

ENGENDERING THE GIG ECONOMY IN INDIA

POLICY BRIEF

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In recent years, the advancements in the field of information and communication technology (ICTD) have further casualized the market with digitally driven platforms of work. While labour has been devalued through neoliberal economic restructuring, the 'sharing economy' defined by companies born from information technology platform have changed the landscape of labour. The result of this by-product of neo-liberalisation is that the speed, scope, and scale have changed considerably, with jobs lasting as little as few minutes. This new industry has exacerbated neoliberalism's industrial relations to the point where a new term, the 'Gig Economy', has arisen to describe that workers now have "gigs" instead of jobs (Zwick, 2018; Bracha and Burke, 2018; Yaraghi and Ravi, 2017). The sharing or the gig economy is largely an urban phenomenon; it is fast becoming a primary means through which urban residents access desired goods and services, transforming urban economies (Davidson and Infranca, 2016). In the neo-liberal framework, the gig economy has opened up new forms of work aided by technology – ability to earn well, built on the promise of 'flexibility' to choose ones work hours.

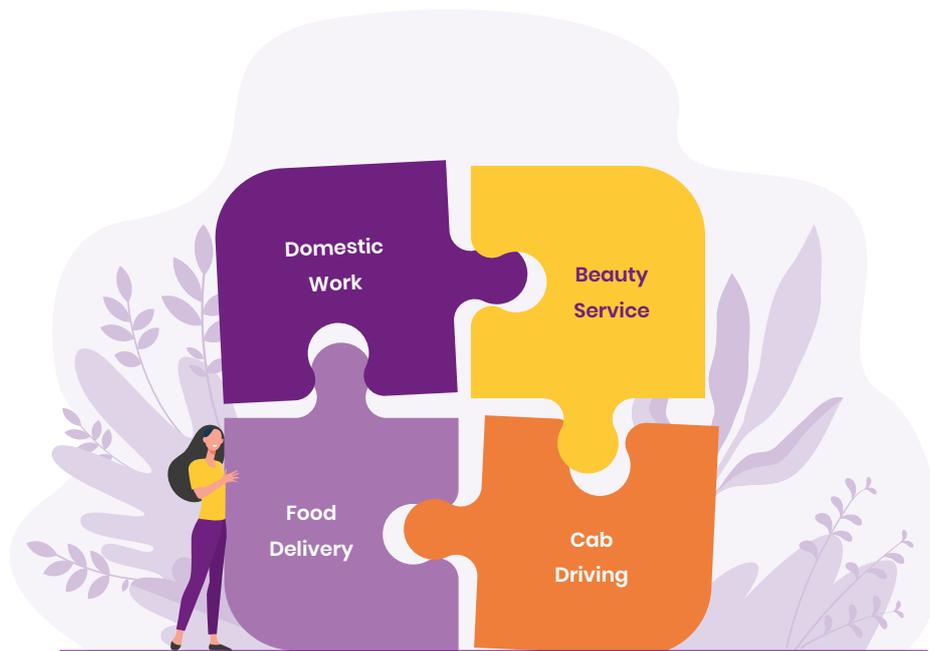
The gig economy has found exponential growth in India over the last decade. Some of the enabling factors for this growth are: constant supply of low-end workers from rural to urban centers owing to decline in agriculture, along with low barriers of entry into the platforms; proliferation of mobile with internet connectivity, increasing last mile access for platform workers to reach customers (India is the world's biggest two-wheeler market) and increasing supply of venture capital to support the market. (Fairwork India Report, 2020) The platform or gig economy has paved its way into the traditional labor market creating a pro-consumer work environment but with shrinking labour rights. The Bureau of Labor Statistics (2016) notes the existence and the growing trend of the gig workforce but finds that, under its current methods, it is incredibly difficult to count how many people are employed as gig workers. According to the NITI Aayog since 2014, aggregators such as Ola and Uber have created around one million and 2.2 million jobs. The latest data from Fairwork India 2020 Report estimates around 3.03 million platform workers and employees are employed across 11 most popular platforms in India. There is however, no gender disaggregated data for the same. As per the Employment Outlook Report HY 2018–2019 by Teamlease Services, there are around 68,000 women working, across roles in the delivery industry owing to lower attrition rates, better ratings for delivery women and improved productivity at warehouses. That's led to greater demand for women at delivery hubs and fulfillment centers.

Context of the Research

Given the paucity of literature on the gendered experiences of women gig workers globally, this study, "Exploratory research on Women workers in the Gig economy in India" aims to fill in the gaping hole. The study has taken a multidimensional approach to critically analyze women workers engagement with in the gig economy and particularly in the platform economy in India. The study looks at women workers in the four work sectors where they were found to be engaged in - domestic work, beauty work cab driving and food delivery in three urban cities of Delhi-NCR, Bengaluru and Mumbai. This report showcases their experiences of working in the gig economy and juxtaposes this with working in the informal economy in the country. The report has also explored a larger question of changing modalities of gig platforms in India in the context of its increasingly informalized economy, its gendered structures and practices and working conditions, juxtaposing these ideas with worker rights. The study takes a lens of gender and labour on a gig platform and explores this framework through various aspects of gig economy shaping up in India. For this purpose, in-depth interviews were conducted with a wide range of actors in the 'gig universe' - women workers, platform representatives, government officials and trade union members, across the four sectors. An in-depth literature review was also undertaken to illustrate and critically analyse the existing labour practices within the gig economy in India and globally and repercussions of the same on labour relationships in the gig and larger informal economy.

Mapping the Gig Economy in India

The study attempted to map the structure of the gig economy as it exists in the Indian market. While, the most popular model is the app-based 'Uber' model, but one also found that the gig economy in India is not one-size-fits-all. The study found a 'hybrid' model, alongside the 'on-demand' gig model, which borrows from both the traditional informal economy and the platform economy. While, freelancing model was preferred by most women workers, domestic workers, who were the most vulnerable group in this study, preferred a regular income model. Interestingly, in a hybrid model, those working as full time workers receive social security such as provident fund, health insurance and in some cases maternity benefits. The study also found that within these, NGO backed platforms extend social security benefits and allow women flexibility in terms of timings to manage their care responsibilities. There was also evidence of innovative strategies adopted by women-centric companies in skilling and retaining women in the workforce.

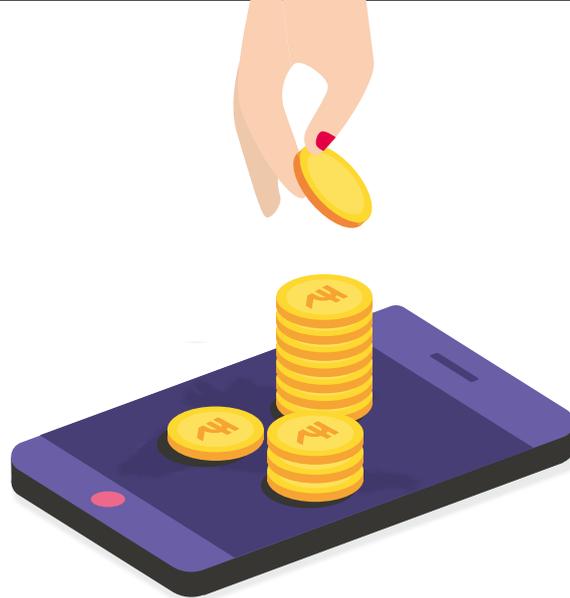


Gig and Hybrid Models

The study finds that in major cities of India, the emergence of gig platforms have been grounded on the pre-existing traditional market norms and structures, with an amalgamation of features from gig economy. The study refers to such platform as Hybrid, given its hybrid nature in assimilating and transforming features from traditional, informal and gig economy into unique sets of models. Gig model platforms such as Uber, Zomato, Urban Company are application-based platforms which denominates the workers as independent contractors with commission-based payments for a specific task. They have flexibility at the core with parallel controlling measures such as rating and penalties along with features such as ease of entry/exit, low asset requirement, higher job risk and seemingly more ability to earn. Hybrid models are built on these features and borrow from traditional and informal sectors. These included features such as bonded contracts and full-time salaried employment. The study came across the hybrid models mainly in beauty and cab service. Interestingly, domestic work continued to be largely unorganized even in the platform economy. It is pertinent to note that women centric platforms under hybrid models take into account the historical and cultural barriers for women's entry into work. Hence, provision of safety measures, greater sensitivity towards workers' care responsibilities and conversations around sexual health is more visible in hybrid models than in gig. Alternatively, the gender inequality in the traditional sector also transcended into the platform economy, replicating the gender based discriminatory practices.

Work Conditions

- The business model of digital platforms is dependent on the idea of worker fungibility, whereby the individual workers are considered easily interchangeable and easily dispensable
- In spite of the claim of 'flexibility' in the gig economy, women in the beauty work, cab service and delivery workers were found to be working for long hours in order to earn incentives and increase their earning capacities.
- Women's work-place problems were not new, but enhanced by technology. For example, in some domestic worker platforms, the employers continue to have the power to select or reject a worker based on their characteristics such as age, gender, caste and religion. Technology continues to maintain the status quo as seen in the traditional form of domestic work.
- A minimum of two leaves per month was the standard for domestic workers, although some domestic workers were able to negotiate for four leaves in a month. The beauty workers and the cab drivers were also allowed one leave per week, any day except Friday and weekends owing to high demand for beauty services.
- Every single task assigned on the platform economy, has the potential of inviting either an incentive or a penalty, keeping the workers under continued stress and control. Most popular form on incentives includes form of monetary benefits for desirable results and compliance. On the flip side, the penalties, a mechanism to discipline workers and maintaining standard, took the form of wage cuts for not complying with various rules set by the digital platform. These rules pertained to punctuality, uninformed leaves, customer rating falling below a certain level set by the platform, refusal to accept a booking or task, incomplete tasks or non-completion of minimum number of daily bookings.
- High commissions levied by some of the platforms which average around 20-30% eat in to a sizable chunk of the workers earnings – a grievance point for various labour unions against aggregators.
- Women's care responsibilities push many women to take platform work especially in beauty work as it provides them to choose their work hours for some extent. However, owing to these care responsibilities, many women workers are unable to work for enough hours which may cost them their incentives and ability to earn equal to their male counterparts
- While in some of the platforms, one found contracts between the worker and the employer, in many instances, women workers, especially the most vulnerable such as domestic workers did not understand the importance of the contracts and did not know the content of the same.
- Safety of the women workers is of utmost concern for the workers and their choice of working hours, pattern of selecting gig etc. We found women led companies and platforms are more proactive in ensuring safe working spaces as compared to popular platforms. However, owing to the culture of silence, women most often choose not to complain about smaller incidences of sexual harassment which they may face during their work hours. Safety concerns also impact women's ability to earn.
- Public infrastructure has also come across as a major predicament for women workers who have to be on the move to complete their gigs. Access to something as basic as safe and hygienic toilets was a major struggle for women workers especially in the cab driving and food delivery sector.



Skill Development

- Within the beauty industry, skills and salaries are intrinsically linked and hence companies and platforms invest much in training of beauty workers.
- There is special emphasis on soft skills for women across three sectors of beauty work, cab driving and domestic work; mainly focusing on professionalism, conduct and appearance.
- Access to quality of skill training is also based on person's class and ability pay for professional courses
- The Ministry of Skill Development and Entrepreneurship has been increasingly involved in providing training for domestic workers under the category of 'Recognition of Prior Learning' with an aim to certify domestic work who have been in the sector for many years with no recognition of their work or skills. These trainings have been mainly provided to domestic workers who are attached to domestic workers unions and groups. Placement of these certified domestic workers continues to be a challenge though certification boosts confidence of these women and helps them in negotiating better wages for themselves.
- The Covid-19 pandemic has impacted women's limited ability to access skill training and up gradation. The online mode of skill training would be available to very few women owing to the vast digital divide that exists in the country.



Collectivization

- Unionizing platform workers and bringing them together was a challenge because of workers invisibilities behind these applications, further limiting their bargaining power.
- Collectivization was observed primarily in sectors dominated by men such as cab driving and food delivery. Though, women were sometimes excluded from these groups pretext of their gender, the burden of care responsibilities also kept them out of such groups. In domestic work and beauty work sectors there were negligible unionizing and a complete absence of union specific to platform workers.
- Association to a union was beneficial for women workers in terms of empowerment and safety. Such groups acted as a source of information and supported in times of threat or conflict by the platform or the client.
- Under hybrid model platforms, informal spaces like WhatsApp were important source of communicating grievances and challenges in absence of any formal collectivization.



Social Security

- With the status of an independent contractor, the gig workers lack the opportunity of availing the social benefits. However, the women workers entered these platforms for their promise of flexibility (and hence balancing paid-unpaid work) and a parallel lack of job opportunity in the traditional market.



- Gig platforms such as Urban Company, Zomato and Uber offer accidental insurance, though workers reported inefficiency of these benefits and inability of availing these especially in case of minor accidents.
- In a hybrid model especially in women centric platforms, those working as full-time workers received social security such as provident fund, health insurance and in some cases maternity benefits. Though for gig workers in gig as well as hybrid models, social benefits were not provided looking at their short-term engagement and precariousness of their commitment to the company.

Regulation

- Gig workers as a separate category of workers was recognized for the first time in the Code for Social Security 2020.
- With the introduction of Code on Social Security, 2020, platform workers are eligible for certain benefits like maternity leaves, life and disability cover, old age protection, provident fund, employment injury benefits, and more. However, given the various terms and conditions attached to eligibility to these government schemes, there is no guarantee of actual access to these schemes.
- The definitional overlaps of gig workers as self-employed, independent workers and/or unorganized workers (but not employees), along with the ability to work across multiple platforms for gig further complicates the categorization and registration mechanism for these workers.
- Overlapping of worker identity also contributes a gig worker's ability to access social security as per the new Code; eg. Domestic workers are not covered under the Social Security Code, while many part-time domestic workers may take up gig work on domestic work platforms. Thus, one finds that more clarity is needed as to how this section will be registered under the new Code.
- Gig workers are not included in the purview of the Sexual Harassment at Workplace. Owing to their status as 'independent contractors' and the elusiveness of 'workplace' and 'employer', keeps this section of the workers out of the purview of the sexual harassment law.
- While some women oriented companies and platforms provide information of the sexual harassment law, however, the information is limited and most workers were unaware of the redressal mechanism available to them in such cases. Most popular apps also do not attach much importance to the issue of sexual harassment at the workplace for gig workers and only touch upon the subject in brief.



Recommendations

- Need for a comprehensive mapping of the gig economy from a gender lens to understand the various models that exist and the implication of the same for women workers
- Gender disaggregated data is required to understand the scope and size of the gig/platform economy. As such, companies should make available their data and worker profile.

Working conditions

- Earning and wage should be calculated based on the living wage
- Contracts must be provided in local language and in an easy to understand format
- The culture of 'rating' needs to be revisited as this is subjective in nature and often not reflective of the service provider. Workers should not be penalized or deprived of earning owing to bad ratings.
- Ensure safety for women workers in the gig economy. Companies and platforms must provide adequate training and information about women's safety and sexual harassment at workplace. The training must be provided to all workers, irrespective of their gender.
- Companies and platforms need to work with civic authorities to provide for better public amenities such as toilets, lighting, crèches, etc. to ensure their safety and help women to work for longer duration and enhance their earning capacities
- Understand that women and men workers have different responsibilities and hence a one-size fits all policy would not work for women workers. Platforms and companies must bring in innovative strategies to involve and retain women in the workforce. Some methods would include reaching out to their families, respecting their 'care timings', incentives linked to 'shorter but more profitable' hours, ensuring safety at the workplace by having a strict no-tolerance sexual harassment policy, etc.

Skill development

- Enhance the quality of skill development to industry standards, especially the subsidized government skilling programs which will allow more women from vulnerable communities to participate and compete more equitably in this new economy.
- Develop 'gender just' curriculum for skill development, thereby moving beyond only imparting skills, e.g., helping women develop negotiation skills with clients, employers, family and community, include self-defense skills, financial literacy, attitude and soft skills, etc. Redesign the curriculum to factor in possibilities of delayed or slow learning for women workers owing to their unpaid care responsibilities.
- While the Covid-19 pandemic is going on, training institutes, especially those receiving government grants and civil society organizations need to come up with innovative means and strategies to reach there is a need to reach out to the women and girls from the most vulnerable section. This is especially important given that modes of learning have gone online and the vast digital and technology divide severely hampers women's access to education and training.
- There is need for more research to understand the gendered nature of work within the gig/platform economy which would enable policy makers to make evidence based policy responses.
- Companies and platforms must release gender disaggregated data of workers for greater transparency and accountability.

Collectivization

- Unions must prioritize mobilization of women gig workers, especially in feminized sectors such as beauty work and domestic work.
- Efforts should be made by unions to engage more women gig workers and provide them with leadership positions so that women's voices don't remain unaddressed.
- Unions can also help in identifying women workers in various sectors and help in collating gender disaggregated data on gig workers in the country.
- Unions and worker group must play an important role in ensuring that regular and up to date information about worker's rights, the power of technology, new regulation, etc. reaches women workers in the gig economy.
- Explore the idea of platform cooperative adopted by some countries; allowing workers to own and control the technology and set their own terms of work - <https://platform.coop/about/benefits/>

Regulation

- Recognize gig workers as 'employees' of the companies and platforms rather than 'independent contractors'.
- Policy to recognize gig workers as employees and not independent contractors or service providers thereby guaranteeing them fair working conditions, access to social protection and labour courts for grievance redressal. Involve representative from gig workers unions during the process of policy building in order to build a realistic and worker-friendly policy
- Inclusion of women gigs workers in the Sexual Harassment of Women Act, 2013. Meanwhile, companies make it mandatory to adopt a sexual harassment policy and make it known to the client Efforts should be made to inform and educate women workers, customers and other key actors in the company of what comprises of sexual harassment and what is the grievance mechanism available to victims of sexual harassment.
- Inclusion of domestic workers in the Code on Social Security in order to avoid overlap of identities between gig and traditional forms of care and domestic work.



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