

Fairwork principles and certification standards

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1. Pay

1.1 Minimum wage

For hourly work, workers are paid at least a minimum hourly wage.

For piece work that clearly takes place over a full hour, the 1.2x piecerate formula will be adopted. For more fragmented tasks, we propose ensuring that workers (for example taxi drivers) at certain benchmarks (40 hours a week; 20 hours; and 10 hours) all make at least 100%, 50%, and 25% of a local minimum wage respectively.

1.2 Living Wage

We can work with an independent body (such as the Living Wage Foundation) to determine local living wages. Adherence to those minimums will be achieved as outlined in 1.1.

1.3 Pay terms

A fair pay rate should also take into account expenses accrued by workers (for example, computer costs, mobile phone contract, car or bicycle upkeep, etc) to ensure an overall pay level is not below the criteria listed in 1.1 and 1.2

Platforms should have a codified standard about “on-call” work and whether it is remunerated.

For crowdwork and freelance platforms, the time in which clients agree to review and pay for submitted work is stated up front, and is clear to the worker before accepting the task.

For crowdwork platforms in which nonpayment is permitted, task-specific conditions under which nonpayment is permitted are clearly specified.

1.4 Regulation of non-payment

Freelance and location-based platforms: The platform does not allow non-payment for completed work.

Crowd work platforms: Either the platform does not allow non-payment for completed work, or nonpayment is strictly regulated. Specifically:

Customers who refuse payment for work are required to indicate in a legally binding manner that they will not use it.

Customers must explain why the work was unusable.

Workers have a right to contest nonpayment. If a worker contests, the claim is reviewed by a human employee of the platform.

Customer non-payment rates should be made visible to workers when choosing tasks.

Task-specific conditions under which nonpayment will be permitted are specified in advance and are visible to the worker before they accept the task.

2. Conditions

2.1 Work process

All tasks should be clearly and unambiguously stated.

All tasks should have reasonable timings.

For crowdwork and freelance platforms and for non-standardized tasks in location-based platforms

about which workers are unlikely to communicate directly with clients, task instructions are reviewed by a human platform employee or a qualified crowd worker prior to publication.

2.2 Health and safety

Workers engaging in risky activities are appropriately compensated.

Working hours are not excessive. There are limits on working hours/days.

Tasks that may be psychologically stressful or damaging (e.g., review of social media content for hate speech, violence, or pornography) are clearly marked. Workers completing such tasks have access to counseling or support paid for by the customer and/or platform.

2.3 Regular employment is provided

There is stability of work, workers can predict how much work they will likely have over at least one week into the future.

2.4 Employment opportunities

There is a possibility of career development and/or exportable CVs or work summaries

3. Contracts

3.1 Employment status

The employment status in the contract accurately reflects the employment relationship. This involves differentiation on country basis and with current legal rulings.

3.2 Contract terms

The employer cannot make unilateral changes to the terms and conditions.

There is no inappropriate use of non-competition or non-disclosure agreements (for example, non-disclosure agreement prohibits disclosure only of data submitted by customers, not pay, work processes, or working conditions).

3.3 Vicarious liability

The platform, rather than workers, is responsible to third parties.

3.4 Risk insurance

Insurance is offered to all workers.

3.5 Shared liabilities

The platform has policies to intervene in cases of wage theft, customer discrimination, or the commissioning of work that breaches platform rules.

3.6 Compliance with the law

The platform complies with the law in all local jurisdictions (or country of operation).

The platform abides by all relevant laws in the worker's location (e.g., employment classification, occupational health and safety, intellectual property, contract law, right to organise).

3.7 Social protections

The platform pays to taxes in relation to the employment of workers

The platform contributes to provision of social protections (and these are portable for workers where relevant).

The platform observes other relevant legislation and rights.

4. Equality

4.1 Discrimination in the work process

The platform does not discriminate in the process of hiring, management, or account deactivation

4.2 Gender and race pay gap

The platform does not pay differently for equivalent job tasks/roles on the basis of gender or race.

5. Communication

5.1 Line of communication

Workers should have a line of communication to a representative of the platform.

In cases where the platform connects workers with a separate client, a line of communication to the client (for at least the duration of the job).

5.2 Quality of communication

The platform ensures that customers and platform operators respond promptly, respectfully, and substantively to work-related worker communications.

5.3 Contact with workers

Workers have the ability to contact each other.

6. Management

6.1 Management process

The management process should include clear guidelines on work provided to workers, and regular reviews of task instructions, ratings, and evaluations.

6.2 Rating and reviews

Ratings should only be given on a worker's direct job-related performance (for instance, a delivery driver should not be penalised for delivering poor quality food).

All ratings should be transparent to workers that are being rated.

6.3 Disciplinary practices

Disciplinary practices that are not harsh, abusive, or discriminatory.

6.4 Dispute resolution

Workers have the ability to contest work evaluations, qualifications, or disciplinary processes.

6.5 Account deactivation

Worker account deactivations are reviewed by a human platform representative.

Workers may contest deactivation and have the contestation reviewed by a human platform employee.

7. Governance

7.1 Transparency

The processes by which key decisions that shape worker livelihoods are made, are made clearly communicated to workers.

7.2 Accountability

There is a line of accountability with a human platform representative for the governance of platforms

8. Use of Data

8.1 Data protection and privacy

The processes of data collection are transparent and respect workers privacy.

The private social media accounts of workers should not be used by platforms or clients.

8.2 Collection of data

All collected data relating to workers has a clear purpose. No data is collected without any explicit purpose. All data is held securely.

There should be safeguards for the collection of data on the platform.

8.3 Use of data

Workers should be able to export all data collected about them.

Workers should be able to export a summary of activities to either transform to other platforms or to use in lieu of a CV.

8.4 Access to (and influence over) own data

Workers have the right to be forgotten if they leave the platform.

8.5 Consent.

Workers have the right to know which data are collected about them.

Explicit informed consent and the right to opt out should apply to all data.

9. Representation

9.1 Worker voice

Workers have the right to be heard by a platform representative.

Workers should be given information about how to lodge complaints, should receive a timely response, and should have access to a dispute resolution process (with an independent arbitrator). If the company has a works council, representatives should be able to engage (whether employees or not).

9.2 Freedom of association

The platform observes the International Labour Organisation (ILO) right to free association. This right is not linked to worker status, but is rather a universal right.

9.3 Collective representation

The platform accepts the collective representation of workers (regardless of classification) and is prepared to officially recognise representatives.

9.4 Collective bargaining

The platform observes the ILO right to collective bargaining, not linked to worker status, but a universal right.