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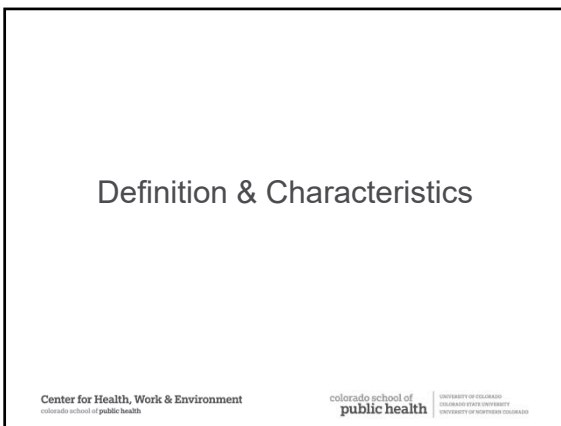
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# Gig Work Definition

"Contingent work that is transacted on a digital marketplace"

Brown 2009

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# Tech Companies, Not Service Providers



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# Drivers Classified as Independent Contractors

UBER B.V.  
SERVICES AGREEMENT  
Last update: October 20, 2015

This Services Agreement ("Agreement") constitutes a legal agreement between an independent company in the business of providing Transportation Services (as defined below) ("Customer") and Uber B.V., a private limited liability company established in The Netherlands, having its offices at Vijzelstraat 48, 1017 HL, Amsterdam, The Netherlands, registered at the Amsterdam Chamber of Commerce under number 56317441 ("Uber").

Uber provides the Uber Services (as defined below) for the purpose of providing lead generation to Transportation Services providers. The Uber Services enable an authorized transportation provider to provide Transportation Services to an authorized user of Uber's mobile application.

Customer is authorized to provide Transportation Services in the state(s) and jurisdiction(s) in which it operates, and it desires to enter into this Agreement for the purpose of accessing and using the Uber Services to enhance its transportation business.

Customer acknowledges and agrees that Uber is a technology services provider that does not provide Transportation Services, function as a transportation carrier or agent for the transportation of passengers.

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Demographics

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8% of Americans earned money from an online ‘gig’ platform in the last year; 18% earned money selling something online

% of U.S. adults who earned money from an *online job platform* in the last year by doing ...

At least one of the tasks below8%

Online tasks (surveys, data entry, etc.)5%

Ride hailing2%

Shopping/delivery1%

Cleaning/laundry1%

Other tasks2%

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Young adults, non-whites especially likely to get work via online gig platforms

% in each group who have earned money in the last year from online gig work platforms

All U.S. adults8

18-2916

30-4910

50-644

65+2

White5

Black14

Latino11

HS grad or less9

Some college9

College+6

<\$30K10

\$30K-<\$75K8

\$75K+4

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Source: Survey conducted July 12-Aug. 8, 2016.

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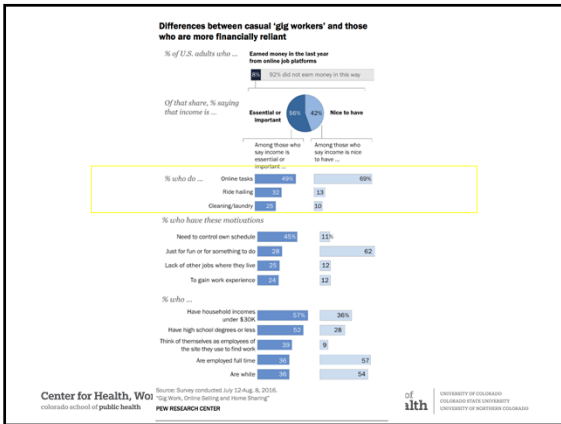
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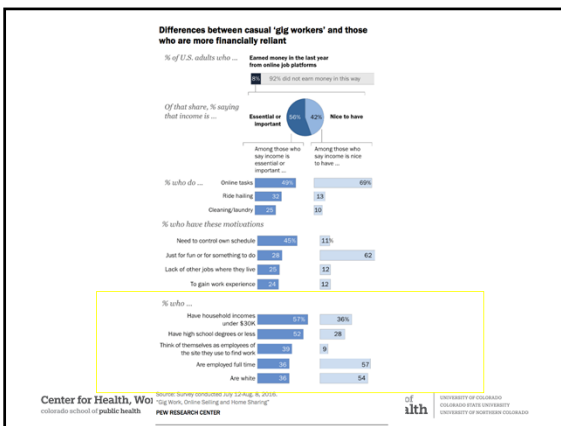
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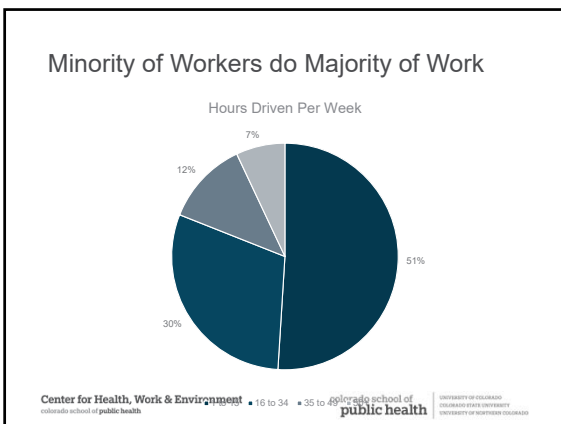
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Potential Occupational Health Risks

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Occupational Health Risks—Contingent Work

- High rates of wage theft
- No access to training
- High job turnover
- No ability to report unsafe conditions
- Less ability to refuse hazardous work or demand appropriate protective equipment for fear of dismissal

- Higher rates of work injury
- Higher rates of fatal traumatic injury
- Poor overall health
- Higher overall mortality
- No worker's compensation
- No health insurance

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Occupational Health Risks—Gig Work

- High rates of wage theft
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- High job turnover
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- Less ability to refuse hazardous work or demand appropriate protective equipment for fear of dismissal

- *Higher rates of work injury*
- *Higher rates of fatal traumatic injury*
- *Poor overall health*
- *Higher overall mortality*
- No worker's compensation
- No health insurance

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### Occupational Health Risks—Gig Work

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### Occupational Health Risks—Gig Work

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### Occupational Health Risks—Gig Work

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## Occupational Health Risks—Gig Work

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## Health Risks



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## Algorithmic Management

- “Software algorithms that assume managerial functions and surrounding institutional devices that support algorithms in practice.”

Lee 2015

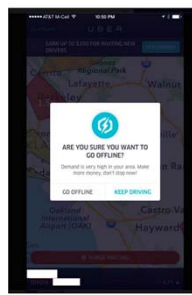
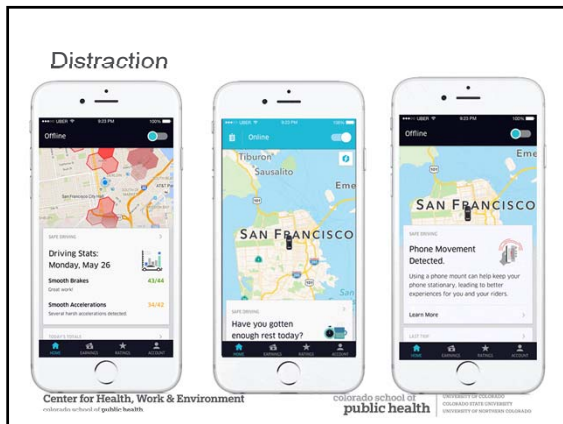


Figure 2. An example of the type of nudge delivered to a driver when logging off the Uber app.

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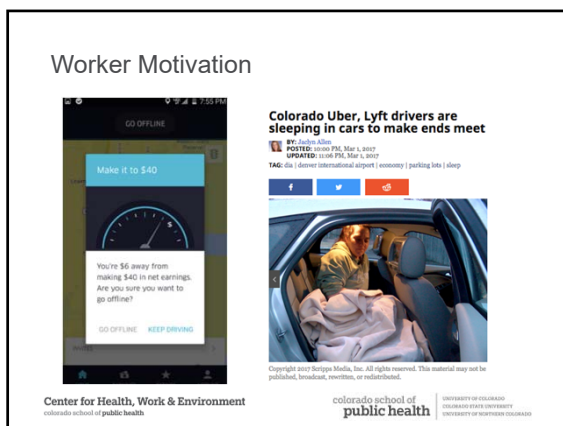
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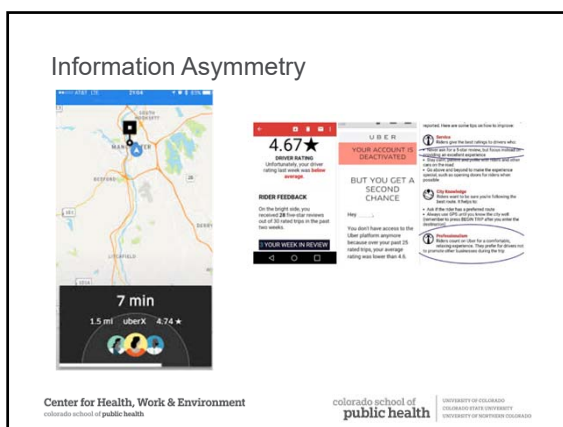
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## Passengers Perform Management Duties

"Companies create expectations about their service that workers must fulfill through the mediating power of the rating system" (Rosenblat & Stark)

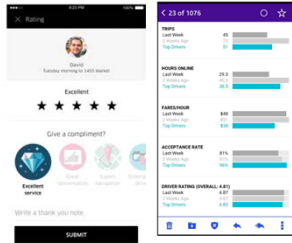


Figure 4. A weekly driver performance report.

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## What do we know (so far)?

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## Health Concerns

- Sedentary nature of work
- Musculoskeletal pain: Neck, back, knee
- Hard to stop for a meal or break
- Difficult to find a bathroom
- Difficulty managing illnesses/taking meds
- Second-hand smoke exposure

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### Safety Concerns

- Crash risk
- Distracted Driving
- Risk of assault by passenger
- Navigating pressure to drive at night vs. safety concerns

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### Stress

- Financial: getting enough rides, getting paid for their work
- Passengers: locating, getting good ratings, dealing with drunken passengers
- "Stressful by design"-Bartels

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### Sleep

- Most reported driving did not affect their sleep.
- Two drivers reported that evening driving worked well for them because they had insomnia

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Protect Their Health on the Job By:

- Taking stretch breaks while driving
- Getting exercise in their non-work time
- Staying hydrated
- Self-monitoring alertness/fatigue

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Protect Their Safety on the Job By:

- Cameras
- Weapons
- Situational Awareness/Profiling

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Positives

- Flexibility
- Not interacting with a boss
- Passengers: conversation and socialization

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## Why It Matters

**The Startup**

Where Did Uber Go Wrong?

How the world's largest ride-hailing company stumbled.

**The New York Times**

Uber's Self-Driving Cars Are Valued at \$7.25 Billion by Investors



**How Uber Went Down in Flames**

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## Why It Matters

**The Hidden Labor Problem**

Corporations aren't just downsizing—they're changing the very nature of employment.



1 "Alternative work arrangements" have grown: 13.8% in 2015 vs 10.1% in 2005.

2 Traditional jobs have declined: 0.3% in 2015 vs 0.3% in 2005.

3 This has led to precarious employment and lower pay: Once outsourced, janitors by 4-7% and guards by 8-24%.

Data Society

EXPLAINER:  
**Algorithmic Management in the Workplace**

February 2019

ALEXANDRA MATTEOCCI, Researcher, Data & Society  
ANNA NGUYEN, Labor Engagement Lead, Data & Society

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## Future Research

- Representative survey of health effects
- Long term health impacts
- Fatigued driving
- OHS effects of algorithmic management

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## Questions?

Thanks to:

-Tori Crain, PhD  
-Jon Bihl, MPH  
-Gerald Yeung, BA

Bartel, E., et al. (2019). Stressful by design: Exploring health risks of ride-share work. *Journal of Transport & Health*, 14, 100571.

Christie, N., & Ward, H. (2019). The health and safety risks for people who drive for work in the gig economy. *Journal of Transport & Health*, 13, 115-127.

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## ABC Test

All three must be met for a worker to be properly classified as an independent contractor:

1. The worker is **free from the control and direction of the hiring entity in connection with the performance of the work**, both under the contract for the performance of the work and in fact.
2. The worker **performs tasks that are outside of the usual course of the hiring entity's business**.
3. The worker is **customarily engaged in an independently established trade, occupation or business of the same nature as the work performed for the hiring entity**.

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## Marketplace vs On-demand

### Marketplace

- Job matching & hiring.
- Subscription based (freesium).
- E.g., Care.com, SitterCity, UrbanSitter, Thumbtack, Fiverr.

### On-demand

- Matching, Hiring
- Dispatching, Task, Payment.
- Fee based.
- E.g., Uber, Lyft, Postmates, Instacart.

### Hybrid

- Matching, hiring, dispatching, Payment, worker profiles, ltd. choices.
- Fee based.
- E.g., TaskRabbit, Handy, Hello Sitter

Ticona, et al 2018

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## Digital Matching Services

1. Facilitate peer-to-peer transactions using online platforms or mobile apps
2. Utilize user-based rating systems
3. Offer workers flexibility in determining their hours
4. To the extent that tools and assets are necessary to provide a service, digital matching firms rely on the workers using their own.

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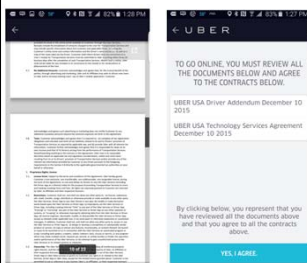
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## Contracts and “Policy” Setting



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