

Re-Governing Platform Mediated Work: Disrupting the Disruption to Provide Decent Work
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Platform owners and operators proudly don the mantle of disruptors, claiming to change fundamentally the way we do things, including the performance of work. Instead of the standard employment relation, based on a stable relationship between an employee and employer that is subject to protective labour and employment law, platform mediated work (PMW) purports to dissolve employment and recast workers as individual entrepreneurs who enter into short-term and episodic contracts with clients through the medium of the platform. These relationships are covered by commercial, not employment law. If this construction is accepted and given effect, the relationship between the platform worker and the platform essentially falls into the realm of what Elizabeth Anderson has described as “[private government](#)”, where workers are subordinated to and dominated by platforms (or clients). Disruption it is to be sure, but hardly of a kind to be celebrated. This poses the question of how to re-govern PMW to disrupt the disruption and provide [decent work](#).

The first goal of this Brief is to illuminate the phenomenon of PMW work from a political economy perspective, which understands platforms as capitalist enterprises created to generate profits for their owners and investors. Second, I explore how this structural feature has important implications for understanding the vulnerabilities of platform mediated workers. Third, I will consider some efforts by place-based and cloud-based workers to challenge the private government of platform mediated work. The last part will suggest some ways to re-govern PMW.

In an earlier article on the [political economy of PMW](#), I argued that while capitalism gives unprecedented impetus to developing the forces of production (including digital technologies and artificial intelligence) that could reduce the socially necessary labour time to reproduce our material existence, that emancipatory potential remains unrealized for most workers. This is because the drive for continuous and unlimited accumulation results in the labour process being designed to extract more value from each unit of labour input and because the bulk of the wealth that is produced flows to capital. As a result, worker subordination tends to deepen unless workers are able to organize and resist. There is now a large body of research on the quality of PMW that confirms the political economy prognosis.

PMW is varied but one important distinction is whether platform workers are providing local services to local clients (ground work), as in the case of food delivery, or whether they are working online for global clients (cloud work).

Beginning with the latter, studies show that cloud work draws on a global labour force that primarily performs low-skilled microwork at low pay. Algorithmic controls give platforms authority over workers by, for example, subjecting them to discipline if it detects a violation of the platform’s rules, which are often not transparent. Moreover, the platform is designed to promote platform dependency by workers, making exit costly. Finally, the platform does not provide meaningful channels for individual or collective worker voice. These elements produce a significant degree of platform worker subordination to the platform. Moreover, while platform

workers exercise a degree of [agency](#) with regard to clients (that may vary by skill level) clients exercise considerable discretion in determining whether they accept and pay for work that is performed, and workers have limited ability to challenge their decisions.

Ground work necessarily draws on local labour forces and to that extent limits the opportunity for platforms to engage in global labour arbitrage, limiting the extent of economic subordination. However, most ground work remains low-skill and low-paid; its main attraction is that it provides scheduling flexibility so that it can be slotted in with other forms of part-time and precarious work in which employers schedule hours of work. Algorithmic controls are also pervasive. One recent [study](#) identified six dimensions: restricting and recommending to direct workers; recording and rating to evaluate workers; and replacing and rewarding to discipline workers. And, as in cloud work, the lack of transparency exacerbates worker stress.

Platform workers have not passively accepted private government and its consequences and have sought ways to re-govern PMW through a combination of labour and political organizing. Needless to say, it has been a hard slog for both ground and cloud workers.

Ground workers in several jurisdictions, including Canada, have attempted to organize unions and bargain collectively with their platforms. To do so, they must first bring themselves within the boundaries of labour law, which covers both employees and ‘dependent contractors’ who perform work for compensation on such terms and conditions that put them in a position of economic dependence that more closely resembles the relationship of an employee than that of an independent contractor. [Foodora](#) workers in Ontario successfully organized in this way, only to have Foodora [withdraw](#) from the province in response.

Outside of the realm of collective bargaining, platform workers have also sought protection under minimum standards laws. While these claims have succeeded in [some jurisdictions](#), Canadian platform workers have not obtained a judgment to that effect.

Cloud workers face a very different and more difficult landscape. Cloud work platforms draw on a global workforce and client base, sharply reducing or eliminating the possibility of place-based organization. Legal or political strategies are also more difficult. Unlike ground work, in which platforms assume an interior role in the organization of work, making them liable to be found employers, cloud work platforms remain largely external to work organization and act as intermediaries between workers and clients. Therefore, cloud worker claims to employment status would almost certainly fail. As well, lobbying for political intervention is challenging since it is unclear whether any single government could regulate the relationship between the platform and its globally dispersed workforce. As a result, cloud worker organizing has largely been limited to information sharing. While this may assist cloud workers to navigate platforms and clients, it generates little countervailing power that could achieve platform re-governance.

Given the structural differences between platform mediated ground and cloud work, policy-makers might consider adopting a bifurcated re-governance strategy. While more research is required, we can identify some strategies to improve PMW ground work. These include: deeming or presuming workers to be employees and/or adopting [legal tests](#) that would make it easier for them to claim that status; [laws requiring transparency](#) in regard to algorithmic

management controls; protections against arbitrary suspensions or removals from the platform and [sectoral bargaining](#) that would establish industry-wide union representation and collective agreements. Re-governing cloud work is more challenging given its globalized work force and client base which makes it difficult for any single jurisdiction to effectively regulate, so we may to consider how to better support and strengthen cloud worker self-organization.