

► Questionnaire

As noted in the introduction to this report, at its 347th Session (March 2023) the ILO Governing Body decided to place on the agenda of the 113th Session (June 2025) of the International Labour Conference a standard-setting item on decent work in the platform economy (double discussion).¹

Governments are requested to provide their views on the form, scope and content of the future standards by responding to this questionnaire, after consultation with the most representative organizations of employers and workers. Reasons should be given for their replies and the organizations consulted should be indicated. Governments are also reminded of the importance of ensuring that all relevant departments or ministries that have oversight or other functions connected to the platform economy are involved in responding to this questionnaire.

In order for the Office to take account of the replies to this questionnaire, governments are requested to submit their replies to the Office no later than 31 August 2024.

The questionnaire includes four possibilities for the type of instrument or instruments that could be adopted: a Convention; a Recommendation; a Convention supplemented by a Recommendation; or a Convention comprising provisions that would be mandatory and provisions that would provide guidance.

The questions are divided into thematic areas. Each thematic area includes both questions related to provisions that could be considered to be mandatory and questions related to provisions that could be considered to provide guidance. The provisions that could be considered mandatory would reflect principles, rights and obligations that are applicable to all digital platform workers as they address core aspects of decent work in the platform economy. The provisions that could be considered to provide guidance would deal with specific details of the implementation of the principles, rights and obligations, or aspects that are either not yet ripe for mandatory norms or more suitably addressed under non-mandatory norms. Governments are therefore invited to comment not only on the content of the possible provisions but also on whether they should be mandatory or provide guidance.

The structure of the questionnaire in no way limits the right of the International Labour Conference to decide on the most appropriate form of the instrument or instruments.

Furthermore, the questionnaire seeks constituents' views on whether the instrument or instruments should include a simplified and accelerated procedure for amending specific provisions in order to ensure their continued relevance in the light of technological, regulatory or operational developments impacting on work on or through digital labour platforms. Should there be support, the Office would prepare, ahead of the first discussion by the Conference, more detailed information on the possible design of an amendment procedure for this purpose.

Respondents are encouraged, where possible, to complete the questionnaire in electronic format and to submit replies to platformeconomy@ilo.org. Respondents may also submit their replies in hard copy to the Conditions of Work and Equality Department (WORKQUALITY) at the International Labour Office in Geneva.

¹ GB.347/PV(Rev.), para. 876.

I. Form of the international instrument or instruments

1. Should the International Labour Conference adopt an instrument or instruments concerning decent work in the platform economy?

Yes No

Comments

Click or tap here to enter text.

2. If so, should the instrument or instruments take the form of:

(a) a Convention?

(b) a Recommendation?

(c) a Convention supplemented by a Recommendation?

(d) a Convention comprising mandatory provisions and provisions providing guidance?

Comments

A recommendation could be an effective instrument to promote the work at the national level to ensure decent working conditions for platform workers. In our view, the use of online platforms and platform work should, rather than constituting a separate sector of the labour market, be regarded as a specific way of organising any type of work of any sector. A recommendation on platform worker should lay down general guiding provisions with a wide scope of application. Challenges relating to platform work varies among regions and countries, making it difficult to find common solutions at a detailed level. A too detailed instrument could lead to counterproductive and unpredictable results.

II. Preamble

3. Should the Preamble of the instrument or instruments recognize that the growth of the platform economy, including the expansion of digital labour platforms, has increased opportunities for job creation and work-related income and for enterprise and business development, while noting at the same time that it is significantly transforming the way work is organized and performed, with challenges for achieving decent work in the platform economy?

Yes No

Comments

However, there is very limited data available on the added value created by the use of online platforms.

4. Should the Preamble of the instrument or instruments recall that international labour Conventions and Recommendations apply to all workers, including digital platform workers, unless otherwise provided?

Yes No

Comments

Click or tap here to enter text.

5. Should the Preamble of the instrument or instruments underline that the specificities of work on or through digital labour platforms make it desirable to supplement the general standards by standards specific to digital platform workers, to enable them to fully enjoy their rights and to promote fair competition?

Yes No

Comments

Platform workers who have employment contracts are covered by general labour law. There is no need for supplements specific to such platform workers if the only aim is to clarify that they enjoy the same rights as employees in general.

6. Should the Preamble of the instrument or instruments acknowledge the significance of the implications on working conditions of the use of algorithms for organizing, supervising and evaluating work on or through digital labour platforms?

Yes No

Comments

Please, see comment to question 5.

7. Should other considerations be included in the Preamble of the instrument or instruments?

Yes No

Please specify

Click or tap here to enter text.

III. Definitions

8. For the purposes of the instrument or instruments, should the term “digital labour platform” mean a natural or legal person that provides, through digital tools such as a website or an application, a service involving the performance of work by a person for remuneration, irrespective of whether that work is performed online (online digital labour platforms) or in a specific geographic location (location-based digital labour platforms)?

Yes No

Comments

Click or tap here to enter text.

9. For the purposes of the instrument or instruments, should the term “intermediary” mean a natural or legal person that provides access to work on or through a digital labour platform, by subcontracting or otherwise?

Yes No

Comments

Click or tap here to enter text.

10. For the purposes of the instrument or instruments, should the term “digital platform worker” mean a person who is employed or engaged to work on or through a digital labour platform,² regardless of their employment status or whether they work formally or informally?

Yes No

Comments

The employment status should be decided according to national law and practices.

11. For the purposes of the instrument or instruments, should the term “remuneration” mean the financial compensation payable to a digital platform worker, regardless of their employment status, in exchange for the work they perform on or through a digital labour platform?

Yes No

Comments

Remuneration should be decided according to national law and practices

12. For the purposes of the instrument or instruments, should the term “hours of work” mean the time during which digital platform workers are at the disposal of a digital labour platform, including when they are waiting for work assignments?

Yes No

Comments

Regulated according to national law and practices.

13. Should any other terms be defined by the instrument or instruments? If yes, please provide particulars?

Yes No

Comments

Click or tap here to enter text.

IV. Purpose and scope

14. Should the instrument or instruments apply to:

(a) all digital labour platforms?

Yes No

(b) all digital platform workers?

Yes No

² Work on or through a digital labour platform covers a wide array of activities performed with the use of a digital intermediating tool such as a website or an application. It includes for instance work through ride-sharing applications and work on microtask platforms. The intermediating role of technology serves to differentiate it from other kinds of work undertaken by individuals for digital labour platforms, such as clerical work.

Comments

The instrument should not apply to platform workers who are genuinely self-employed.

15. Should the instrument or instruments provide that, where special problems of a substantial nature arise, each Member may, at the time of ratification and following consultation with representative employers' and workers' organizations and, where they exist, organizations representing digital labour platforms and digital platform workers, exclude from the application of all or part of their provisions:

(a) limited categories of digital labour platforms?

Yes No

(b) limited categories of digital platform workers?

Yes No

Comments

The ILO should limit the required consultation to the tripartite system and only include representative employers' and workers' organizations in its instruments. The answer therefore is NO.

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

16. Should the instrument or instruments provide that each Member should take measures to ensure that, in implementing their provisions, digital platform workers in an employment relationship enjoy protection no less favourable than that enjoyed by workers in an employment relationship generally?

Yes No

Comments

Click or tap here to enter text.

V. Substantive content of the instrument or instruments**A. Fundamental principles and rights at work****Mandatory**

17. Should the instrument or instruments underline that each Member should take measures to ensure that digital platform workers enjoy the fundamental principles and rights at work, namely:

(a) freedom of association and the effective recognition of the right to collective bargaining;

Yes No

(b) the elimination of all forms of forced or compulsory labour;

Yes No

(c) the effective abolition of child labour;

Yes No

(d) the elimination of discrimination in respect of employment and occupation;

Yes No

(e) a safe and healthy working environment?

Yes No

Comments

Platform workers who have employment contracts are covered by general labour law and enjoy the same rights as employees in general. It is important that an ILO instrument does not implicitly suggest the opposite by specifically targeting platform workers in relation to the principles and rights in Chapter V of this survey.

B. Occupational safety and health

Mandatory

18. Should the instrument or instruments provide that each Member should require digital labour platforms to take appropriate steps commensurate with their degree of control to prevent accidents and injury to health arising out of, linked with or occurring in the course of work, by assessing physical and psychosocial risks and taking the adequate preventive and control measures?

Yes No

Comments

Information, dialogue and participation on occupational safety and health related issues, such as risk management, must be developed between employers and workers representatives in accordance with national laws and practices, and should include all workers.

19. Should the instrument or instruments provide that each Member should take appropriate measures to ensure that:

(a) equipment used to perform work on or through digital labour platforms does not entail dangers for the safety and health of digital platform workers;

Yes No

(b) digital platform workers receive appropriate information and training in occupational safety and health;

Yes No

(c) digital platform workers have the right to remove themselves from a work situation which they believe presents an imminent and serious danger to their life or health;

Yes No

(d) digital platform workers report to a representative of the digital labour platform any situation in which they have reasonable justification to believe it presents an imminent and serious danger to their life or health;

Yes No

(e) adequate personal protective clothing and equipment, which are necessary when hazards cannot be otherwise reasonably prevented or controlled, are provided by the digital labour platform without any cost to the worker?

Yes No

Comments

Information, dialogue and participation on occupational safety and health related issues, such as risk management, must be developed between employers and workers representatives in accordance with national laws and practices, and should include all workers.

20. Should the instrument or instruments provide that, in the course of performing their work, digital platform workers should comply with the prescribed occupational safety and health measures and cooperate in the fulfilment by digital labour platforms of the occupational safety and health obligations placed upon them?

Yes No

Comments

Information, dialogue and participation on occupational safety and health related issues, such as risk management, must be developed between employers and workers representatives in accordance with national laws and practices, and should include all workers.

21. Should the instrument or instruments provide that, when the protection of digital platform workers in case of employment injury is not ensured through existing social security schemes, each Member should require digital labour platforms to extend such protection to the digital platform workers they employ or engage?

Yes No

Comments

Digital platform workers should be included in the national protection schemes against employment injuries.

Guidance

22. Should the instrument or instruments provide that Members should encourage digital labour platforms to provide digital platform workers, as appropriate to the nature of work performed, with access to sanitary facilities and drinking water?

Yes No

Comments

Click or tap here to enter text.

C. Violence and harassment

Mandatory

23. Should the instrument or instruments provide that each Member should take appropriate measures to effectively protect digital platform workers against violence and harassment in the world of work, including gender-based violence and harassment and, where appropriate, violence and harassment involving third parties such as clients and customers, including when perpetrated online, consistent with the right of everyone to a world of work free from violence and harassment, as recognized in the Violence and Harassment Convention, 2019 (No. 190)?

Yes No

Comments

Click or tap here to enter text.

D. Employment promotion

Mandatory

24. Should the instrument or instruments provide that each Member should make it an aim of national policy to promote the creation of decent jobs and encourage career and skills development in the platform economy, consistent with the goal of full, productive and freely chosen employment as set forth in the Employment Policy Convention, 1964 (No. 122)?

Yes No

Comments

Click or tap here to enter text.

Guidance

25. Should the instrument or instruments provide that Members should promote opportunities for further training and education for skills development and portable competencies for digital platform workers, in order for them to enjoy decent work, improve their employment prospects and respond to changing technology and labour market conditions?

Yes No

Comments

Not necessarily, Members responsibilities. Platform workers should be able to enjoy re-skilling and up-skilling as any other workers, according to national law and practice.

26. Should the instrument or instruments provide that Members should promote measures to reduce barriers for disadvantaged groups to work on or through digital labour platforms?

Yes No

Comments

If Members should reduce barriers it should be on the whole labour market and not only on digital labour platforms.

E. The employment relationship

Mandatory

27. Should the instrument or instruments provide that each Member should take measures to ensure the adequate classification of digital platform workers in relation to the existence of an employment relationship, based on the primacy-of-facts principle as set out in the Employment Relationship Recommendation, 2006 (No. 198), taking into account the specificities of work on or through digital labour platforms?³

Yes No

Comments

The employment status should be decided according to national law and practices.

28. Should the instrument or instruments provide that the measures adopted by Members concerning the determination of the existence of an employment relationship should not interfere with true civil and commercial relationships, while at the same time ensuring that digital platform workers in an employment relationship have the protection they are due?

Yes No

Comments

[Click or tap here to enter text.](#)

Guidance

29. Should the instrument or instruments provide that Members should review at appropriate intervals and, if necessary, clarify and adapt the scope of relevant laws and regulations, in order to ensure the adequate classification of digital platform workers in relation to the employment relationship in the changing world of work?

Yes No

Comments

F. The use of intermediaries

Mandatory

30. Should the instrument or instruments provide that each Member should take measures to ensure that, where the use of intermediaries is permitted, their activities should be adequately regulated, and the respective responsibilities of digital labour platforms and intermediaries, including in respect of occupational safety and health, and the payment of remuneration and social security contributions, should be determined and allocated in accordance with national law and practice?

Yes No

³ The primacy-of-facts principle is expressed in Paragraph 9 of Recommendation No. 198, which provides that the determination of an employment relationship "should be guided primarily by the facts relating to the performance of work and the remuneration of the worker, notwithstanding how the relationship is characterized in any contrary arrangement, contractual or otherwise, that may have been agreed between the parties."

Comments

G. Remuneration and working time

Mandatory

31. Should the instrument or instruments provide that each Member should take measures to ensure that the remuneration payable to digital platform workers is:

(a) adequate and includes, as appropriate, fair piece rates;

Yes No

(b) paid regularly, in legal tender and in full, in accordance with contractual obligations, national laws, regulations and collective agreements, and not unduly withheld?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

32. Should the instrument or instruments provide that, in assessing compliance with applicable laws, regulations or collective agreements on the amount of remuneration, the following should not be considered part of the remuneration payable to the digital platform worker:

(a) any expenses or other costs necessary to carry out their work;

Yes No

(b) tips and other gratuities?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

33. Should the instrument or instruments provide that each Member should provide that digital labour platforms should only be permitted to make deductions from digital platform workers' remuneration under conditions and to the extent prescribed by national laws or regulations or

fixed by collective agreement, and should be prohibited from charging any fees or costs, directly or indirectly, in whole or in part, to digital platform workers?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

34. Should the instrument or instruments provide that each Member should require digital labour platforms to regularly provide digital platform workers with accurate and easily understandable information on their remuneration and any deductions made?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

35. Should the instrument or instruments provide that each Member should take measures to ensure, in accordance with national laws, regulations or collective agreements, adequate protection of digital platform workers in relation to:

(a) hours of work;

Yes No

(b) rest breaks;

Yes No

(c) daily and weekly rest?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

Guidance

36. Should the instrument or instruments provide that Members should take measures to ensure that the remuneration payable to digital platform workers is at least equivalent to the statutory or negotiated minimum wage, calculated according to the same method, that is applicable to workers in a comparable situation, where it exists?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

37. Should the instrument or instruments provide that Members should establish guidance on the payment of tips and other gratuities to ensure that they are received by digital platform workers?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

38. Should the instrument or instruments provide that Members should establish a method to determine the remuneration payable to digital platform workers for periods of time during which they are at the disposal of the platform and waiting for work assignments?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practices, in Sweden that means regulated in both semi-mandatory legislation and collective agreements.

39. Should the instrument or instruments provide that Members should take measures to enable digital platform workers to decline a work assignment or to disconnect from a digital labour platform when they are not available for work, without retaliation?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details can be counterproductive and should be avoided.

How the issues in section G are regulated in substance is a national matter and should therefore be done in accordance with national law and practice, in Sweden that means regulated in both semi-mandatory legislation and, preferably, for regulation in collective agreements by national social partners.

H. Impact of the use of algorithms on working conditions

Mandatory

40. Should the instrument or instruments provide that each Member should require digital labour platforms to inform digital platform workers, before they are employed or engaged, and their representatives or representative workers' organizations and, where they exist, organizations representing digital platform workers, about the use of algorithms to organize, supervise and evaluate work, and the extent to which this use affects the working conditions of digital platform workers?

Yes No

Comments

Although algorithmic work management is a central component of the platform economy, it is by no means limited to it. It is important that the ILO instrument does not implicitly make the use of algorithms on working conditions something that only applies to the platform economy.

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

41. Should the instrument or instruments provide that each Member should require digital labour platforms to ensure that the use of algorithms:

(a) does not result in any direct or indirect discrimination, including in respect of access to work on or through digital labour platforms and the setting of remuneration;

Yes No

(b) does not have harmful effects on the safety and health of digital platform workers, including risks of work-related accidents and psychosocial risks?

Yes No

Comments

Although algorithmic work management is a central component of the platform economy, it is by no means limited to it. It is important that the ILO instrument does not implicitly make the use of algorithms on working conditions something that only applies to the platform economy.

42. Should the instrument or instruments provide that each Member should ensure that digital platform workers have effective access, without undue delay, to a human review of any decision generated by an algorithm that impacts their working conditions, in particular when it results in the suspension or deactivation of their account, or termination of their work relationship?
- Yes No

Comments

Although algorithmic work management is a central component of the platform economy, it is by no means limited to it. It is important that the ILO instrument does not implicitly make the use of algorithms on working conditions something that only applies to the platform economy.

Guidance

43. Should the instrument or instruments provide that when the impact of the use of algorithms on working conditions of digital platform workers is not covered by a collective agreement, such use should be the subject of prior authorization by the competent authority?
- Yes No

Comments

Although algorithmic work management is a central component of the platform economy, it is by no means limited to it. It is important that the ILO instrument does not implicitly make the use of algorithms on working conditions something that only applies to the platform economy.

44. Should the instrument or instruments provide that Members should encourage digital labour platforms to ensure regular monitoring and evaluation of the impact of the use of algorithms on digital platform workers' working conditions, and the application of any necessary corrective measures, in collaboration with digital platform workers' representatives or representative workers' organizations and, where they exist, organizations representing digital platform workers?
- Yes No

Comments

Although algorithmic work management is a central component of the platform economy, it is by no means limited to it. It is important that the ILO instrument does not implicitly make the use of algorithms on working conditions something that only applies to the platform economy.

There is a risk with this recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

45. Should the instrument or instruments emphasize the importance of addressing at least the following elements in any information, collective agreement or prior authorization, as referred to in questions 40 and 44:
- (a) the main parameters taken into account in the operation of algorithms that have implications for working conditions, and their relative importance;

Yes No

(b) the extent of human intervention, if any, in the decision-making process;

Yes No

(c) any subsequent change made to (a) or (b)?

Yes No

Comments

Although algorithmic work management is a central component of the platform economy, it is by no means limited to it. It is important that the ILO instrument does not implicitly make the use of algorithms on working conditions something that only applies to the platform economy.

I. Protection of digital platform workers' personal data

Mandatory

46. Should the instrument or instruments provide that each Member should establish effective and appropriate safeguards concerning the collection, storage, use, processing and communication of digital platform workers' personal data?

Yes No

Comments

[Click or tap here to enter text.](#)

47. Should the instrument or instruments provide that each Member should require digital labour platforms to ensure that digital platform workers' personal data are collected, processed and used only to the extent strictly necessary for the proper performance of the work relationship or as required by national law, and to prohibit, in particular, the collection, processing and use of personal data:

(a) relating to private conversations, including exchanges with workers' representatives;

Yes No

(b) concerning membership of workers' organizations or participation in their activities;

Yes No

(c) obtained when the digital platform worker is not connected to a digital labour platform for the purpose of performing work;

Yes No

(d) concerning physical and mental health and other sensitive data as determined in accordance with international labour standards and other relevant national and international instruments?

Yes No

Comments

A Swedish employer must be able to collect, use and process personal data concerning membership in a workers' organization in order to be able to fulfil obligations imposed by law or collective agreements. Digital labour platforms are covered by and should comply to general

regulations on data protection, such as the European Union General Data Protection Regulation (GDPR). There is no need for provisions specifically targeting digital labour platforms if the only aim is to clarify that they have the same obligations as employers in general.

Guidance

48. Should the instrument or instruments provide that, in establishing the safeguards referred to in question 46, Members should take into account relevant instruments of the International Labour Organization, such as the code of practice on the protection of workers' personal data, and other relevant national and international instruments on the protection of personal data and the right to privacy?

Yes No

Comments

Click or tap here to enter text.

49. Should the instrument or instruments provide that Members should establish policies relating to the portability of data that relate to the work of a digital platform worker, including ratings?

Yes No

Comments

Click or tap here to enter text.

J. Social security

Mandatory

50. Should the instrument or instruments provide that each Member should take measures to ensure that digital platform workers enjoy social security protection on terms not less favourable than those applicable to workers generally?

Yes No

Comments

In Sweden, platform workers who are employed, i.e. platform workers who are not genuinely self-employed, are covered by the social security system and are enjoying the same level of social protection as employees in general. It is important that an ILO instrument does not implicitly suggest the opposite by specifically targeting platform workers in relation to social security themes outlined in Chapter J of this survey.

Guidance

51. Should the instrument or instruments provide that Members should take measures to ensure that digital labour platforms and digital platform workers both participate in the financing of social security systems based on the principle of financial, fiscal and economic sustainability, with due regard to social justice and equity?

Yes No

Comments

In Sweden, platform workers who are employed, i.e. platform workers who are not genuinely self-employed, are covered by the social security system and are enjoying the same level of social protection as employees in general. It is important that an ILO instrument does not implicitly suggest the opposite by specifically targeting platform workers in relation to social security themes outlined in in Chapter J of this survey.

- 52.** Should the instrument or instruments provide that, where coverage of the national social security protection system is limited, Members should endeavour to progressively extend its scope so that it covers all digital platform workers in respect of the nine categories of benefits included in the Social Security (Minimum Standards) Convention, 1952 (No. 102)?⁴

Yes No

Comments

In Sweden, platform workers who are employed, i.e. platform workers who are not genuinely self-employed, are covered by the social security system and are enjoying the same level of social protection as employees in general. It is important that an ILO instrument does not implicitly suggest the opposite by specifically targeting platform workers in relation to social security themes outlined in in Chapter J of this survey.

- 53.** Should the instrument or instruments provide that Members should endeavour to take steps for the maintenance or portability of social security rights in the course of acquisition and acquired rights of digital platform workers when they are successively subject to different social security schemes in different Member States or within the same Member State?

Yes No

Comments

In Sweden, platform workers who are employed, i.e. platform workers who are not genuinely self-employed, are covered by the social security system and are enjoying the same level of social protection as employees in general. It is important that an ILO instrument does not implicitly suggest the opposite by specifically targeting platform workers in relation to social security themes outlined in in Chapter J of this survey.

K. Terms and conditions applying to digital platform workers

Mandatory

- 54.** Should the instrument or instruments provide that the terms and conditions of digital platform workers should be governed by the law of the country where the work is performed?

Yes No

⁴ See Parts II–X of Convention No. 102: medical care, sickness benefits, unemployment benefits, old-age benefits, employment injury benefits, family benefits, maternity benefits, invalidity benefits and survivors' benefits.

Comments

Click or tap here to enter text.

55. Should the instrument or instruments provide that each Member should take measures to ensure that digital platform workers are informed of their terms and conditions of work in an appropriate, verifiable and easily understandable manner, where possible through written contracts, in accordance with national laws, regulations or collective agreements?

Yes No

Comments

Platform workers who are employed are covered by general labour law and already enjoy, in the capacity of employees, many of the rights referred to in this section.

Guidance

56. Should the instrument or instruments provide that Members should require that contracts between digital platform workers and digital labour platforms contain at a minimum:

(a) the identity and contact details of the contracting parties;

Yes No

(b) the tasks that the digital platform worker is expected to perform;

Yes No

(c) information about the impact of the use of algorithms on working conditions, as referred to in question 40;

Yes No

(d) information about the grounds on which a digital platform worker's account may be suspended or deactivated, or the work relationship terminated;

Yes No

(e) information about the method to determine the remuneration payable to the digital platform worker, and possible deductions if any;

Yes No

(f) periods, if any, during which the digital platform worker is expected to be at the disposal of the digital labour platform for work assignments?

Yes No

Comments

If it is a recommendation, it is important that it applies as widely as possible. However, too many details – as in this case – can be counterproductive and should be avoided.

L. Protection of migrants and refugees

Mandatory

57. Should the instrument or instruments provide that each Member should take all necessary and appropriate measures to prevent abuses of, and provide adequate protection to, migrants and refugees in the course of their recruitment or their work as digital platform workers?

Yes No

Comments

[Click or tap here to enter text.](#)

Guidance

58. Should the instrument or instruments provide that Members should ensure that free public information services are provided to ensure that migrants and refugees are aware of relevant laws and regulations relating to working on or through digital labour platforms, including dispute settlement mechanisms and legal remedies as referred to in questions 65–67?

Yes No

Comments

This is the obligation of social partners and should be put in place according to national law and practices.

M. Freedom of association, social dialogue and the role of employers' and workers' organizations

Mandatory

59. Should the instrument or instruments provide that each Member should take all necessary measures to ensure that digital labour platforms and digital platform workers effectively enjoy freedom of association and the right to collective bargaining, including the right to establish and, subject only to the rules of the organization concerned, to join organizations of their own choosing without previous authorization?

Yes No

Comments

This (among other things, the fundamental principles and rights in ILO Conventions 87 and 98) already apply to digital platform workers. Is there really a need to regulate it specifically?

Guidance

60. Should the instrument or instruments provide that Members should create an enabling environment for digital labour platforms and digital platform workers to exercise their right to organize and bargain collectively and to participate in social dialogue, including at the cross-border level?

Yes No

Comments

Fundamental principles and rights apply to all workers, so there is no need to specify the right to organize and collective bargaining.

61. Should the instrument or instruments provide that Members should take or support measures to strengthen the capacity of representative employers' and workers' organizations and, where they exist, organizations representing digital labour platforms and digital platform workers, to effectively further and defend the interests of their members in relation to work on or through digital labour platforms?

Yes No

Comments

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

62. Should the instrument or instruments encourage employers' and workers' organizations to extend membership and services to digital platforms and digital platform workers, respectively?

Yes No

Comments

It is of extreme importance that free, democratic and independent trade unions not be encouraged/persuaded/forced by the state or anyone else to impose rules concerning the trade unions' internal affairs. Internal matters have to be decided by each independent organization on its own and in accordance with its constitution.

63. Should the instrument or instruments provide that Members should take measures to ensure that digital labour platforms make available to representative workers' organizations and, where they exist, organizations representing digital platform workers, all information necessary for meaningful negotiations?

Yes No

Comments

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

N. Suspension, deactivation and termination

Mandatory

64. Should the instrument or instruments provide that each Member should take measures to prohibit the suspension or deactivation of a digital platform worker's account, or the termination of their work relationship with a digital labour platform, when it is based on discriminatory, arbitrary or otherwise unjustified grounds?

Yes No

Comments

Click or tap here to enter text.

O. Dispute resolution

Mandatory

65. Should the instrument or instruments provide that each Member should take measures to ensure that digital platform workers have easy access to appropriate and effective legal remedies, and safe, fair and effective dispute resolution mechanisms?

Yes No

Comments

Doesn't this apply to all workers, including digital platform workers? Is it appropriate/reasonable to regulate for one group in the labour market specifically? Avoid special regulations for specific business models.

Guidance

66. Should the instrument or instruments provide that Members should take measures to ensure that digital platform workers have access to dispute resolution mechanisms in the territory in which the digital platform worker resides or carries out work on or through a digital labour platform, regardless of where the platform is established?

Yes No

Comments

Click or tap here to enter text.

67. Should the instrument or instruments provide that Members, when taking measures regarding legal remedies and dispute resolution mechanisms, should consider the particular situation of migrants and refugees, including recognition of the right to stay lawfully in the territory to pursue their claim after their work relationship has ended?

Yes No

Comments

Click or tap here to enter text.

P. Compliance and enforcement

Mandatory

68. Should the instrument or instruments provide that each Member should put in place mechanisms to ensure compliance with and enforcement of relevant national laws, regulations and collective agreements, having regard to the special characteristics of work on or through digital labour platforms?

Yes No

Comments

Doesn't this already apply to all workers, including digital platform workers? Is it appropriate/reasonable to regulate for one group in the labour market specifically? Avoid special regulations for specific business models.

69. Should the instrument or instruments provide that, in order to ensure compliance, each Member should determine the conditions governing the operation of digital labour platforms through a system of licensing or certification or other form of regulation, including reporting obligations?

Yes No

Comments

It can be necessary with a system of licensing or certification but it must be done according to national practices.

Guidance

70. Should the instrument or instruments provide that, when putting in place compliance mechanisms as referred to in question 68, Members should ensure respect for the right to privacy of digital platform workers?

Yes No

Comments

Doesn't this already apply to all workers, including digital platform workers? Is it appropriate/reasonable to regulate for one group in the labour market specifically? Avoid special regulations for specific business models.

71. Should the instrument or instruments provide that Members should ensure that measures are in place to facilitate the formalization of platform workers, tackle undeclared activities and promote fair competition, including by imposing reporting obligations on digital labour platforms?

Yes No

Comments

Click or tap here to enter text.

Q. Implementation

Mandatory

72. Should the instrument or instruments provide that each Member should implement their provisions in relation to digital labour platforms operating, and digital platform workers working, in their territory?

Yes No

Comments

Click or tap here to enter text.

73. Should the instrument or instruments provide that, in implementing their provisions, each Member should consult with, and promote active participation of, representative employers' and workers' organizations and, where they exist, organizations representing digital labour platforms and digital platform workers?

Yes No

Comments

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

74. Should the instrument or instruments provide that their provisions should be applied by means of laws or regulations, collective agreements, court decisions, a combination of these means, or in any other manner appropriate to national conditions and practice, including by extending or adapting existing measures, or by developing new measures to cover digital platform workers?

Yes No

Comments

Click or tap here to enter text.

Guidance

75. Should the instrument or instruments provide that Members should cooperate at bilateral, regional and international levels to ensure the effective implementation of their provisions, especially in matters concerning fundamental principles and rights at work, social security, dispute resolution and the regulation of the operation of digital labour platforms?

Yes No

Comments

Click or tap here to enter text.

76. Should the instrument or instruments provide that Members should raise awareness and provide information and guidance to digital labour platforms, digital platform workers and representative employers' and workers' organizations and, where they exist, organizations

representing digital labour platforms and digital platform workers, to support the effective implementation of their provisions?

Yes No

Comments

Not necessarily. It is primarily the social partners responsibility according already existing national law and practices.

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

77. Should the instrument or instruments provide that Members should establish appropriate mechanisms, including the collection of data and statistics, to monitor developments concerning work on or through digital labour platforms?

Yes No

Comments

Click or tap here to enter text.

R. Amendments

78. Should the instrument or instruments include a simplified and accelerated procedure for amending specific provisions in order to ensure their continued relevance in the light of technological, regulatory or operational developments impacting on work on or through digital labour platforms?

Yes No

Comments

Amendments should be done according to normal procedures with respect for the democratic process. If the instrument does not regulate technology in detail there will be no need for accelerated procedures for amendments.

VI. Other considerations

79. Are there unique features of national law or practice that are liable to create difficulties in the practical application of the instrument or instruments?

Yes No

Comments

It is needed to emphasize the model of social partners, in the context of national law and practice.

Maintaining and promoting our well-functioning model of social partners, which, through autonomy and semi-mandatory national legislation, gives social partners the ability to negotiate collective agreements well adapted to the needs and opportunities of different sectors, is of utmost importance.

There is a risk with certain recurring formulations, one of which concerns "other organizations representing workers." We want to emphasize that the model of social partners, which constitutes the foundation of ILO, namely employer organizations, worker organizations, and governments are the ones to be mentioned. Therefore, we see the need to clearly highlight and remind the ILO of this model in our response and demand that all references to other organizations to be removed from the survey.

80. (For federal States only) In the event of the instrument or instruments being adopted, would the subject matter be appropriate for federal action or, wholly or in part, for action by the constituent units of the federation?

Yes No

Comments

Click or tap here to enter text.

81. Are there any other pertinent issues not covered by the present questionnaire that ought to be considered when drafting the instrument or instruments?

Yes No

Comments

Click or tap here to enter text.