples: engaging with worker organisations

Platform workers are beginning to organise³⁷ and platforms are beginning to consider the advantages of engaging with worker organisations (OECD, 2020). For example, a Danish freelancing platform negotiated a collective bargaining agreement with a trade union,³⁸ and a global ride-hailing app engaged with taxi syndicates to extend its business into African markets (see below).




Beyond benefits to long-term plans – such as cooperation to expand into new markets and worker satisfaction and retention – constructive engagement with workers and worker organisations can avoid disruption to day-to-day operations. Strikes and other actions, such as collective log-offs from platforms, may disrupt a company's business. For instance, the Indian Federation of App based Transport Workers organised a two-day strike in June 2020, demanding that platforms provide adequate PPE and a revised payment and incentive structure; workers in 12 states participated in the strike.

By engaging with workers and worker organisations, platforms can more effectively understand and address workers' concerns and prevent such disruptions. For more information on ways to communicate with workers, from surveys, to town halls, to direct engagement with worker representatives, please refer to the Investor toolkit on platform work.

5.2.5 Lack of upskilling opportunities

The nature of tasks delivered through the platform economy will vary greatly by sector, but some services might involve repetitive micro-tasks that do not provide opportunities for workers to develop and upskill. Platforms may also not offer training opportunities and are also unlikely to provide upwards mobility.

However, some platforms, are starting to provide training for their workers, understanding the business value of upskilling for levelling up company standards and retaining the workforce.³⁹

Summary of challenges		Potential measures
	Lack of training opportunities and upwards mobility.	<ul style="list-style-type: none"> Forms of advancement might be possible, including integrating platform workers into direct operations based on experience and knowledge. Training opportunities can range from occupational safety and health, customer service skills, and recognised certifications (see good practice examples below).
	Upskilling in certain sectors (such as low skilled work in domestic cleaning or ride-hailing) may be limited.	
	Challenges in providing transferable certifications or proof of skills.	

Good practice examples: investing in upskilling

Participating in platforms may be a lesson within itself. For example, in India – where 15–24-year-olds make up a third of the population – young workers may benefit from gaining experience in managing their finances, becoming aware of financing options they can access, or learning a new language and gaining communications skills. The key to their impact will be on whether these skills are transferrable to other working opportunities.⁴⁰

The manner of carrying out these trainings (online versus in-person, video versus on-demand reading materials, availability in different languages, etc.) will be important to their effectiveness.⁴¹ For example, a trades platform in Kenya and a ride-hailing platform in Nigeria, have also developed ‘in-workflow training moments’, with workers being ‘nudged’ by the app or text message during their work, for example to remind them of safety tips or steps to perform a task learned during training.⁴²

Training on the use of digital tools and online platforms provided, by the platforms themselves, may give workers access to skills not readily available in emerging markets, such as digital literacy. Many platforms provide training on how to use their tools. Platforms have also focused on vocational training, financial literacy, customer service training and other soft skills.⁴³ For example, a motorbike ride-hailing app in Nigeria is training its workers on customer service and digital literacy, while a South African domestic work platform is training its workers on effective bookkeeping and Microsoft Excel spreadsheets. They aim to increase agency and enhance opportunities for their workers, beyond their respective sectors.⁴⁴ Training on road safety and the proper use of PPE has also been essential to the ride-hailing business.

Training could help secure access to a continued stream of work and income in a particular platform, but could also serve as a skillset transferable to other work. It may also benefit platform companies by ensuring adequate customer service and fluidity to their business.⁴⁵ Moreover, as platforms extend into other branches of business, having a domestic worker who can also be a bookkeeper or a driver, for example, may prove helpful to provide continuous quality across services.



Finally, certificates received from training may be useful to all parties engaged in the platform economy. For workers, as proof of their transferable skillset; to platforms, to demonstrate quality to customers; for customers, to rest assured of a company’s quality and service; and to responsible investors, as useful points of data to measure commitments to ESG action and impact.⁴⁶

5.2.6 Job security and predictability

The platform economy has been criticised for perpetuating and entrenching job insecurity. Workers may not be able to depend on a regular income derived from a predictable number of 'gigs', and may have to rely on working for several platform economy companies. For example, a recent survey indicated that 68 per cent of interviewed platform workers in India considered their income to be unstable or uncertain.⁴⁷ Work may be irregular and without the protection of a traditional employment relationship. The same survey showed that over 50 per cent of interviewed platform workers in five countries (including developed and developing economies) did not have a contract.⁴⁸

This may create particular challenges for workers where platforms assign work based on historic activity and availability, thereby restricting opportunities to engage in other income-generating activities.

Data aggregation, which may include malicious or discriminatory reviews, could also lead to a worker's account being suspended,⁴⁹ making it important to consider whether workers can challenge or appeal such reviews. Workers may also be penalised for lack of activity in the platform. If workers get sick, they may lose access to the platform even if they are ready to return to work.

Summary of challenges		Potential measures
	Lack of access to consistent source of income and benefits.	<ul style="list-style-type: none"> Some gig platforms have taken measures to address job insecurity and predictability through revised policies or incentives. This might include increased compensation when customers cancel work, removing 'exclusivity' clauses, and guaranteeing a number of minimum bookings, working hours, or income. Some services have moved away from number or star ratings due to their subjectivity, preferring a compliments or complaints model.
	Data (with potential built-in bias) may be aggregated to deny worker access to jobs and benefits.	

Good practice examples: tackling job insecurity

Some platforms are already investing in infrastructure and cross-sectors solutions that will increase and guarantee worker supply, in turn, providing more and secure job opportunities for workers. For example, an e-rickshaw ride-hailing platform in India is investing in providing charging stations for drivers – this may help workers stay active throughout productive hours of work and prevent gaps in earnings. Another platform in the domestic work sector in South Africa (where public transport is unreliable and unsafe), is building an understanding of transportation needs for its workers into its app. For example, with the advent of new city bus lines, which are more reliable and safer, but which have a limited route, the platform is incorporating these predetermined routes and worker preferences to modify how the app distributes bookings. Understanding that income earned on the platform may not be enough to support a family, this domestic work platform is also explaining domestic workers' situation to its customers, requiring them to make a certain number of bookings (or reach the equivalent fee) to be able to increase workers' income and encouraging them to tip workers.

During the COVID-19 pandemic some platforms have sought to tackle the issue of workers failing to earn an income due to lockdown measures or illness. Measures have included financial assistance or assistance in purchasing essential goods and setting up financial support funds (for example, in the case of a South African domestic work platform, by asking clients to continue with payments for domestic workers, or buying food vouchers or grocery deliveries for workers affected by food insecurity). Other platforms – recognising that status and incentives are often tied to a worker's activity – have provided some form of security by ensuring workers are not stripped of their earned incentives or status even if they did not complete any work.⁵⁰

Practical steps on bettering working conditions, harnessing data for good and providing for transparency may also help tackle job insecurity. For more information, please see the Investor toolkit on platform work.





5.2.7 Data protection, data management, and communication

The capacity of platforms to source and channel information about supply and demand through algorithms puts them at an efficiency advantage. But platforms are not always swift to disclose what information they are collecting and how they use it.⁵¹ As discussed previously, customer ratings and review systems can impact workers' opportunities and access. Their ability to access, understand, and challenge this information can therefore be an important consideration.

Tech-enabled data collection also gives rise to privacy issues. Data collection from customers and workers may allow for targeted advertising and other financial gains for the platform at the expense of data privacy.⁵²

National legal frameworks may already regulate how data is collected and used. It will be important for investors to take this issue into account to, at a minimum, ensure the company is operating within the law.

The technological aspects of platform work may also generate promising opportunities – particularly as it relates to workforce communication. Digital platforms can facilitate communications and dialogue between platforms and workers. Investors may wish to consider the quality of communication systems that can be used to provide timely information to the workforce, increase worker engagement, and provide pathways to grievance and remediation should ESG issues arise.

Summary of challenges		Potential measures
	Lack of clarity on what data is collected and how it is used, including how work is allocated.	<ul style="list-style-type: none"> • Data collection should be governed according to clear policies and procedures which address appropriate usage and privacy. • Workers should be made aware of what data is collected, how it is used, how it is safeguarded, and how it can be accessed.
	Lack of mechanisms to dispute negative reviews.	
	Challenges for workers in accessing data and being able to use it to improve their livelihoods.	
	Invasion of data privacy.	

Good practice examples: harnessing the potential of data

The Investor toolkit on platform work provides more information on practical measures companies can take on transparency and communications regarding data protection and privacy.

Beyond addressing risks, academics and companies are starting to explore how data, and review systems, can be used in favour of workers. For example, some have supported the creation of 'online passports'. Reviews earned by drivers in one platform can be transferred to others, making it easier to secure customer trust and access work. Other ideas point to using an amalgamation of reviews to prove creditworthiness or provide workers with a form of certification that allows them to be placed in other jobs. For example, the latter system has been used by a global ride-hailing app during the COVID-19 pandemic, allowing workers to request a performance review that could be later used to apply to other work.⁵³ Also a Kenyan trades platform provides its workers with a 'digital CV'.

5.2.8 Social protection

Platform workers classified as independent contractors may not have the same safety net as employees – leaving them without holidays, leave, sick pay, unemployment insurance, and pensions. Where benefits are available, workers may face difficulties transferring benefits when moving between platforms. A further challenge is that independent workers, if deemed or structured as ‘small businesses’, may receive less favourable pricing on healthcare or other insurance schemes compared to large companies.

In one sense, the challenges relating to social protection for platform workers are not new, but rather cast a new light on existing challenges in ensuring social protection for informal workers and those in non-standard forms of employment. There may be scope for platforms to innovate with new forms of insurance – including ‘portable’ forms of insurance – although the state still has important role to play.

Summary of challenges		Potential measures
	Lack of access to holidays, leave, sick pay, unemployment insurance, and pensions.	<ul style="list-style-type: none"> Although likely ‘beyond compliance’ – some gig platforms have extended a range of benefits to workers on their platform (see good practice examples below).
	Lack of mechanisms to transfer social protection coverage between platforms.	

Good practice examples: improving access to social protection

Insurance

Some platforms, such as a parcel delivery platform in Kenya, are beginning to provide health insurance for their workers, both due to COVID-19 and as a measure to improve workers’ lives. It has been noted that insured workers are better able to access the care needed to recover more quickly and return to productivity, which also benefits the platform.⁵⁴ For example, a company in India provides health insurance as an incentive, awarding workers time-limited health insurance should they complete a certain number of jobs.⁵⁵

Other companies in high-income countries are providing for more comprehensive packages. After conducting a worker survey that revealed worker concerns of injuries on the job, a food delivery platform in the US is facilitating access to physicians, discounted prices on prescription drugs, and disability and life insurance. A ride-hailing and food-delivery platform in Europe is facilitating access to insurance covering work-related accidents and other life events, such as paternal leave, and non-work-related sickness and injury. The insurance programme is being offered at no cost to qualifying drivers, who must have completed a certain number of tasks within a timeframe.⁵⁶

During the pandemic there was a significant increase in the number of platforms providing health insurance to workers.⁵⁷

Sick pay

Platforms are also starting to provide sick pay for workers. For example, a global food delivery app is providing both work-related and non-related sick pay for its drivers in France.⁵⁸ COVID-19 responses have also included some form of compensation in case of illness.⁵⁹

Savings schemes and pensions

A ride-hailing platform in Peru partnered with a DFI, a university and a bank, to roll-out a savings account programme that automatically withdraws 2–3 per cent of a worker’s weekly income (depending on how well the driver does that week) and deposits it into a savings account. In a market where less than 10 per cent of workers can put aside any income towards savings,⁶⁰ a savings account may secure an income for workers should they get sick or cannot work for other reasons.




In Chile, the government automatically deducts a percentage of a digitally-recorded ride to contribute to self-employed workers’ pensions. Platforms in Singapore and Malaysia are also voluntarily contributing to social security schemes.⁶¹

For more information on practical steps towards better working conditions, including the role of social protection, please refer to the Investor toolkit on platform work.

5.2.9 Governance and financing practices

While workers in the platform economy are typically expected to use their own equipment, some platforms are branching out beyond their core offering, and are including asset financing to platform workers. If managed correctly, this may allow workers to access assets that were not previously at their disposal – perhaps due to lack of access to credit via traditional methods – and which may help them secure further employment and increase their standard of living. Financing can include fuel vouchers, and loans to acquire smartphones, vehicles as well as other equipment.

However, there are concerns that in some cases the income generated by the platform work may not be sufficient both to support the worker and pay off loans, or that finance terms may be opaque and not well understood by workers with similar risks to those in the microfinance sector. This could in turn hold the worker 'captive' to a particular platform or company, or lead to excessive working practices in order to pay off loans. Therefore, it is important for investors to consider how to address these risks, including making sure companies have clear policies on accessing and exiting loan agreements.

Summary of challenges		Potential measures
	Income insufficient to cover loans.	<ul style="list-style-type: none"> In cases where platforms provide assets or financing to platform workers, additional safeguards should be in place. Terms should be reasonable and avoid risk of over-indebtedness. Financing can be provided according to good international practice, such as the Client Protection Pathway. At a minimum, terms and conditions of financing should be clearly communicated to workers (in writing and orally). It may be desirable for workers to have recourse to independent financial advice.
	Captivity to a platform if unable to repay loan or if asset subject to working in a particular platform or only useful in a particular platform.	
	Unclear (and/or inaccessible) contractual terms on loan.	

Good practice examples: extending access to finance

For a financing agreement between platform and platform worker to be beneficial to workers, it should be integrated into the interface between worker and provider, with worker consent and loan term transparency built into the process in a clear way.⁶² Loans would also have to be repayable, both for the lender and the worker's benefit.

For example, a trades platform in Kenya has tied loan repayment to income earned on the platform.⁶³ Investors have also sought expert advice, such as in the case of loans provided by a motorbike ride-hailing platform in Nigeria, to ensure tax responsibilities surrounding these loans were addressed properly and that they could support the company in encouraging drivers to be diligent in how they managed their tax records and asset-related insurance needs.

During COVID-19, some platforms have chosen to defer the repayment of loans.⁶⁴

For more information on measures companies can consider to address risks related to financing arrangements, particularly regarding terms and conditions, please see the Investor toolkit on platform work.

Platform economies in emerging markets are already bringing forward good practice examples on how to address risk and go beyond.

Understanding these risks and continuing to monitor new and changing areas of risk, both at investment level and in the platform economy, will be key for ensuring positive impact.



06

What can investors do?

The following key steps can serve to secure a platform investment's potential for development:

1. Clearly signal that labour risks are an important factor in decision-making and monitoring stages, encouraging platforms to engage with workers proactively.
2. Consider whether the business model is fundamentally compatible with the aims of good governance, equitable allocation of risk, respect for rule of law (including the risk of disguised employment), responsible lending (client protection) and data protection, and consider leverage and ability to influence change and capacity to monitor these standards.
3. Ensure that vulnerable and underserved groups can benefit from working on the platform. This may relate to digital access and ability to earn adequate income.
4. Prioritise skills development and upskilling which can open opportunities for workers beyond the scope of the platform itself.
5. Focus on safety for workers and users, and women's safety in particular, including risks of gender-based violence and harassment.
6. Assess how the impact thesis is linked to, and is conditional upon, management of specific risks.
7. Look at ways to enable leverage to enhance outcomes and manage risks, including through contracts and policies, particularly where there is potential for labour-related reputational risks.
8. Don't assume that platform investments, or the funds in which they are located, are *low risk*. Seek to understand the characteristics of the platform investment and its operating context to run an ESG check on key risks areas (as identified above), including those areas where there is regulatory uncertainty or regulatory lag, and maintain active monitoring of both contextual and operational developments.
9. Don't assume risk will remain static through multiple rounds of funding. Not only will ESG risk look different through an investment's pilot, initial and scaling stages, but the unique characteristics that make platform companies dynamic may allow them to expand across sectors and geographies, potentially affecting its risk profile.
10. Explore how technology solutions inherent to platforms can also enhance ESG and impact reporting, for example, through digitally-enabled monitoring or grievance mechanisms.
11. Explore how data collection, inherent to platform economy companies, can be used for identifying risk and maximising impact opportunities

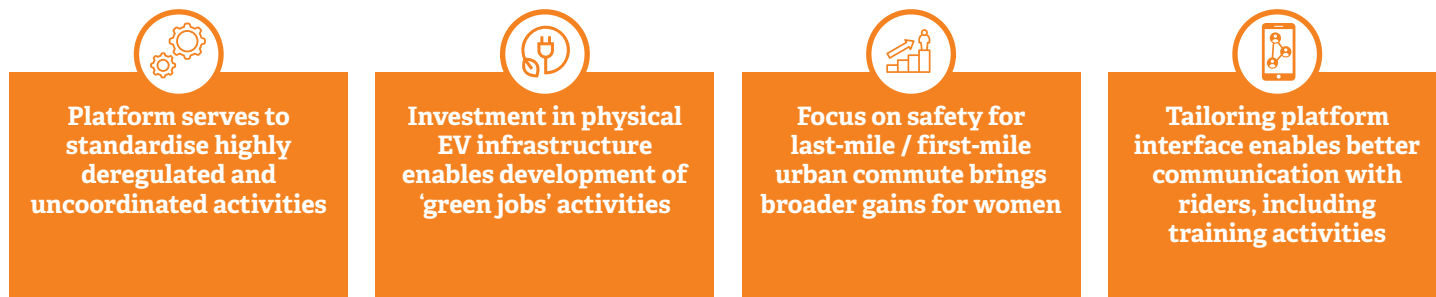
A separate toolkit has been developed that provides practical support for investors considering platform work investments, including practical measures on identifying and managing risk along the investment cycle, which in turn may help ensure opportunities for positive impact identified in this note.



Annex 1: Case studies

Micro-mobility platform in India

Case study: Providing access to opportunities in the last-mile commute

Key elements of notable practice



 <p>Market</p>		<p>Globally, India has the second-highest population of active internet users. It also has one of the most significant online labour forces in the world – with recent estimates that 24 per cent of workers in India are engaged through online platforms. The sector has the potential to create one million net jobs in two to three years. India is home to a number of significant domestic platform players in mobility, logistics and home delivery. COVID-19 has only heightened the rate at which workers have shifted to non-traditional forms of employment.</p> <p>Rickshaws are a popular form of transportation in India, mostly for middle-income people traveling short distances within a city. In 2018, over 10,000 e-rickshaws were starting operations in India each month, and government support has boosted investment in Electric Vehicles (EV), catalysing significant market growth potential.</p> <p>Around 80 per cent of workers in India work in the informal economy, increasing the potential for impact in the market, but also exacerbating risks relating to employment and social protection. While legal reforms have made space to expand coverage of labour and social security laws for workers in the informal economy, significant gaps in plans for implementation and other aspects of the regulatory framework remain. Despite rising education levels and a female literacy rate of 65 per cent, only about 16 per cent of Indian women were participating in the labour force in the aftermath of the pandemic.</p>
 <p>Investment</p>		<p>The fund is a tech-focused ESG-integrated venture capital (VC) fund, with a range of platform investments. The fund aims to invest in companies solving real problems, with solutions that can then be scaled and developed beyond India. Early indications of the commercial attractiveness of platform investments are promising – though there have been no exits yet.</p> <p>In 2020, the fund made its first consumer-facing platform investment, in a micro-mobility platform company aiming to connect e-rickshaw drivers and customers in several cities in India. The platform has sought to make drivers' routes more dynamic, expand customer reach, optimise capacity utilisation and facilitate access to standardised batteries and charging infrastructure. Users are attracted by convenience, transparency, greater safety, online payment (no cash is accepted since COVID-19) and standard fares. By 2021, the company had attracted more than 7,000 workers and over one million users, expanding to five cities around Delhi and with plans for further reach. The platform company is said to be seeking to invest \$500 million in its battery swapping infrastructure project over the next three years.</p>

 <p>Realising opportunities and addressing risks</p>		<p>Increasing incomes for drivers</p> <p>It is reported that one of the issues affecting auto-rickshaw drivers in India is the intermediation by costly middlemen. The platform seeks to cut out the middleman, replacing it with a digital platform (for a fee), increasing drivers' earnings (more than doubling their income, according to testimonials). Optimising time-use and capacity-usage – including through access to battery swapping stations (battery range is a key limiting factor) – also translates to increased revenues for drivers.</p> <p>Promoting safe urban mobility for women passengers</p> <p>Urban mobility present disproportionate risks for Indian women, including significant risks of GBVH, particularly in shared transport and especially at night. By focusing on safety – including record-keeping on passenger profiles – for first- and last-mile commuters, including women passengers, the platform can contribute to tackling factors limiting women's movement and access to opportunity, including labour force participation. Male drivers also receive specific training on how to communicate appropriately with women passengers.</p> <p>Engaging riders through tailored interface</p> <p>The driver workforce is predominantly composed of men aged 20-40, whose capacity to with digital tools needs to be factored in. The driver-side app now uses a more audio-visual and number-based interface – not depending on literacy or text-familiarity – and driver training is also very number-led, tailored to riders, in order to support uptake of tools across the driver demographic.</p> <p>Working through COVID-19</p> <p>The platform company was hit hard by COVID-19. The business-side response to revenue pressures was to add a new line of business – delivering essential items, including food – which is now a significantly growing part of business, based on exclusive partnerships with corporates for deliveries, generating new revenue streams. COVID-19 has posed an extreme stress for Indian workers in terms of access to economic opportunities, and many platform riders have been obliged to return to home settings far from the cities where they work. The platform sought different avenues to support riders, including advocating for government relief for the type of workers with whom they partner, connecting drivers to corporate partners for the delivery of essential goods, and starting a relief fund to provide drivers and their families with essential necessities, through micro-grants in partnership with two non-profit organisations, which have reportedly been accessed by 350 riders. The company is also offering medical insurance access to drivers.</p>
 <p>Business case for enhancing platform company practice</p>		<p>The retention and motivation of drivers is key to ensuring service quality, repeat business and word-of-mouth profile. Therefore, investors and platforms need to understand constraints and risks for drivers and how to attract and retain the best drivers.</p>
 <p>Investor opportunities</p>		<p>The platform company is expanding how it provides easier access to charging infrastructure, and is considering asset financing. Opportunities for investors may include assisting the company in exploring opportunities for data collection, for example, to help it understand driver needs for vehicle financing and infrastructure.</p> <p>At the sectoral level, social protection for workers outside the context of a traditional employment relationship is a fundamental issue. This is recognised by the VC, while acknowledging that the state also has a significant role to play. Potential in-roads at platform level could focus on enhancing drivers' access to insurance, their capacity to communicate with one another and to organise, and to transfer their performance profile from one platform to another, creating a deeper talent pipeline for the sector as a whole. In particular, recognising that employer-based insurance is not portable, there is important scope to innovate around new forms of insurance products.</p>

Ride-hailing platform in Morocco and Algeria

Case study: Engaging with worker representatives

Key elements of notable practice




Platform engages with worker organisations






Platform provides greater structure to ride-hailing services, reducing safety risks



Platform focuses efforts on worker satisfaction as key to customer attraction

	Market	<p>In Morocco and Algeria, ride-hailing markets are characterised by informality. While only taxi services are permitted by law, informal drivers are common. This leads to a disparity between the need to provide affordable transportation – in countries where workers often have to commute for five hours for work and spend 50 per cent of their income on mobility – and the need to abide by the law and the social considerations it echoes.</p> <p>The presence of informal drivers leads to unsafe roads, with higher accident rates and unreliability. In that context, there was a detected need for a company to provide structure – from requiring minimum standards, such as holding a driver's license, to providing training – where a ride-hailing app focused on the happiness of its drivers was a priority.</p>
	Investment	<p>The fund is an African-based private equity investor focusing on African companies and global companies that bring solutions to the African continent. As part of its innovation fund, it invested in a global ride-hailing platform.</p> <p>The investee is a ride-hailing platform, originally operating in France and Belgium, but which has extended to French-speaking regions in Africa, including Morocco and Algeria. The platform operates as a taxi, professional driver or peer-to-peer service (depending on the regulatory framework) and aims to connect customers and drivers through its digital app.</p> <p>Due to regulatory limitations and COVID-19, the company had to delay prospective operations in new African markets. However, it expanded its operations to Angola in 2020.</p>

 <p>Realising opportunities and addressing risks</p>	<p>A notable characteristic of the platform is its self-identification as being driver-focused. It aims to be the platform that drivers prefer, and seeks competitive advantage through enhancing driver 'stickiness' – in a competitive environment where drivers have multiple platform options – and resulting service quality and retention gains.</p> <p>Recognising and partnering with worker organisations</p> <p>This ride-hailing platform may be an example of how operational needs, risk mitigation and multiplication of impact can be linked. To expand into the Moroccan market, the platform had to adapt into a taxi service provider. To do so, and enhance its social licence to operate, the platform reached an agreement with the Moroccan union of taxi drivers to extend a variant of its French platform to traditional taxi drivers.</p> <p>Traditional taxi drivers would gain access to a larger market, by gaining customer trust through safety and transparency features included in the digital platform, and recognition under an agreed service quality label (yet remaining as independent contractors). Access to the platform would be preceded by worker training and adherence to company standards. In doing so, workers would also have the possibility to gain access to health insurance and other benefits, such as discounts on tyres – arranged by the company with suppliers. The platform has also engaged with a French trade union federation to seek ways to make their platform more attractive to workers and customers, including piloting minimum tariff arrangements. In recent months, after the sector was hard-hit by lockdown restrictions limiting driver availability, the company changed its business model, inviting private drivers to join its fleet, a move noted by the company to be favourable for customers by providing uninterrupted services, and for drivers by increasing working opportunities.</p> <p>The platform has also supported workers by creating cafés where workers can come together. Isolation is considered one of the main obstacles to worker organisation in the platform economy, so providing a place for workers to commingle may be key to developing collective worker voice. The chief executive of the company is also reported to be in communication with worker representatives.</p> <p>Increasing workers' income</p> <p>Seeking to fulfil its objective of making drivers happy, understanding that worker satisfaction is key to ensuring business continuity and brand success, the platform increased its floor price per trip and says to take a lower commission than its competitors. This would allow workers to increase their income, added to greater efficiency in securing customers provided by the platform model.</p> <p>Addressing risks to driver safety</p> <p>Addressing one of the main concerns related to the informal ride-hailing sector, the platform is addressing the need to provide training for its drivers as part of the onboarding process.</p> <p>Supporting during through Covid-19</p> <p>During the pandemic, the platform lost 80 per cent of its business. To support workers the company established a solidarity fund by donating all its commissions until it reached the goal of €500,000, directed at aiding those drivers most in need and to making drivers' cars safer. It also advocated for access to government relief programmes for its workers.</p> <p>Recognising the limits of driver ratings</p> <p>The company eliminated its driver rating system, by which customers would rate and review drivers through the app, after acknowledging the subjective nature of scoring may be behind the submission of a bad rating. Bias in rating systems has often been acknowledged as an issue for platform economy companies. Instead, app users are now encouraged to submit 'compliments'.</p>
 <p>Business case for enhancing platform company practice</p>	<p>By engaging with worker organisations, the platform has not only been able to ensure its operations are firmly within the letter of the law, but also to secure the support of a key segment of the population. Failure to engage with trade unions may have led to legal burdens and operational obstacles down the road. Engagement also leads to workers being represented fairly, and to consequent worker satisfaction – key to retention and brand management.</p> <p>There is a strong business case for investors to support portfolio companies as they seek to engage with worker organisations. Apart from setting operations within the law, and securing success for the brand, ensuring worker voices can be heard may also serve to identify and mitigate ESG risk, with investors being able to rely on worker organisations as key sources of information.</p>
 <p>Investor opportunities</p>	<p>As the platform company seeks to recover from the effects of the global pandemic, and potentially continue its expansion, investors can learn from the platform's successful engagement with worker organisations. New markets may not come with the same regulatory constraints, and therefore may not impose a strict necessity to engage with established worker organisations. However, investors may look to reinforce the business case for platform/worker communication and the benefits to identifying legal, reputational and ESG risk and maximising impact.</p>

Trades platform in Kenya

Case study: The value of upskilling for quality and impact

Key elements of notable practice



Platform seeks to provide greater access to better job opportunities



Platform understands the value of training for business and impact






Platform harnesses power of data for good

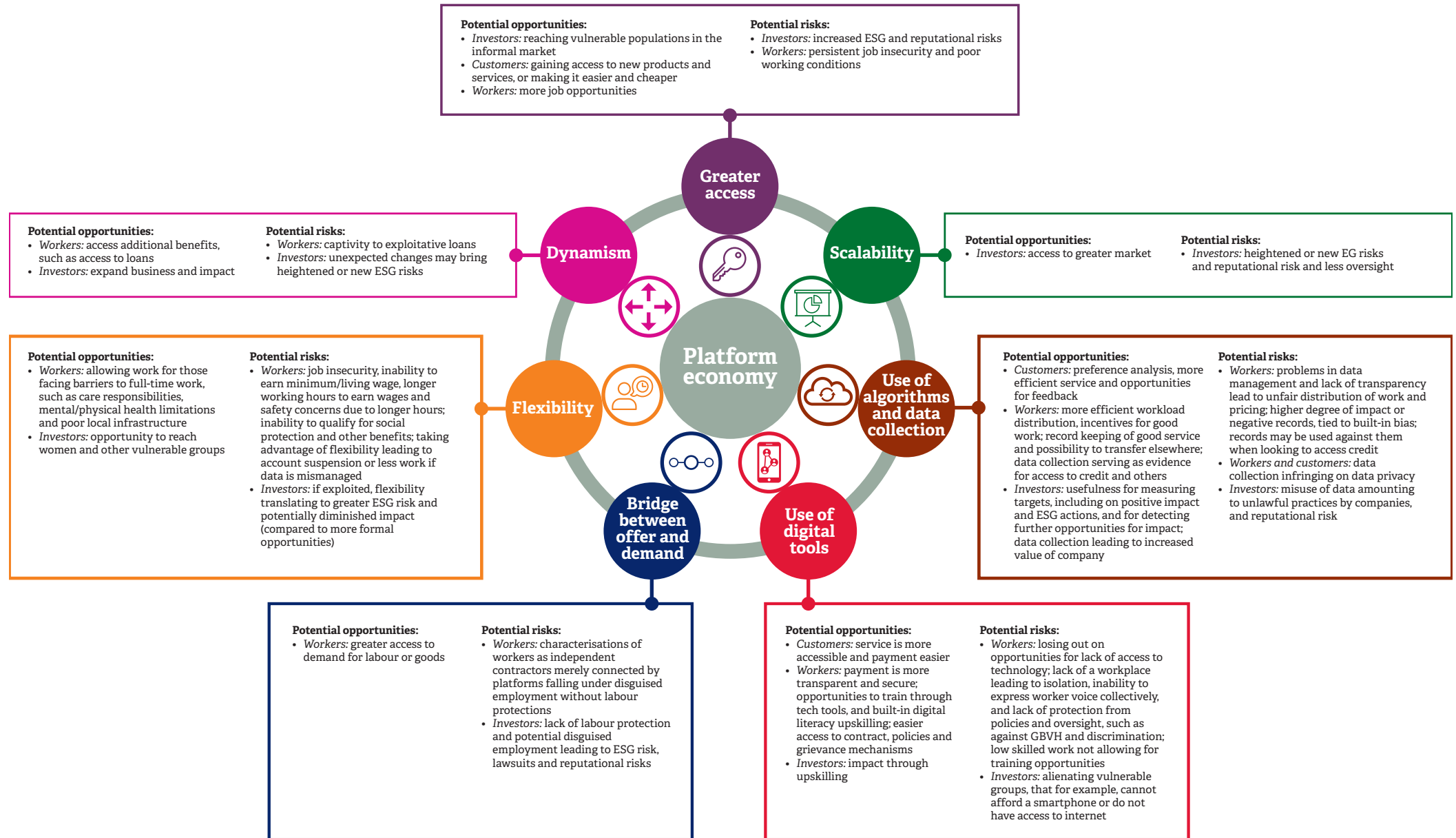


Platform adapts business to workers' needs to ensure quality and enhance opportunities

	Market	The informal sector in Kenya accounts for more than 80 per cent of total employment. Blue-collar workers in the informal sector rely on word of mouth to secure work, having difficulties in asserting their credibility and reaching a limited number of customers.
	Investment	<p>The fund is a VC fund based in East Africa, investing in companies with large-scale potential. Its vision is that in order to maximise scalability, investments must target the lower-income sector of the population. This group will likely be underserved, both as workers and customers, giving them access to a greater market, but also greater opportunities for positive impact. The fund tends to invest in the earliest stages of an operation, looking to see that the problem the entrepreneurs are solving is big enough, that the entrepreneurs are strong, and that there is potential for significant impact. The Kenyan trades platform in question ticked each of these boxes for the fund.</p> <p>This digital platform connects customers – both business and individuals – with individual tradespeople for the provision of a range of services, such as installation and repairs, furniture manufacturing, beauty services, tutoring, childcare, and decorating. The goal is to tackle informality, by structuring relationships that already existed in an unorganised and unregulated market, while providing workers with access to greater job security, fair wages, more secure forms of payment and safe working environments, and securing customers' access to trustworthy, safe and fair services. The platform offers the services of more than 1,000 workers.</p>

	<p>Realising opportunities and addressing risks</p>	<p>Providing access to training</p> <p>Starting from a simpler model of merely connecting supply and demand, the platform quickly realised that its workers were providing services of variable quality. This was because they were using outdated techniques in their trades and they lacked access to good quality tools and materials. The platform understood that in order to attract customers it would have to ensure a high and consistent quality standard. To that end, it introduced a programme to create physical hubs, where workers could access shared workspaces and tools, entrepreneurship advice and in-house vocational mentoring, as well as marketing assistance.</p> <p>Training was also extended to include online vocational tutorials, digital literacy training and training on soft skills. The latter is considered to be of equal importance to providing a quality service. Training also focused on how to safely use tools and PPE, and health and safety considerations increased in response to the COVID-19 pandemic. The platform also ‘nudges’ workers before or during tasks to assist them with time management and communication skills, and also to serve as refreshers for techniques acquired during training. This is done through the platform and via text messages.</p> <p>Training not only equips workers with the skills to provide quality services while engaged on this particular platform, but also equips them to operate their own business and access other work opportunities.</p> <p>Ideally, training would come from other market participants, and workers would come to the platform with skills already acquired elsewhere. But the value chain is reportedly broken in this market. Therefore, the platform understood that it would be necessary to train themselves. This investment in the platform’s workers in turn has added value to the company and sets it apart from potential competitors.</p> <p>Facilitating portable information and using data for good</p> <p>The platform provides its workers with digital CVs, which include their photo, skills and customer ratings. Workers can post this CV on the platform or use it outside of it to secure other work. Using platform data to benefit workers both within and outside the platform may be a key way to maximise impact. Workers can enhance their job opportunities by having access to easy-to-use data relating their experience in the platform.</p> <p>The platform company is also using data to better understand its workers’ needs in terms of access to digital tools. For example, it found that workers were missing opportunities because they were turning off their data, fearful of running out of credit or battery. The company also discovered workers were not in fact using all their data credits. Since these discoveries, the platform is helping workers to understand how to use their data bundles and battery better, to ensure they have a steady supply of quality workers and to extend workers’ access to work opportunities.</p> <p>Seeking to understand the platform’s ability to impact livelihoods of women for the better, the platform company also conducted a survey to understand gaps between men and women. Its 2019 survey showed that while women represented 38 per cent of its workers – they only earned 16 per cent of its total earnings. This translated to a 68 per cent gender wage gap. When seeking an explanation for this phenomenon, the company discovered that women were over-represented in lower-paying sectors, such as cleaning and childcare, and under-represented in higher-paying sectors such as installation, repairs and maintenance. Understanding these gaps may allow companies and investors to design specific actions and targets to help expand the supply of qualified workers, with unique skillsets and points of view, and reach vulnerable groups.</p> <p>Providing access to financing</p> <p>The platform company also identified a lack of access to quality tools as a problem to delivering excellence in service and goods. To address that, it has started providing small loans to workers, tied to the income they earn on the platform.</p>
	<p>Business case for enhancing platform company practice</p>	<p>Earning customer loyalty is key to business growth, and providing quality services and goods is the way to secure that loyalty. The company understands that by supporting its workers through training and facilitating access to better tools and materials, it will in turn help increase and maintain quality in its services.</p>
	<p>Investor opportunities</p>	<p>As the platform company looks to expand to other geographies, investors can learn lessons through its efforts to ensure quality can be tailored to different markets and maximise impact.</p> <p>The company’s understanding of how data can be used for good may also allow investors to support other such efforts to understand worker needs and help attract vulnerable groups of the population. Data collection may also prove useful for measuring impact.</p>

Annex 2: Overview of platform work risks and impact



Annex 3: Investor toolkit on platform work

This toolkit accompanies the guidance note. It aims to provide practical support for investors considering investments in digital labour intermediation platforms, principally from an ESG perspective but also including impact considerations. This toolkit does not seek to create new standards or rules, but rather to offer a pragmatic approach to platform work investments in the context of a shared commitment to responsible finance.

Given the significance of tech-based investments in early-stage portfolios, including venture capital, the toolkit also recognises that impact and ESG expectations can increase over time and through multiple funding rounds. Equally, it recognises that platform companies themselves are dynamic, and their business may change radically in scope and focus through the course of the investment and/or through funding rounds (see 'Multiple Funding Rounds' below).

As a platform company grows, ESG risks and opportunities may increase in magnitude and scope, as may the reputational risks. Investors have an important role to play in supporting companies to develop approaches commensurate to that level of risk. From an impact perspective, optimising the development benefits of platform work investments may require robust approaches to identifying and addressing labour risks.

The following sections provide checklists and tools which can be used at key points during the investment cycle, namely:

1. [screening and due diligence](#);
2. [agreement and action plan](#);
3. [monitoring](#);
4. [exit](#).

The objective is to improve understanding of investee practices and procedures and identify areas for further inquiry and action.

1. Screening and due diligence

The nature of platform work may require specific considerations when conducting due diligence and assessing a potential investment's risk profile. Many platforms may maintain a small and highly skilled direct workforce (for example, programming, information technology (IT), or customer service staff) which can be considered 'lower risk' from the perspective of the [International Finance Corporation's \(IFC\) Performance Standard 2 \(PS2\) on Labour and Working Conditions](#).

However, risks associated with rapid growth, scalability, changes in scope, dynamic contextual factors and large indirect workforces should be considered. One important question is the way in which the platform's workers fall within investor standards. PS2 applies in different ways to **direct workers, contracted workers, and supply chain workers**. Many platform workers are engaged as **self-employed independent contractors**, and this should be understood and assessed as part of due diligence (see checklist below, and refer to guidance for further information on the applicability of PS2 to self-employed independent contractors).

The platform's characteristics and operating context should be carefully considered when conducting due diligence and assigning risk categorisations. Platform companies' business model will likely raise questions as to workers' employment status, what legal advice has been sought and what challenges have surrounded the employment status question. The following checklist addresses some of the key inquiries:

Initial questions	Red flags	Other considerations
How is the relationship structured?	No policy or code of conduct covering engagement of workers	It is useful to get a clear picture of how the relationship is structured in terms of availability, distribution of work, payment, responsibility for safety and equipment. How is the worker-platform relationship 'scoped' in terms of PS2?
What service or performance standards exist between the platform and its workforce?		Service or performance standards including defined key performance indicators (KPIs) are commonly elaborated by platforms through contracts or codes of conduct. It is often useful to review service standards or KPIs to determine how compensation is tied to performance, and if there are any implications on how often or how much workers are required to work. This may have implications for health and safety as well as pay.
Where operating in multiple jurisdictions, does the platform apply a global policy, or nationally-tailored approaches? Why?		
What is the legal status of workers providing services through the platform (e.g., employees, independent contractors, other)?	Client cannot explain how labour laws apply to workers	Different national legislation and law will have a different approach. It is important to determine whether the client can clearly explain how labour laws apply to platform workers.
What legal advice has been taken in relation to the way that individuals or workers are engaged, and how are relevant regulatory developments monitored and checked? Are there regulatory changes in the pipeline? Have there been related legal complaints in the countries in question?	No legal advice on employment status of workers	Given the challenges associated with platform work, including the legal status of platform workers, clients should have taken specific legal advice on this issue from an appropriately experienced labour lawyer in the jurisdiction.
Are there alternative ways in which the legal relationship could be structured?		If the individuals do not have worker protection rights under national law, is there another way that the relationship could be structured to provide more rights, benefits or protections? What are the business consequences of this? What is the cost of providing employment rights? What are the potential advantages in terms of loyalty and productivity?

Initial questions	Red flags	Other considerations
<p>What additional safeguards are in place in relation to specific issues such as harassment, discrimination, grievance, or safety?</p>	<p>No health and safety risk assessment process No complaints mechanism for workers Inadequate training or PPE provided to workers</p>	<p>Are there specific actions which the client has taken to deal with identified risks to platform workers – and clients – that may arise, including safety, harassment, discrimination?</p> <p>Specific actions could include:</p> <ul style="list-style-type: none"> • Ensure that the developed grievance mechanism is available to platform workers, customers and other stakeholders • Health and safety risk assessments and processes that specifically address platform workers • Designated teams or individuals that are responsible for preventing and addressing matters of safety, harassment, discrimination • Evidence of training provided to platform workers on safety, harassment, discrimination • Examples of provision of PPE or other safety equipment • How is technology used to collect data on workers to inform policies and processes in these areas
<p>Do workers receive social security coverage? What about insurance?</p>	<p>Client cannot demonstrate that workers receive or can access statutory social security entitlements</p>	<p>It is important to understand:</p> <ul style="list-style-type: none"> • What benefits and protections platform workers are legally entitled to (as discussed above) – including social security, health insurance, workers' compensation, or other forms of national insurance. It should be verified that appropriate coverage is provided, including relevant deductions and employer contributions. • If workers are not fully covered by social security regimes, what other alternatives are possible or desirable? This could include forms of private insurance or direct support.
<p>Does the company have policies and processes in place to address PS2 risks? How are these carried out in practice? How does the operator provide training to workers?</p>	<p>No health and safety risk assessment process No complaints mechanism for workers Inadequate training or PPE provided to workers</p>	<p>This may include policies that cover platforms workers and which address:</p> <ul style="list-style-type: none"> • Safety standards (including regarding GBVH) • Discrimination • Grievances • Training and development

Initial questions	Red flags	Other considerations
<p>What opportunities do workers have to represent their views, including through collective organisation?</p> <p>How is important information communicated to the workforce?</p>	<p>Client does not provide any means for workers to communicate with each other and with platform management</p> <p>Workers have taken, or are planning, industrial action</p>	<p>National law may set minimum membership requirements for recognition of unions and their ability to represent workers in negotiations – which tends to require membership of ‘employees’, although there are growing examples of self-employed workers organisations.</p> <p>If workers are not unionised (due to legal restrictions or otherwise), it can be useful to understand what other forms of worker voice are available and methods of workforce communication, including:</p> <ul style="list-style-type: none"> • Does the platform facilitate any worker forums or other forms of engagement? Does the platform conduct surveys of its workforce? • Are there ways in which the platform has ‘check-ins’ with workers (e.g., call centres, control rooms, or as part of inspections, trainings or onboarding)? • Can workers receive information through the app or platform, and express concerns through the app or platform?
<p>What is the company’s approach to data collection, use and protection?</p>	<p>Platform has inadequate policies on data protection, non-discrimination in algorithm use, and personal scoring / reviews</p>	<p>Does the company collect data? If so,</p> <ul style="list-style-type: none"> • How can it be used for risk prevention and mitigation? • How is privacy and data safeguarded (e.g., what policies, procedures, and IT systems are in place)? • How can workers access data which pertains to their work and performance? • Can workers appeal negative reviews?

2. Agreement and action plan

Based on the risk and contextual information obtained through due diligence, clearly defined actions should be developed. Where there is weak or no normative (such as legal or PS2) basis to bring the investee's attention to the potential negative impacts of platform work practices, it is important to understand the investee's key business drivers and how mitigations relating to risks in work arrangements can align with these business drivers:

- Can the same business objectives be achieved while modifying the arrangements by which workers are engaged?
- Is there another way that work relationships could be structured to provide security and protections for workers? What are the business consequences of this?
- What are the potential advantages in terms of loyalty and productivity of improving arrangements for workers and partners? How significant is supply-side stickiness to business growth?
- What additional safeguards could be put in place in relation to specific issues such as harassment, discrimination, grievance, or safety?
- Are there specific actions which the client has taken to deal with identified risks to workers – and clients – that may arise, including safety, harassment, discrimination, financing arrangements?
- Could the client carry out a specific assessment how women, or migrants or other vulnerable workers are impacted differently by platform work arrangements?
- When and how will the client provide notification of significant labour issues or changes in business activities that may have implications on the workforce (such as worker protests, changes to workers' employment status, and court decisions relating to employment status)?

Investors need to work with the parameters of national law – so cannot, for instance, insist that self-employed workers are transferred to employment contracts (unless not doing so would be a breach of national law).^a However it should be noted that some legal obligations, such as health and safety or social security laws, may apply even if there is not a direct employment relationship.

Potential actions across key thematic areas are included in the following table. While some of these actions may be taken as part of risk mitigation approaches, other measures may be viewed as 'beyond compliance' and focused on enhancing the development benefits of a platform work investment.

^a However, investors can point to examples and business cases of leading platforms – such as Just Eat within the European Union – which are moving toward a more integrated workforce based on an employment relationship, in order to sustain and deliver better service and retain skills.

Thematic area	Potential measures	Good practice examples
Health and safety	<ul style="list-style-type: none"> • Health and safety policies and procedures are specifically extended to platform workers, including risk assessments which specifically address platform workers. • Provision of training to platform workforce on health and safety. • Ensure that performance standards or KPIs are reasonable and can be achieved without encouraging unsafe or unhealth practices (for example, extended working without breaks or leave). 	<p>Safety may be a key entryway into providing for better practices. Protecting workers from serious accidents and illness may be a minimum standard sure to provide a clear business case rationale and provide for impact, especially in highly de-regulated and unsafe sectors such as informal ride-hailing. Platforms are addressing issues related to health and safety from many angles.</p> <p>A food delivery service in Australia, for example, has gathered a panel of its drivers to provide their experience regarding safety, and to propose solutions (World Economic Forum (WEF) 2020). This may be an example on how platform-worker cooperation can lead to better practices and business continuity and growth. Other platforms such as a motorbike ride-hailing platform in Nigeria, are also starting to provide accident insurance and have introduced accident support teams to assist their drivers.</p> <p>Safety is also a key component of trainings for workers. For example, a motorbike ride-hailing app in Nigeria emphasises training on safe driving and use of PPE – both for worker and customer protection. It also uses the platform’s tools to ‘nudge’ workers to remind them of safety tips before a ride.</p>
Working conditions, income, social protection	<ul style="list-style-type: none"> • Ensure that basic performance or service standards (including KPIs) are clearly communicated to the workforce, particularly where performance requirements impact income or where pay deductions are possible. • Explore with the client the relationship between service standards, earnings, benefits, and working hours in order to determine if there may be associated health and safety risks (for example, incentives to work long hours, work without rest, or work while sick). • Although likely ‘beyond compliance’ – additional forms of insurance or benefits have been explored by certain platform companies (see good practice examples). There may also be opportunities to engage with a client in cases where incomes are unduly low (e.g. compared to sector norms or other similar platforms). While minimum wage provisions may not apply to platform workers, it can be useful to adopt the approach of calculating how many hours work are required to achieve minimum wage, and assessing this against standard hours as well as safety provision on working hours.^b 	<p>The COVID-19 crisis has also shown that there may be space for the redesign of working relationships within the platform economy. For example, some companies have granted paid sick leave to workers who test positive for the virus, some have increased wages or provided other forms of financial aid, sometimes extended to workers’ families, and provided advice and PPE to workers (Fairwork, 2020a).</p> <p>While these responses have been subject to limitations, as noted above, a better understanding of the challenges faced by platform workers may be the gateway for a gradual introduction of better policies.</p>

^b In many jurisdictions, the typical legal approach to applying minimum wage provisions to piecework is that the minimum wage should be achievable in a standard full-time working week. See for instance: [ILO: definition of ‘piece rate pay’](#).

Thematic area	Potential measures	Good practice examples
Discrimination, violence and harassment	<ul style="list-style-type: none"> • Policies on violence and harassment can be extended to platform workers (and can be linked to safety concerns). Policies against discrimination can also specifically include platform workers. • Grievance mechanisms should be accessible to platform workers and allow issues relating to discrimination, violence, and harassment to be raised. Special procedures can be developed to respond to serious cases of discrimination, violence and harassment. • App technology may allow for enhanced precautions against violence and harassment (see good practice examples). 	<p>Technology, which is intrinsic to the platform economy, may also help ensure worker and customer safety against harassment. For example, an Indian beauty service provider where workers went into customers' homes included 'SOS' buttons on their app. A Kenyan platform for trades professionals also allows for complaints of abuse and exploitation to be filed through its ratings system. Awareness raising may also be facilitated through digital media and trainings. The International Finance Corporation (IFC) has partnered with a global ride-hailing platform seeking to raise awareness on sexual harassment and obstacles for women in accessing platform economy opportunities.</p>
Representation and communication	<ul style="list-style-type: none"> • Workforce engagement may be possible through forums, surveys or regular check-ins. Studies might be undertaken to understand workforce perspectives on key issues as well as labour challenges and risks. • Some platforms have considered the advantage of engaging directly with workers' organisations (see good practice examples). 	<p>Platform workers are beginning to organise and platforms are beginning to consider the advantages of engaging with worker organisations. For example, a Danish freelancing platform has negotiated a collective bargaining agreement with a trade union, and a global ride-hailing app has engaged with taxi syndicates to extend its business into African markets (see below).</p>
Data protection, data management, and communication	<ul style="list-style-type: none"> • Data collection should be governed according to clear policies and procedures which address appropriate usage and privacy. • Workers should be made aware of what data is collected, how it is used, how it is safeguarded, and how it can be accessed. 	
Financing practices	<ul style="list-style-type: none"> • In cases where platforms provide assets or financing to platform workers, additional safeguards should be in place. Terms should be reasonable and avoid risk of over-indebtedness. Financing can be provided according to good international practice, such as The Client Protection Pathway. At a minimum, terms and conditions of financing should be clearly communicated to workers (in writing and orally). It may be desirable for workers to have recourse to independent financial advice. 	<p>It has been noted that for a financing agreement between platform and platform worker to be beneficial to workers, it should be integrated into the interface between worker and provider, with worker consent and loan term transparency built into the process in a clear way. Loans would also have to be repayable, both for the lender and the worker's benefit. A trades platform in Kenya for example, has tied loan repayment to income earned on the platform. Investors have also sought expert advice, for example in the case of loans provided by a motorbike ride-hailing platform in Nigeria, to ensure tax responsibilities surrounding these loans were addressed properly and that they could support the company in encouraging drivers to be diligent in how they managed their tax records and asset-related insurance needs.</p>

3. Monitoring

Monitoring will involve consideration of existing environmental and social action plan (ESAP) items as well as any changes to the investee's business. A key characteristic of platform companies is their ability to scale and adapt. By using technology and building their value through effectively acquiring a customer base, platform companies are uniquely positioned to change and expand the nature of their business. This may entail adding a financing component to its services, or even morphing into a 'Super App'. With these changes may come greater opportunities for impact, and new or heightened ESG risks. Awareness of these potential business or operational changes (example through contractual notification requirements, see [Section 2](#) above) is key to maintaining oversight over risks and potential reputational implications. If there are significant changes to business operations, internal procedures should allow investors to:

- Review the investment and seek to understand how changes may impact the workforce (as well as other ESG areas);
- Review the ESAP to determine if it still responds to key risks (revising as necessary);
- Provide support to the client in identifying and addressing any risks (consistent with the remainder of this toolkit), possibly providing forms of technical assistance or support.

Investors may also consider assessing how changes regarding company growth or scope may affect impact outcomes (for example, if exponential growth in the number of drivers has led to a reduction in earnings). Monitoring questions may include:

Questions	Evaluating responses
<p>Within the monitoring period, have you been subject to any:</p> <ul style="list-style-type: none"> • Labour related court cases, labour-related administrative penalties, or labour inspection and enforcement actions, as applicable • Strikes, stoppages, protests or other forms of industrial action undertaken by its workforce (whether by direct workers or indirect workers that use the platform) 	<p>An answer of 'yes' to any of these questions should indicate a degree of risk, and that further monitoring and follow-up is required.</p>
<p>Within the monitoring period, have there been any operational or business changes with significant implications for the workforce (including indirect or 'platform' workers). This may include:</p> <ul style="list-style-type: none"> • Changes to compensation (including benefits) and incentive structures. • The number of average hours worked, or the amount of rest taken. • The number of workers engaged through the platform. • The types of workers that are engaged through the platform (for example, women, individuals from vulnerable groups such as migrants, individuals with disabilities). • Working conditions (including changes which might have implications for health and safety). 	<p>Responses can indicate whether operational or business changes have had a significant impact on the workforce, and thus the risk profile of the investment. Significant changes may require a re-evaluation of ESAP items, enhanced monitoring, or technical assistance.</p>
<p>Within the monitoring period, have there been any legislative developments or court cases within your jurisdiction of operation that have addressed the legal status of 'platform workers' (such as self-employed independent contractors). If yes, please summarise.</p>	<p>Affirmative responses and summarises should be reviewed to understand potential implications for the platform's business model, as well as protections and liabilities for the platform workforce.</p>

Questions	Evaluating responses
<p>For the reporting period, summarise key occupational health and safety (OHS)-related indicators as they relate to the platform workforce, including accidents, injuries, or fatalities.</p>	<p>Responses should provide some indication that OSH metrics or KPIs are systematically recorded, and that follow-up has been undertaken where appropriate.</p> <p>Specific statistics or figures should be verified against prevailing industry standards in order to determine whether OSH risks are being adequately managed and mitigated.</p>
<p>For the reporting period, provide an overview of grievances submitted by the platform workforce, including:</p> <ul style="list-style-type: none"> • Number of grievances • Common issues or complaints • Resolutions provided and typical resolution time. 	<p>Responses should provide some indication that grievances are systematically recorded, and that follow-up has been undertaken where appropriate.</p>
<p>Provide a summary of any engagement efforts and trainings that have targeted the platform workforce.</p> <p>Provide a summary of the outcomes of relevant engagement or training efforts where relevant.</p>	<p>Examples of engagement efforts may include surveys, forums, townhalls, or similar activities. This may indicate the extent to which workforce concerns are addressed and reflected in revised policies or operational procedures. It may also indicate the extent to which labour challenges or risks are actively managed at an early stage.</p> <p>Appropriate training can cover key areas including app onboarding and health and safety. Other topics that can support risk mitigation may include financial literacy training (where relevant) and anti-discrimination or harassment training.</p>

4. Multiple funding rounds and exit

Due to the start-up nature of many platform investments, platform companies will often participate in multiple rounds of funding. In between these rounds, the company can change due to the dynamic character of platform investments from pilot to scaling. Investors may consider these rounds as opportunities to assess changes to a company's risk profile, and to use multiple rounds of funding as an incentive for compliance with initial ESG commitments. Each funding round will require additional due diligence and may need an updated ESG action plan and ESG-related legal clauses in the investment agreement. See [CDC and FMO's Good Practice Note on Responsible venture capital](#).

Market realities and limitations within the investee company may limit the scope of achievable ESG action in the first round of funding. However, increased capacity within the company – which may be tied to technical assistance (TA) from the investor – may extend the investee's capability to detect and address risk. While increasing capacity, scalability may also be accompanied by new and heightened risks.

Seeking to understand the company's long-term vision for its business and the market may allow investors to plan longer-term ways to address ESG risk, both in setting longer-term goals and in detecting new and heightened risks early, which may raise red flags before potential re-investment rounds. Awareness of the nature of platform company investments and their potential for change may be key.

As part of exit considerations, investors may wish to explore how they can support investees to demonstrate their ESG commitments and impacts. This could include the extent to which livelihood opportunities have been met. At the end of the investment relationship:

- To what extent have ESAP items been implemented and integrated into business operations? What evidence and data can be presented to demonstrate this?
- How will environmental and social issues be managed on an ongoing business (for example, are there designated individuals responsible, what policies and procedures are place, and have they been reviewed, are external experts retained on specific issues)?
- How has the investment reached its potential for positive impact?
- Are workers better off because of their participation within the platform company? How? Have they gained skills? Can they use them in other work or formal employment? Have they gained access to data they can use to get further work? Have they gained access to benefits, such as assets, bank accounts, and social protection schemes, that continue beyond engagement with the particular platform?

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Interviews

This project was supported by a range of interviews including with investment professionals, academic experts, company representatives and Fund Managers.

Notes

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