International Labour Organization

Trade Union Revitalization: Organizing new forms of work including platform workers

International Journal of Labour Research

Volume 11, Issues 1-2 (2022)

The *International Journal of Labour Research* (IJLR) is the flagship publication of the Bureau for Workers' Activities of the ILO. A multidisciplinary journal, the IJLR is a vehicle for dissemination of international research on labour, economic and sustainable development policies. Its target readership includes workers' organizations, practitioners, researchers, labour ministries and academics in all disciplines of relevance to ILO constituents in the world of work – industrial relations, sociology, law, economics and political science. The IJLR is published in English, French and Spanish, each issue focusing on a unique theme.

Bureau for Workers' Activities

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International Labour Office, Geneva

First published 2022

Trade Union Revitalization: Organizing new forms of work including platform workers. Geneva, International Labour Office, 2022

ISBN 978-92-2-037949-3 (print)
ISBN 978-92-2-037948-6 (web pdf)

ISSN 2076-9806 (print)
ISSN 2076-9814 (web PDF)

Also available in French: *Revitalisation des Syndicats: Organiser les nouvelles formes de travail y compris les travailleurs des plateformes numériques*, ISBN 978-92-2-037951-6 (print) 978-92-2-037950-9 (web PDF); and in Spanish: *La revitalización de los sindicatos: Organizar las nuevas formas de trabajo que incluyen a los trabajadores de plataformas digitales*, ISBN 978-92-2-037953-0 (print) 978-92-2-037952-3 (web PDF)

ILO Cataloguing in Publication Data

Design and layout by the International Training Centre of the ILO, Turin – Italy

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Preface

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The 2022 edition of the *International Journal of Labour Research* comes at a critical time, marked both by multidimensional crises affecting many countries around the world and by a surge in the attraction and influence of trade unions in responding to these crises.

After the long marathon of the response to the COVID-19 pandemic, the consequences are still being felt in the world of work. In addition, geopolitical tensions, armed conflicts, climate change and natural disasters, energy, food and financial crises continue to exacerbate inequalities and violations of workers' and trade union rights around the world. Since the onset of the pandemic, trade unions have shown resilience and adaptability, enabling them to cope better with the crises and minimize the impact on workers and society at large. Thus, after decades of decline in unionization, the experiences of trade union revitalization highlighted in this edition remind us that workers' organizations are, and remain, important actors in achieving peace, social justice and decent work for all.

From the ILO perspective, we strongly believe that the trade union movement can be revitalized. This is why, in 2019, the ILO Bureau for Workers' Activities (ACTRAV) launched an ambitious programme to support this revitalization around the world in the framework of implementation of the ILO Centenary Declaration for the Future of Work. The 2022 edition of the *International Journal of Labour Research* is part of the package developed by ACTRAV to support the revitalization of the trade union movement. This edition aims to:

- stimulate discussion and research on the challenge of revitalization within the trade union movement;
- share best practices and strategies from around the world for mobilizing and organizing workers in new forms of work, including platform workers; and
- formulate recommendations for building strong, representative and resilient workers' organizations.

Three messages emerge from the 2022 edition of the *International Journal of Labour Research*.

First, **a renewed impetus for the work of trade unions**, which play an important role in defending workers' rights and improving their living and working conditions. In the face of the multiple crises in the world of work and an increasingly uncertain future, trade unions remain a strong voice for social justice and decent work.

Second, in an increasingly challenging environment due to political, economic, energy and climate crises, **unity and cooperation between trade unions are essential**, within countries but of course also across regions and at international level.

Third, trade unions must seize this unique moment to **broaden their membership through innovative strategies to attract and organize more workers in new forms of work**, especially those in the digital economy, where the young people are over-represented. Attracting young people is a key concern for an increasingly ageing labour movement, as the growing digital economy challenges the fundamental governance of labour; if engaged properly, young people can also open up an important avenue to increasing membership and strengthening trade unions. However, this requires a strengthening of skills and knowledge of the way the digital economy impacts labour markets across the globe.

Finally, I would like to thank the authors who have contributed to this edition of the journal with topics that are so relevant in this context of crisis around the world. We hope that the ideas and recommendations in this edition will inspire trade union organizations, researchers and policymakers to strengthen the trade union movement. I would also like to congratulate my colleagues at ACTRAV who have contributed to the production of this issue.

We very much hope that this compendium of research will support, and maybe even provoke, action to strengthen the trade union movement as an actor for change to ensure decent work and social justice for all.

Maria Helena ANDRÉ
Director, ACTRAV

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Trade Union Revitalization: Organizing new forms of work including platform workers

Executive summary

Introduction

Since 2019, the Bureau for Workers' Activities (ACTRAV) has launched an ambitious programme to support the revitalization of trade unions around the world. This issue of the *International Journal of Labour Research* aims to achieve this goal by sharing best practices for innovative strategies that trade unions can adopt to strengthen their organizations and a series of recommendations to build strong, representative and resilient workers' organizations around the world. It contains eight articles and is divided into three parts.

The first part introduces the concept of revitalization, its challenges and opportunities and the experiences of trade unions around the world in responding to the multidimensional crises that affect countries and aggravate inequalities and violations of the rights of workers and trade unions.

The second part focuses on trade union cooperation and unity as an essential precondition for strengthening trade unions. The experience of the African continent is a good example of the challenge of trade union unity and cooperation around the world.

The last part addresses the challenge of mobilizing and organizing workers in the new forms of work, in particular those on digital platforms where young people are over-represented. Thus the digital economy represents both an opportunity for trade unions to strengthen their membership and a challenge to improve their knowledge of the new technologies.

This executive summary starts with an overview of trade union revitalization (section A), followed by the challenge of unity and cooperation, with the experience from Africa (section B). The need for unions to seize the moment to increase their membership by organizing new forms of work and platform workers is stressed (section C) and there is a series of recommendations for trade unions (section D).

A. Overview of trade union revitalization

Trade union revitalization: navigating uncertainty, change and resilience in the world of work

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This article assesses six innovative approaches to trade union revitalization through the lens of the unions' ability to navigate change. It introduces the "triple-A governance" framework, based on the three pillars of anticipation (the ability to understand the dynamics of change that may impact emerging futures), agility (the organization-wide ability to deal

with uncertainty and change) and adaptation (the ability to translate anticipation and organizational learning into concrete actions and strategies to create desired change). It further introduces a number of participatory, democratic and non-prescriptive tools for the graphical visualization of future outcomes that can be used by trade unions to reflect and act upon on their path towards revitalization: these include horizon scanning, the futures wheel, immunity to change and backcasting.

Key findings and implications for trade union policy and action

- Trade unions have much experience in addressing uncertainty and change. They need to leverage this experience to become even more resilient in facing the increasingly uncertain future.
- However, existing trade union approaches are not always comprehensive or integrated. A possible new approach would be to experiment, for instance in the COVID-19 context, then try to understand the outcome, and then potentially scale up.
- Trade unions may choose to focus on one of the three As: anticipation, agility or adaptation. For instance, if organizational openness is a challenge, trade unions may want to focus on socialization, for instance raising awareness or reaching out to other organizations, and build broad coalitions (agility approach).
- Good practices in innovative approaches to trade union revitalization exist around the world; these can be categorized into six main thematic areas.
  - **COVID-19:** Trade union federations in Kazakhstan negotiated a special package for employees affected by COVID-19, including compensation equal to the minimum wage for workers while in quarantine, a bonus for medical personnel and in-kind benefits for large families.
  - **Attracting new members:** In Argentina, the Platform Economy Staff Association is organizing workers in the gig economy through a new union supported by the main trade union federations.
  - **Emerging jobs, sectors, and themes:** In Jordan, trade unions have worked with the Government to support Syrian refugees in transitioning from the informal to the formal economy. In Australia, trade unions have been using virtual organizing, social media, podcasts and the social media platform TikTok.
  - **Trade unions are increasingly organizing and advocating for workers' rights in emerging sectors**. In the area of sports, trade unions have been campaigning for decent working conditions at major international sporting events, for instance in respect of occupational safety and health at the Tokyo 2021 Olympics. Trade unions have also picked up the topic of non-discrimination, incorporating gender clauses in collective agreements, campaigning on equal pay and showing solidarity with the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) people.
  - **Trade union internal governance:** Malawian trade unions conducted an internal evaluation to assess trade unions' sustainability, addressing key aspects of

revitalization, for example strengthening of internal democracy and rebuilding of trust among workers and society.

- **Workers' voice and social dialogue:** New topics on the agenda for social dialogue range from COVID-19 recovery to structural transformation and industrial policy, trade and labour, climate action and digital skills. Collective agreements covering platform workers have been adopted, for example bicycle couriers in Austria, UberEATS riders in Switzerland and freelance domestic workers in Denmark.
- **Coalition-building and campaigning:** In many countries around the world, the trade union landscape is characterized by proliferation of and fragmentation among unions. However, we also observe many examples of strengthened trade union cooperation: for instance, in Benin, Botswana and Mauritius, the main trade union organizations developed a joint council of trade unions or a joint declaration, charter or memorandum of understanding for working together in the national social dialogue forums.

Evidently, trade unions are undertaking many interesting and innovative strategic actions towards revitalization, but these are not always done in a formal manner; there is therefore potential for more systematic strategic thinking and foresight for trade union revitalization.

B. Trade union unity and cooperation

Unity and revitalization of trade unions in Africa

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This paper follows the history of organized trade unionism in Africa, from popularity and power in the 1980s to disaffection and splintering into multiple unions at regional, subregional and national levels in the 1990s and beyond. It analyses the impact of the rivalry between the two main trade union organizations in terms of financial stability, membership density and representation at the African Union (AU) and international bodies.

Key findings and implications for trade union policy and action

- At regional level, the African Regional Organization of the International Trade Union Confederation (ITUC-Africa) and the Organization of African Trade Union Unity (OATUU) have an overlap in terms of membership.
- At subregional level, there are autonomous trade union centres which coexists with the regional formations of the Global Union Federations to support sectoral unions in various countries.

- At national level, there are some relatively big national centres; the relatively small unions are in countries with smaller populations. Multiple national unions exist in many African countries, being most prevalent in West and Central Africa.
- The result of this dispersal of regional/continental and diaspora organizations is that the voice and representation of global African workers remains fragmented and weakened in their engagement with regional and global institutions, including the AU, the ILO, the United Nations, the World Trade Organization and international financial institutions.

One important aspect of the quest for African trade union unity is its value for strengthening African unity and African institutions in advancing the common interests of the African workers and people. The unity of the ITUC-Africa and OATUU would help greatly to encourage trade union cooperation and unity at national level, to optimizing resources and mobilizing workers to confront the challenges such as the decent work deficits and inequalities on the continent.

C. Organizing new forms of work, including platform workers

New wine in old bottles: organizing and collective bargaining in the platform economy

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Digital technologies have ushered in profound changes in the organization of work and employment. The technology-mediated matching of labour supply and demand has created online labour markets where jobs across different skill levels are divided into assignments, ranging from micro-tasks to larger gigs, and then commissioned virtually to workers who are often considered to be independent contractors. Digital labour platforms are at the forefront of these changes. This article presents a non-exhaustive review of recent forms of organizing and mobilizing platform workers across Europe, with the objective of mapping current variations in trade union strategies towards technological change and analytically distinguishing emerging patterns in representational forms among the platform workforce.

Key findings and implications for trade union policy and action

- Trade unions have been changing and adapting to new labour-market players, such as online labour platforms, and to new organizational practices.

- Online platforms have demonstrated a reluctance to enter negotiations with workers where they were not formally organized or institutionally supported, yet various barriers, including employment status and the atomized character of this volatile workforce, hamper long-standing strategies for building a membership base in the digital economy.
- Traditional labour unions have been deploying existing resources and organizational capacities to form novel networks and alliances, since the core of platform workers' struggle remain focused on issues that have continually taken the centre stage of collective bargaining: fair pay, decent working time, social protection and labour rights.

Fundamentally, organizational experimentation has opened access to collective action for platform workers across a variety of sectors and jurisdictions, demonstrating that a synergy between "the organisational capacity of the 'old' and the imaginative spontaneity of the 'new'" is an effective way to resist the recommodification of labour in the platform economy.

Digital activism as a pathway to trade union revitalization

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Technological change is of critical importance for the future of unions. On the one hand, the rapid rise of the platform economy and the decentring of industrial work pose an enormous threat to their very existence. On the other hand, digital tools offer a plethora of opportunities for union engagement with existing members, but also with workers in traditional and emerging sectors with low rates of unionization. This paper examines the experiences of 11 peak union bodies across six countries in the Asia-Pacific region.

Key findings and implications for trade union policy and action

- Digital engagement strategies of trade unions in the Asia-Pacific region focus primarily on social networking sites (social media and messaging apps), as well as email and websites.
- Facebook is the most popular platform among the unions, with Indonesian unions being the most engaged. Unions make only limited use of Twitter, the second most popular platform.
- Unions achieve far higher levels of engagement in direct messaging, which they use intensively for internal communications, although the quality of engagement is a challenge.

- All the unions surveyed believe that the benefits of engaging with digital communication tools (raising awareness of labour issues, increased capacity to engage with members) outweigh the challenges associated with their use (lack of the necessary technical skills, low level of member engagement).
- The most sophisticated digital engagement strategies are seen in Australia and Indonesia; these are characterized by a focus both on core labour issues and on broader social issues (marriage equality, refugees, climate change, violence against women).
- A successful digital engagement strategy has significant resource implications (purchase of hardware, content creation and content management systems, staffing and skills training).
- Reaching members remains a key challenge; most digital activity involves organizations broadcasting information on various digital media platforms, with little interaction with their members or with the general public, and limited use of platform analytics, collection of contact data from individuals or online surveys.

The implication is clear. For today's unions, embracing digital technologies is no longer a choice, but a necessity. The capacity and appetite for digital engagement has never been higher, even in contexts where digital resources are least available, and this constitutes an unparalleled opportunity to drive digital engagement. The real challenge facing unions now is how best to harness digital technologies in meeting their organizational objectives. Unions that are successful in digital engagement are those that have the right staff and strategy to leverage digital tools to advance their goals.

Trade union responses to organizing workers on digital labour platforms: A six-country study

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This paper examines the changing dynamics of the employment relationship in the digital economy and its implications for the continuous adaptation of freedom of association and protection of the workers' right to organize in the Asia-Pacific region. The analysis is informed by interviews with trade unions in six focus countries of the Region, selected to represent different legal jurisdictions and demographics. As all of the trade unions interviewed worked mostly with workers on digital labour platforms, and in particular delivery- and travel-related platforms, the paper focuses on the challenges of organizing and protecting these workers.

Key findings and implications for trade union policy and action

- Platform-based ridehailing and delivery workers are easier to identify and approach; the unions can identify and negotiate with employers within the country's boundaries and legislative systems.

- However, no attempts to organize other types of workers, such as e-commerce workers or crowdworkers, were reported; unions stated that there was no way to identify these workers and even if there were, it was unlikely that they would be interested in joining trade unions or organizing collectively.
- There was no evidence of the trade unions making use of the technology that the workers themselves were using to obtain and perform work (the internet, digital platforms and social media).
- Recommendations coming from the interviews conducted and studies of the wider digital economy include a wider exploration by unions of working with different models of organizing, given the regulatory constraints platform workers are facing, as well as the expansion of said regulatory framework to better reflect the employment relationship of platform workers.

The conclusion of the paper reaches provides a justification for the statement that trade unions need to be more proactive in identifying and approaching all types of digital platform workers, and not only those who are easily recognizable and visible, if better rights are to be pursued collectively and protected.

Voice and representation for ridehailing drivers in sub-Saharan Africa: Pathways for trade union revitalization?

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This paper seeks to explore the extent to which new players and non-conventional strategies shape the collective representation and voice of platform workers. Drawing on secondary sources, the paper systematically argues that traditional trade union approaches alone will not suffice in filling the representational gap. The need for a more holistic approach involving trade union responses and other players and strategies is recommended as a policy option.

Key findings and implications for trade union policy and action

- Much of the organizing among ridehailers begins with drivers' self-mobilization and the deployment of different tools in pursuance of specific goals of group maintenance and cohesion – a membership logic with a cumulative political effect, leading to the deployment of distinct strategies to evoke political influence.

- Organizing among ridehailing drivers has opened up an offer of membership of trade unions – an offer driven by drivers' need for the political influence that trade unions have provided over the years.
- These grassroots organizing strategies provide pathways through which trade unions can support and formalize workers' collective action in platforms to their benefit.

Fundamentally, traditional trade union approaches alone will not suffice in filling the representational gap of e-hailing drivers. Organizing among e-hailing drivers is different from traditional forms of organizing and even reveals some nuances in the strategies and players with respect to other forms of informal economy organizing. A more holistic approach is needed, as is the flexibility of trade unions towards inclusive structures that provide a platform where concerted collective efforts for such a transformation can take place: a transformation that is necessary for trade union revitalization to take place on the continent.

Trade union revitalization in the United States of America: A call for a labour movement programme in support of self-organizing workers

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From a peak of one third of the workforce in 1955 and still over 20 per cent in 1983, at present only 10.3 per cent of United States workers remain members of trade unions. A significant trend of worker self-organizing and formation of new independent unions has emerged, with little or no involvement of or support from existing unions. To have any significant impact, the labour movement must create a substantial, dedicated, grassroots-focused programme – a labour self-organizing workers' support (Labor SOWS) programme – that will supplement, but not supplant, the needs of these self-organizing workers. This article argues for organized labour in the United States to play a major supporting role in this unique moment and thereby promote its own revitalization.

Key findings and implications for trade union policy and action

- At Amazon, Starbucks, Apple Stores, Google and many other employers, workers are embarking on major collective initiatives on their own.
- For the first time in years, the labour movement has a real chance to support the millions of self-organizing would-be union members; however, in the short term, many of these workers will establish their own independent unions.
- At national level, the Labor SOWS programme should provide support in organizing, communications, legal work and research, with a dedicated and adequate funding mechanism, and develop a model first collective bargaining agreement.

- Local labour movements should be trained and resourced to provide community partner coalition-building, employer research and grassroots organizing training.

While these examples do not provide a clear blueprint for action, they show the value to organized labour of supporting insurgencies from below. Today's labour movement has an extraordinary opportunity to put its immediate self-interest to one side and assist millions of workers seeking to organize their own unions, recognizing that in the short term the addition of these new workplace unions and the collective bargaining agreements they will negotiate can only help raise standards throughout the economy and, in the long run, may well result in many of them voluntarily joining up with stronger, longer-established unions in their areas.

Challenges of trade unionism in the face of new forms of work organization

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This article describes the structural characteristics of work in Latin America and the Caribbean, in which a pattern of subordination to the interests of capital accumulation and large transnational companies has historically predominated. This has generated high levels of informality, self-employment, scarcity of jobs and strong social, ethnic/racial and gender inequalities marked by disparities in labour incomes and exacerbated by the new forms of international division of labour.

Key findings and implications for trade union policy and action

- The trade unions' challenge is to build an agenda to reverse work precariousness and extend representation to all forms of work organization, while ensuring universal rights and social protection.
- Traditionally, only workers in formal employment have had access to trade unions, which excludes workers in situations of greater vulnerability and sectors of low productivity.
- Workers who perform their activities at home or informally have no social coverage and find it difficult to organize themselves.

Evidently, the trade unions are trying to confront the changes and challenges brought about by the new forms of work organization through new trade union practices. Although these are necessary and should therefore be encouraged and strengthened, they are not enough in themselves and demand a broader response. The trade unions' challenge is to build an agenda that helps to reverse work precariousness and to think about the future of work, as well as deciding how to extend representation to all forms of work organization, while ensuring universal rights and social protection.

D. Overall recommendations for trade unions

- Trade union unity and cooperation are important to reinforce union membership, voice and influence at all levels. At national level, unions must focus on moving towards unity by collaborating within the labour movement to reach common positions, extending unionization to groups in vulnerable situations and extending organizing and collective action towards addressing strategic objectives, such as the creation of decent employment, decent work deficits, low wages, the impact of climate change, lack of social protection and so on.
- Establish collective and permanent mechanisms in trade union entities to achieve greater democratization of trade union spaces, involving youth, women, and vulnerable groups, including migrant workers and persons with disability.
- Trade unions must adopt innovative strategies to mobilize and organize workers in new forms of work, including those in the platform economy.
- Where national legislation does not recognize the right of digital workers to join trade unions, unions can explore other mechanisms, such as works councils, creating a collaborative platform with employers for improving occupational safety and health that will serve as a stepping stone to organizing workers formally.
- Form novel networks and alliances with emerging associations, such as self-organized workers.
- Deploy digital communication tools in reaching a dispersed, yet constantly connected, online workforce.
- Identify talent within the union that can help to generate a robust digital strategy and develop digital communication capabilities; this may include members or even staff who are not traditionally considered for such a role, but who have the necessary knowledge of and interest in digital media engagement.
- Focus on long-standing labour demands, such as decent pay, health and safety, non-discrimination and working time, thus recognizing commonalities between platform work and other forms of precarious labour.
- Trade unions can seek judicial expansion of the standard definition of the employment relationship in respect of platform work. Public interest litigation or similar initiatives may provide some advantage for workers and trade unions.
- Ensure that all those working in vulnerable conditions have access to work and social protection.

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Trade union revitalization: navigating uncertainty, change and resilience in the world of work

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Introduction

The future of work is indeed uncertain. The world of work is faced with multiple transformations in the context of changing labour markets, driven by technological advancement, climate change, globalization and demographic shifts. The effects of the Coronavirus disease (COVID-19) worsening geopolitical tensions, disasters and armed conflicts, have further exacerbated these realities. Furthermore, the deficits in decent work and worsening violations of workers and trade union rights further aggravate the prevailing situation.

All the same, trade unions were not born out of despair, but were established to confront challenges that afflict their members and society in general. Workers and their organizations are at the forefront in formulating policy responses to the big drivers of change in the world of work, including during COVID-19 and the recovery from the pandemic. In other words, trade unions show resilience and find innovative and effective ways to thrive, to provide services and represent workers. As is expected of them, trade unions continue to contribute to building stronger, more sustainable and more equal economies and societies. They do this in a variety of ways, including by providing quality services for their current and new members, bolstering trade unions' capacity to analyse and understand the new realities in the world of work, as well as influencing economic, social and sustainable development policies. In addition, trade unions work with governments and employers' organizations in developing a conducive environment for social dialogue, based on trust and respect of their rights and independence.

This paper builds on previous research commissioned by the ILO Bureau for Workers' Activities (ACTRAV), published in 2019 as "Trade Unions in the Balance" (Visser 2019). This research explored the developments in union membership across the world in the past decades and concluded by suggesting four possible future scenarios for trade unions: (1) marginalization, understood to mean decreasing rates of unionization and ageing unions; (2) dualization, where trade unions defend current positions and service the members closest to them; (3) replacement, which points towards competition between trade unions and other actors, such as non-governmental organizations (NGOs), social movements, States, employers or other intermediary agencies; or (4) revitalization, where trade unions use innovative tactics and coalitions to strengthen trade unions to ensure they are, relevant, democratic and representative actors in organizing and servicing the "new unstable workforce" in the global North and South.

This paper focuses on the fourth scenario: trade union revitalization. The aim of the paper is to showcase innovative examples from around the world, based on six thematic issues: (1) trade unions adopting new or revised policies aimed at addressing the crisis brought about by the COVID-19 pandemic; (2) trade unions in specific countries implementing innovative strategies to improve their services to attract new members and retain existing ones; (3) mobilizing workers in emerging jobs, sectors and themes;

(4) trade union internal governance; (5) workers' voice and dialogue; and (6) coalition-building and campaigning.

The paper addresses how trade unions are indeed revitalizing their organizations in relation to the six thematic issues, with the overall aim of transforming and adapting to changing dynamics in the labour markets and the needs of their members in particular and of workers in general, as well as positioning themselves for the future. Thus, the paper addresses the question: how do trade unions deal successfully with navigating uncertainty and change?

In responding to this question, we examine various approaches, strategies and tools that trade unions can use, and have been using, to navigate change and steer trade union revitalization. The paper examines various approaches, strategies and tools that trade unions can use, and have been using, to navigate change and steer trade union revitalization, such as experimentation, formal approaches towards innovation, strategic thinking and foresight, and how these can be applied most effectively to respond to particular needs in different trade union contexts.

The paper is divided into five sections, including this introduction. The second section addresses the question of uncertainty, change and resilience and introduces a framework for trade unions to deal with: the Triple-A governance framework. The third section provides an overview of positive and innovative experiences of trade union revitalization from around the world along six thematic axes, while the fourth section addresses the common element of these various experiences: the ability of trade unions to navigate change for trade union revitalization. The final section draws conclusions, provides an overview of lessons learned and suggests a way forward.

Uncertainty, change and resilience in the world of work: Implications for trade unions

The ILO Future of Work discussions, which resulted in the adoption of the ILO Centenary Declaration on the Future of Work in 2019 (ILO 2019a) and the Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient, adopted in 2021 (ILO 2021a), stressed the need to think more seriously about uncertainty, change and resilience. The ILO Future of Work discussions centred around major long-term trends and drivers of change, such as demographic dynamics, globalization and technological and environmental changes. Recently, additional factors of uncertainty and change have emerged, ranging from the COVID-19 pandemic, increased political conflicts and adverse developments in human rights, to increasing inflation and global food shortages.

These recent crises are good illustrations of the impact of uncertainty. They portray the lack of clarity and predictability about the way labour markets, respect for workers' rights and trade unionism would be in the period ahead. This awareness of uncertainty

or, in other words, the undecided, undetermined nature of the reality for workers and their organizations is directly related to the idea of change. It is key for trade unions to recognize that the context for workers and their organizations is in constant flux, encompassing different degrees and types of change. The changes can be extensive, such as transformation or replacement, but they can also be moderate, as in the case of modifications or transitioning.

With the recognition of uncertainty and change comes the need to manage that uncertainty and change in a proactive and positive manner. This is why it is important to consider the concept of resilience, as outlined in the Employment and Decent Work for Peace and Resilience Recommendation, 2017 (No. 205) (ILO 2017). The Recommendation defines resilience as "the ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management".[1] This definition includes various elements, starting with a positive notion of uncertainty and change viewed through the lens of resilience, that is, an ability to bounce back, to cope, to resist or to emerge stronger from a crisis; but also a notion of anticipating, proactively preparing for and managing risks.

This paper uses the Triple-A governance framework,[2] which is centred on three key pillars for trade unions to consider when navigating uncertainty, change and resilience. These pillars are **anticipation, agility** and **adaptation**. The three As refer to complementary organizational capabilities that are needed to navigate an increasingly uncertain and volatile world.

Anticipation is the ability to understand the dynamics of change that may impact emerging futures. **Agility** is the organization-wide ability to deal with uncertainty and change by questioning mindsets, by creating an openness towards innovation and experimentation, and by strengthening the willingness to question assumptions about "how we usually do things" and foreseeable futures. **Adaptation** is the organization's ability to translate anticipation and organizational learning into concrete actions and strategies to create desired change. This can include conventional actions, such as implementing strategic plans and road maps. However, it can also include pilot projects, experiments or prototypes to allow for the testing of new ideas and scaling-up of these into organizational innovations, reorganization and the (re)design of services for workers. This Triple-A governance framework will be used in the fourth section to assess various experiences of trade union revitalization.

[1] See https://www.ilo.org/actrav/pubs/WCMS_840864/lang--en/index.htm for a further elaboration of the resilience concept in the light of Recommendation No. 205.

[2] The Triple-A governance framework is borrowed from Ramos, Uusikyla and Luong (2020) and further elaborated in a trade union context in Ramos et al., forthcoming.

Trade union revitalization: Good practices from around the world

As part of ACTRAV's research project on Trade Unions in Transition: Trade Unions as Actors for Change and its implementation of the ILO Programme and Budget for trade unions, several positive experiences from around the world on trade union revitalization have been gathered (ILO, n.d.). Based on discussions with trade union leaders worldwide, six key pillars of trade union revitalization have been identified. These are: (1) trade unions adopting new or revised policies aimed at addressing the crisis brought about by the COVID-19 pandemic; (2) trade unions in specific countries implementing innovative strategies to improve their services to attract new members and retain existing ones; (3) mobilizing workers in emerging jobs, sectors and themes; (4) trade union internal governance; (5) workers' voice and dialogue; and (6) coalition-building and campaigning. In the following sections, a range of illustrations of trade union revitalization from around the world, organized around these six areas, will be discussed.

Trade unions during the COVID-19 pandemic

Many trade unions in the world have been at the forefront of formulating policy responses to the COVID-19 crisis and its recovery. Through various types of social dialogue, trade unions have negotiated protection for front-line workers (for example in terms of occupational safety and health) or the extension of social protection to independent or casual workers; campaigned against violations of worker and trade union rights; defended the rights of groups of vulnerable workers, such as migrant workers; or negotiated relief packages in particularly hard-hit sectors (such as tourism, care, transport and retail) (ILO 2021b). Trade unions saw the crisis as a wake-up call to contribute to building forward better and advancing labour and social agendas, and pushed for greater recognition and effective participation in policymaking. The COVID-19 pandemic has had significant impacts on collective bargaining. To this end, trade unions have bolstered their capacities in negotiating collective agreements promoting fundamental rights and adequate minimum wages as well as maximum working hours, health and social protection benefits for all, and safety and health at work (see box). Whereas in many regions collective negotiations were under pressure, in some regions formal and/or informal negotiations increased and trade unions made substantial progress in building their digital capacities (ILO 2021c).

Box. Examples of trade union achievements in social dialogue during the COVID-19 crisis

Germany: IG Metall and Gesamtmetall signed a collective agreement with the following provisions: arrangements for short-time working that protected 80 percent of workers' net remuneration; eight-day paid leave for parents with children up to the age of 12 years and five-day paid childcare leave - which would not be deducted from their annual leave.

Italy: Government and social partners signed an agreement on 14 March 2020 to relax telework regulations and ensure the health and safety of workers who cannot work from home.

Kazakhstan: Trade union federations in Kazakhstan negotiated with the Minister of Employment and Social Protection a special package for employees affected by COVID-19, including compensation equal to the minimum wage for workers while in quarantine; a bonus for medical personnel; delays in payments for bank loans and utilities; and in-kind benefits for large families.

Malawi: The Malawi Congress of Trade Unions has urged employers with more than 1,000 employees to split their workers into different shifts to reduce congestion given the threat of COVID-19.

Paraguay: The trade unions CESITP, CGT, CNT, CUT and CUT-A* have jointly proposed to the Government a reduction in fuel prices and prices for public transport, controls on medicines and food, reductions in VAT on a basic basket of goods, suspension of personal income tax for young workers, protection of employment, no payments of less than the minimum wage, and so on.

Sweden: On 18 March 2020, Unionen, the Swedish white-collar trade union, and the Confederation of Swedish Enterprise agreed on a nationwide collective agreement for short-term work.

* CESITP: Central Sindical de Trabajadores del Paraguay; CGT: Central General de Trabajadores del Paraguay; CNT: Central Nacional de Trabajadores; CUT: Central Unitaria de Trabajadores del Paraguay; CUT-A: Central Unitaria de Trabajadores del Paraguay Auténtica.

Source: https://www.ilo.org/actrav/pubs/WCMS_767224/lang--en/index.htm.

Indeed, the pandemic stimulated trade unions to experiment with digital tools, not only to participate in social dialogue, but also to reach out to their membership. One interesting case is trade unions in Ukraine which, through the "Stop Wage Drop Pandemic" campaign, advocated for increases in and protection of workers' wages, but also highlighted occupational safety and health risks during the pandemic through social media and online platforms, using videos, newspapers, radio broadcasts, webinars and so on (Andreeva, forthcoming). Another example is the Caravan of Labour Rights organized by trade unions

in Kyrgyzstan. This was mostly oriented towards young people, whose situation during the COVID-19 pandemic became even worse than before. Trade unions decided to shift to a virtual format, producing animated videos on labour rights for social media, organizing webinars for young trade union activists to strengthen their knowledge of national and international labour standards, developing a chatbot through which trade union members could obtain answers to their questions about labour and union rights simply and rapidly, and developing a mobile application (app) for trade union members where they could quickly access trade union services and contact one another and trade union officials. These activities created a completely new format of activism for many trade unions, enabling them to keep connected with their members during lockdown (Andreeva, forthcoming).

We can highlight similar positive experiences in Africa where, apart from massive challenges due to COVID-19 and often limited access to digital technology (the "digital divide"), the shift by many trade unions towards "digital unionism" has brought certain positive impacts: "Now, thanks to digital technology, it has made organizing protests far much easier, it has also improved decision-making because one can easily consult without organizing a physical meeting as we used to do as trade unions. Amidst COVID-19, at a click of a button, trade unions are able to widely share information and to run a campaign or mobilize workers for a certain cause." (ITUC Africa, 2021, in Chinguwo, forthcoming a).

Despite the enormous pressure on trade union membership and income from membership dues during the pandemic, some trade unions have been able to increase their membership, often as a result of successful collective negotiations. This has been the case in Malawi, and also in Mozambique, where a trade union organizing workers in the informal economy has achieved an important increase in its membership during the pandemic. This was possible because the trade union, through social dialogue, entered into an agreement with city and town council authorities such that, for someone to be allocated a space to trade in the markets, she or he must first be registered with the trade union (Chinguwo, forthcoming b).

In a very different, but equally complicated, trade union context – the United States of America – trade unions have been able to demonstrate positive developments during the pandemic in organizing workers and establishing new trade unions in places of employment ranging from Amazon and Starbucks to Apple. These developments have come amid a broader wave of workplace activism in the United States that has emerged in the wake of the COVID-19 pandemic and which was partly explained by increased pressure on labour demand caused by the "great resignation" (Sherman 2022; Molla 2022; Thorbecke and Isidore 2022).

Innovative strategies to improve services and extend membership

A second dimension of trade union revitalization is the ability of trade unions to introduce innovative services and extend their membership to traditionally under-represented groups of workers, such as workers in the informal economy, platform workers, migrant workers, domestic workers, workers in the rural economy, and so on.

There is a wide range of examples of unions that have organized workers in the informal economy and integrated them into the formal structures of the trade union movement (ILO 2019b). In Jordan, trade unions have worked with the Government to support Syrian refugees in transitioning from the informal to the formal economy. The Government established an office at the trade union premises to support access to work permits for refugees. In the case of Senegal, a trade union was set up for private security workers, which entered into collective negotiations to regularize workers in the informal economy and enhance access to social protection. In the case of Uzbekistan, unions have been organizing seasonal workers and enabling temporary dual union membership. Trade unions have also modified their constitutions to allow, for instance, for membership by workers in the informal economy.

One particularly challenging, but also vibrant, field of trade union work has been the platform or gig economy. In Argentina, the Platform Economy Staff Association is organizing workers in the gig economy through a new union supported by the main trade union federations. In Indonesia, motorcycle and taxi drivers and various trade unions established an Online Transportation Action Committee, which has engaged in dialogue with firms and the Government to better regulate the sector. In Denmark, trade unions signed a collective agreement with a Danish-owned digital labour platform, addressing matters such as transition from freelance status to employment status, insurance coverage and dispute resolution. In the case of Kenya, a mobile phone app is being used by informal economy workers in transport – "Matatu operators" – to access national health insurance (Chinguwo, forthcoming a).

In 2020 in Colombia, the National Union of Workers in the Agricultural Industry (Sintrainagro), the National Unitary Agricultural Trade Union Federation (Fensuagro), the Trade Union Federation of Agricultural Workers of Colombia (Festracol), the Union of Agribusiness Workers of Colombia (Sintragroindcol) and the National Union of Agricultural Workers (Sintragropecurios) implemented a strategy to attract non-salaried rural workers, resulting in an increase of 8.1 per cent in the number of affiliate members. The union's growth strategy consisted of designing and offering new services, such as complementary training courses, in partnership with training centres such as the National Learning Service (SENA) and the Cooperative University of Colombia.

Similarly, organizing young workers is of key importance to ensure trade union relevance for the workers of tomorrow as well as today. In the case of the Australian unions, young workers' centres are a one-stop-shop for young workers to learn about their rights at work and seek personalized advice or legal assistance. Furthermore, trade unions have been using virtual organizing, social media, podcasts and the social media platform TikTok. In the case of Bahrain, trade unions developed a mobile app to mobilize and recruit unemployed youth workers in the country, among other purposes, and established a nationwide alliance with various civil society organizations. Trade unions in Serbia are utilizing a mobile app which is freely accessible in order to target young workers. The app is based on an educational and entertaining quiz on labour law. It is key that these new members are also

incorporated into the trade union structures and leadership, and that their priorities are reflected in the trade union's organization and tactics.

To address the issue of migration, trade unions in the Republic of Moldova started to build collaborations with trade unions in the countries of destination for Moldovan migrant workers, including Israel and Romania, to ensure the protection of Moldovan migrants working abroad. In Kyrgyzstan, trade unions have started to organize Kyrgyz migrant workers. To this end, the Kyrgyz Migrant Workers' Union was founded in 2019, focusing on several key areas, such as pre-departure labour rights training, maintaining an electronic membership database and partnering (through a cooperation agreement) with Russian unions that organize and protect migrant workers in the Russian Federation. In both Kyrgyzstan and the Republic of Moldova, these collaborations have been shown to be effective in mitigating the adverse effects of the COVID-19 crisis for migrant workers (Andreeva, forthcoming).

Mobilizing workers in emerging jobs, sectors and themes

A third dimension of trade union revitalization is the ability for trade unions to reach out to workers in emerging jobs and sectors and to incorporate new themes into trade union agendas. Trade unions are increasingly organizing and advocating for workers' rights in emerging and growing sectors, ranging from the care economy, the green or blue economy (see section "Workers' voice and social dialogue" below) or the platform economy (see section "Innovative strategies to improve services and extend membership" above), to sports or gaming, to name but a few. Most recently, UNI Global Union launched a campaign around working conditions and organizing in the global gaming sector (UNI Global Union 2022a). In the area of sports, trade unions have been campaigning for decent working conditions at major international sporting events, for instance in respect of occupational safety and health at the Tokyo 2021 Olympics, forced labour and the FIFA Qatar World Cup 2022 or human rights violations in the run-up to the Formula 1 Bahrain Grand Prix (UNI Global Union 2019; 2021a; 2021b). Another example is the Fight for 15$ Movement, which is a broad coalition of trade unions, civil society organizations and other labour advocates in the United States, which campaigns on the broader issue of economic justice, arguing for an increase in minimum wages. The campaign targets most precarious low-wage workers across sectors such as cleaning or fast food, and across gender, racial or identity lines (Rushe 2021). Similar actions are being taken in other parts of the world (UNI Global Union 2022b).

In terms of emerging themes, trade unions increasingly take positions on a variety of issues, ranging from non-discrimination, multinational enterprises and global supply chains and just transition to the United Nations Sustainable Development Goals (SDGs) (see section "Workers' voice and social dialogue" below).

Trade unions have increasingly picked up the topic of non-discrimination, ranging from incorporating gender clauses in collective agreements and campaigning on equal pay and pay transparency to the establishment of women committees and introduction of quotas for female leaders. In this regard, trade unions in Brazil have been considered to be at

the forefront of feminist trade union action (Castro 2017). Similarly, trade unions have shown solidarity with the lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) community, being at the forefront of the movement to create safe and inclusive workplaces, free from violence and harassment (ITUC 2022). The #MeToo movement worldwide has offered an opportunity for trade unions to advocate against violence and harassment against men and women in the workplace, ranging from public-sector workers in Argentina, transport workers in Canada and bank sector workers in Brazil to workers in the hotel and restaurant sector in Sweden (Pillinger 2017). In 1990, the ILO adopted the Violence and Harassment Convention, 2019 (No. 190). Trade unions in Africa have increasingly incorporated the interests of workers with disabilities into trade union agendas: Malawian trade unions established a branch in which the majority of members are persons with disabilities; in the case of Zambia, trade unions established a department responsible for the topic and they involve workers with disabilities in the negotiation teams during collective bargaining or provide training to equip workers with disabilities with skills for leadership positions (Chinguwo, forthcoming b).

Trade unions worldwide have undertaken a variety of innovative actions to address challenges related to globalization, including monitoring activities of multinational enterprises along global supply chains, for instance through due diligence, international framework agreements, campaigning on the inclusion of labour provisions in trade and investment agreements, regional integration schemes and the lending activities of regional development banks and international financial institutions (Herberg 2018; Chinguwo, forthcoming a).

Trade union internal governance

A fourth dimension of trade union revitalization is trade union governance. Democratic internal governance is not only key for effective trade union operations (that is, to deliver), but also for assuring credibility among workers and the general public. Based on a series of webinars organized by ACTRAV and held in various regions in the world, Chinguwo (forthcoming a) highlights major challenges, but also positive experiences related to internal governance of trade unions: strengthening union democracy; enhancing representation and participation in internal decision-making by some categories of workers, for instance migrant workers, youth or women; strengthened administration, technical and research capacity of trade unions; well-functioning union structures at the shop-floor level; enhanced financial accountability and transparency; and financial independence.

As an illustration: in the cases of Ghana and Vietnam, trade unions have put governance high on their internal agenda by prioritizing the actual performance of the unions and the union leaders, that is, ensuring that they acting with knowledge, integrity, transparency and accountability. In the case of Malawi, trade unions conducted an internal evaluation to assess their own sustainability, addressing key aspects of revitalization, such as the strengthening of internal democracy, rebuilding of trust among workers and society,

intensification of efforts to organize workers in the informal economy and other vulnerable categories of workers, enhancing coordination among unions and merging splinter unions, and developing viable means for resource mobilization (Chinguwo, forthcoming b).

In the case of the Middle East and North Africa (MENA) region, since 2011 there has been a strong push for wide-ranging democratization, the so-called "Arab Spring". While trade unions often played a central role in these popular uprisings, the uprisings also resulted in a push to democratize the trade union movement itself, through the existing national confederations or the establishment of new trade unions, strengthening broader worker participation and representation and independence from governments (Majed and El Mouallem, forthcoming).

Workers' voice and social dialogue

A fifth axis of trade union revitalization is an inclusive and effective workers' voice and social dialogue on the issues that matter to workers.

In the outcomes of the ACTRAV webinar series on trade unions in transformation, held in various regions in the world, participants stressed the need to incorporate new topics on the agenda for social dialogue, ranging from COVID-19 recovery to structural transformation and industrial policy, trade and labour, climate action, digital skills, and so on. "Trade unions can no longer simply see their mandate as solely organizing and representing workers on bread-and-butter issues. Gender, culture, ethnicity, migration, climate change, sustainable development and sexual violence against women, among others, are extremely important to be included in social dialogue". (EATUC 2021 in Chinguwo, forthcoming a)

The SDGs, for instance, have provided an important platform for trade union engagement in topics that have not necessarily been high on unions' social dialogue agenda. In Colombia, unions have been involved in alternative social dialogue forums, for example at the municipal and departmental level, on issues such as skills development, territorial planning or post-conflict situations. In the Russian Federation, trade union engagement in national social dialogue secured the adoption of new legislation on teleworking, which is of course relevant in the current context of COVID-19.

Good examples also exist of trade unions incorporating a variety of technology-related issues into social dialogue, ranging from the right to disconnect, data protection and algorithmic management to the introduction of technological surveillance of workers at the workplace. Various examples exist of collective agreements that cover platform workers, such as bicycle couriers in Austria, Uber EATS riders in Switzerland and freelance domestic workers in Denmark (ILO 2021d; UNI Global Union 2021c). A recent agreement between the Spanish Government and social partners over workers' rights vis-à-vis algorithmic management ensures more transparency and also helps to mitigate the risk of unfair and discriminatory algorithmic decision-making (De Stefano and Taes 2021).

Just transition is another important topic that has been taken up by trade unions and gradually incorporated into social dialogue. Various examples exist at the European Union level for the establishment of "green social dialogue", for example in sustainable construction. Belgian trade unions established the "green collective bargaining database", encompassing collective agreements with green clauses with partners ranging from Australia to Canada, the United Kingdom and the United States and covering green procurement, waste management, workforce adjustment, training and whistle-blower protection (ILO 2018).

Coalition-building and campaigning

The sixth dimension of trade union revitalization is the entry by trade unions into broad coalitions and campaigns with other actors, such as civil society, NGOs or the private sector.

In many countries around the world, the trade union landscape is characterized by a proliferation of and fragmentation among unions. However, we also observe many examples of strengthened trade union cooperation, notwithstanding existing rifts between organizations. In Benin, Botswana and Mauritius, the main trade union organizations developed a joint council of trade unions or a joint declaration, charter or memorandum of understanding for working together in the national social dialogue forums. In Lithuania and Ukraine, unions are collaborating across borders through joint campaigning and a bilateral cooperation agreement to enhance recruitment and representation of Ukrainian truck drivers in unions in both Ukraine and Lithuania. Also at the national level, Government attempts to reform the labour and trade union laws gave the trade unions in Ukraine the necessary impetus to speak and act as one (Andreeva, forthcoming).

As mentioned above, worker mobilization played an important role in the popular uprisings that pushed for democratization in different countries across the MENA region. In many countries, trade unions entered into broad coalitions, liaising actively with other civil society organizations and the broader public (Majed and El Mouallem, forthcoming).

Many good examples exist worldwide where trade unions have been collaborating with employer organizations in jointly managing crisis situations emerging from various types of conflicts (for example long-term violence) and disasters (such as storms, earthquakes, and floods). Examples include every stage of the conflict cycle and cover Côte d'Ivoire, Kenya, Nepal, New Zealand, Japan, the Philippines, the Bahamas and Sri Lanka (ILO 2022).

Just transition is another topic where trade unions have increasingly been campaigning alongside other non-state actors. In the case of South Africa, trade unions campaigned with NGOs and social movements to pressure the Government to implement just transition strategies. In the United States, labour and environmental justice groups have worked together to influence regulatory responses and industry practices to meet climate goals, for instance by addressing energy efficiency or the inclusion of labour standards in public procurement projects. This is also an area where trade unions have been collaborating with entities from the social and solidarity economy, for instance in the case of ecotourism and ecological agriculture in Mexico (ILO 2018).

Trade unions navigating change

While the previous section brings together a diverse list of experiences on trade union revitalization worldwide, there are two core elements that run through these examples. The first is the capability to critically reflect and to anticipate change; the second is the willingness to experiment and to adapt. This section further examines these two core elements by discussing the underlying dimension of trade union revitalization, in terms of how successfully trade unions have been able to deal with navigating uncertainty and change. We use the Triple-A governance framework (see Introduction) to examine various approaches, strategies or tools for trade union revitalization, and how these can be applied most effectively to respond to particular needs in the different trade union contexts that have been illustrated above.[3]

Triple-A governance framework in action for trade union revitalization

Based on the examples in the good practices section above, we find that some trade unions opted for a mostly **anticipatory approach** towards trade union revitalization, focusing on a better understanding of key areas of change. This is reflected by, for instance, adopting a research method (for example by gaining an understanding of trends and drivers in the growing gaming industry), exercises in long-term strategic thinking and foresight (such as when assessing challenges related to globalization) and anticipating skills needs (for example when dealing with just transition.

Other illustrations focused on the socializing dimension (**agility approach**), placing emphasis on broader organizational change, raising awareness, shifting mindsets, involving members in union activities, reaching out to other organizations to build broad coalitions, and so on. For instance, opening up unions towards informal economy or migrant workers or introducing differentiated membership fees or dual membership often involves a substantial shift in mindset. The same is true for trade union action relating to delivery services, which have often emerged in direct competition with established trade union members (such as taxi drivers). In the area of #MeToo or violence and harassment in the workplace, the socializing aspect has been central. The same is true for the various examples relating to internal governance, where organizational learning has been first and foremost.

The third approach is about the ability to act (**adaptation approach**), translating anticipation and agility into strategic decisions, actions, working plans, budgets and resources. This is the logical sequence: understand–socialize–act. However, adaptation may also precede anticipation and agility, for example, by focusing on experimentation or prototyping through the establishment of young workers' labs to build, co-design and test new tools (such as mobile apps to organize platform workers). This has been the case, for instance, in the context of COVID-19, which took most trade unions by surprise. Trade unions have reflected upon what these insights means for future crises and how lessons learned can be

[3] This section builds on Ramos et al. (forthcoming).

scaled up, such as in the area of digital unionism, renewed organizing around occupational safety and health. The same is true for the examples of organizing at Amazon and Starbucks during COVID-19, which create important learning and positive spillover effects for other employment situations.

Tools for navigating change for trade union revitalization

Depending on the context or needs of trade unions, different methods can be used to support navigation of change within the Triple-A governance framework.[4] When addressing anticipation is the main objective, the use of foresight could be most appropriate, reflecting upon the future through analysing trends, drivers of change (such as horizon scanning, the Future Wheel, 3Horizons, wild cards, weak signals, and so on) and scenario-building (for example, scenario archetypes, Manao scenario-building, 2x2 uncertainty matrix, and so on). When addressing agility is the main objective, methods can be used to "unlearn" (such as U-learn), to help organizations to better understand "how we usually do things" and individual and collective belief systems, to change patterns of behaviour and address obstacles to change (such as "immunity to change"). A method such as "collective impact" focuses on social agility, where change is leveraged through multiple organizations, recognizing different strengths and complementarities. This is relevant in a trade union context, where change is often broad, societal and complex (such as in the case of labour law reform in the Russian Federation and democratization in the MENA region and so on), where people are more effective together than alone. Other tools address socialization by focusing on experiential activities: games, immersion, virtual reality, drawing, collage, artefacts, and so on. These tools can support reflection, for instance regarding the way the workplace may look in 20 years and, with that, workers' needs regarding trade union services. When adaptation is the main challenge, methods such as "backcasting" can be used to translate future scenarios into action plans. Trade unions can start to make small "bets" or changes that shape and allow learning at low cost. Prototyping or experimentation are ways to explore emerging spaces, to imagine, to model and test new services and, with that, to further inform direction and decision-making within the union.

Lessons learned from trade union experience

Based on the trade union examples depicted above, we can draw four key lessons. The first lesson is that trade unions have rich experience in addressing uncertainty and change. They need to build on their experience to become even more resilient in the future.

Second, depending on the particular needs of trade unions and the local context, trade unions may focus on one of the three As: anticipation, agility or adaptation. For instance, if organizational openness is a challenge, trade unions may want to focus on socialization. If knowledge is the issue, the organization may consider anticipation to be the answer. On the other hand, if the challenge is to translate insights into action, a trade union may prefer adaptation approaches.

[4] For an overview of methods, see ITC (2017) and Ponce Del Castillo (2019).

Third, existing trade union approaches are not always comprehensive or integrated. For instance, a trade union organization may first want to understand a given scenario better, then socialize, and then eventually take action. Another approach, however, would be to act through experimentation, for instance in the COVID-19 context, then try to understand the outcome, and then potentially scale up.

Finally, trade unions are undertaking many interesting and innovative strategic actions, but these are not always done in a formal manner; there is therefore potential for more systematic strategic thinking and foresight for trade union revitalization.

Conclusions and the way forward

In a context of multiple uncertainties, emerging crises and transitions causing a constant state of flux, this paper assesses international experiences of trade union revitalization through the lens of trade unions' ability to navigate change.

This paper finds that trade unions worldwide have rich experience in navigating change and translating this into trade union revitalization; other trade unions can build on this. However, challenges still exist in relation to increasing awareness among trade unions that change should be managed in a more comprehensive and formal manner, for instance by strategizing around trade union revitalization.

As contexts differ and needs vary among trade unions, this paper discusses several tools that can be used by trade unions, depending on their particular needs, to reflect and act upon revitalization. The advantage of these tools is that they are: (1) not prescriptive, but rather offer a framework to trade unions to support them in conducting such an exercise; (2) participatory, allowing for bottom-up or grass-roots reflections through the involvement of workers, trade union leaders and other stakeholders; (3) based on democratic approaches, dynamic pluralism and inclusive methods that recognize different or divergent views; (4) compatible with complexity – for instance, organizing informal economy workers depends on many elements, including the state of the economy, the informalization of the labour market, the strength of the legal framework, the credibility of existing social dialogue mechanisms, alliances with political parties and demographics such as increased youth unemployment; and (5) empowering, entailing not only a reflection about future challenges and opportunities for trade union revitalization, but also the possibility to translate insights into concrete strategies and road maps.

In the framework of the ongoing ACTRAV work on Trade Unions in Transformation: Actors for Change, future research should document trade union experiences of strategic planning, foresight and experimentation in different parts of the world, assessing what works and in which institutional context, and how exactly these insights feed into the trade union revitalization agenda.

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

Unity and revitalization of trade unions in Africa

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Introduction

The emergence of organized trade unionism coincided with the struggle for the decolonization of Africa. The colonial powers – mostly the British and French – actively encouraged the formation of unions. This encouragement was born out of the need to focus workers' attention exclusively on industrial relations and away from political agitation. In furtherance of this objective, British and French unions were enlisted to support the development of unions in Africa. The unions that emerged were created in the image of metropolitan unions. When the struggle for independence intensified, African unions broke ranks with their European counterparts. Given their status as the most organized elements of society, the unions became the rallying point for mass protests in support of the professional politicians at the forefront of the independence struggle. The unions did more to accelerate the pace of the struggle than any other social force.

When independence came, the unions had won the hearts and minds of both the masses and the indigenous politicians who had taken over the governance of African States. The appreciative State and politicians bestowed several benefits on the unions. This included the "closed shop" arrangement, which guaranteed automatic membership for the unions. It also included a check-off system[1] for dues collection, which shored up the finances of the unions in the English-speaking African countries. In the French-speaking countries, the unions were rewarded with direct state funding in the form of annual contributions through the budget.

The ultimate manifestation of state benevolence bestowed on the early unions in Africa was the guarantee of legal protection that made them the sole or national trade union centres in their country. Thus, in Ghana, the Trades Union Congress (TUC) Ghana and its 17 affiliates were the only unions that, by law, could operate in the country. The Zambia Congress of Trade Unions (ZCTU) and others enjoyed similar status. The union landscape was therefore characterized by enforced unity. The industrial relations laws in most of the countries did not permit the kinds of splintering that we witness today.

But this meant that unions across most of Africa lost their independence. In fact, many of them became appendages of the state, tightly incorporated into the apparatus of the single-party regimes that ruled African countries shortly after independence. The unions became state unions rather than unions for workers. In Ghana, the official flag of the TUC Ghana was replaced by the flag of the ruling party in 1964. A united trade union fraternity became so intertwined with the single parties that dominated African politics and state governments that the defence of workers' rights became secondary and eventually suffered.

The grip of state power over organized labour began to wane only in the early 1980s. The continent was in the throes of a debilitating economic crisis marked by high levels of debt. Structural adjustment programmes (SAP) were foisted on governments by the International

[1] Check-off system: the automatic deduction and transfer of trade union membership dues.

Monetary Fund and the World Bank. The SAP entailed large-scale retrenchment of labour in the public sector. It ended import-substitution industrialization and instead encouraged liberalization of imports. The state-owned enterprises were sold to the private sector, mostly to foreign investors. These measures severely affected union membership numbers, but the SAP measures were forced through in the face of union protestations. The military regimes that implemented the SAP had very few links with the established unions; in fact, in some countries, the military was openly hostile to them. The unions protested, but they were met with nothing but brutality.

Towards the end of the 1980s, protests by the unions coincided with the emerging pro-democracy movements calling for the end of one-party dictatorship and military rule. The unions became an essential element in the struggle for democracy in the 1990s, just as they did in the struggle for independence in the 1950s and 1960s. The unions in the Congo, Mali and Niger were among the first to sever their relationships with the ruling parties. The Movement for Multiparty Democracy, in which the ZCTU played a key role, saw the election of former ZCTU President-General Frederick Chiluba as President of Zambia. On the eve of the establishment of Ghanaian Fourth Republic, the TUC Ghana declared itself non-partisan and hence independent of the parties vying to govern the country.

The democratization of the continent came hand in hand with the need to democratize the unions. Economic and political liberalization was extended to the industrial relations front. Labour laws were reformed, liberalizing the industrial relations scene. The monopoly of existing unions such as the TUC Ghana, the Nigeria Labour Congress (NLC) and ZCTU was ended with the adoption of the new labour codes. This development came at a time when structural adjustment policies had also removed the protections offered to workers. Rampant inflation and wage restraints led to declining real wages. The existing unions could not do much to change the fortunes of labour on the continent. Disaffection with the unions grew in leaps and bounds, the unions splintered and disaffected workers left established unions to form rival ones. Demagogues promising heaven among the chaos took advantage. The result was the emergence of multiple and atomized unions, which were weak both in terms of numbers of members and financially, to protect and defend the right of workers and the working class.

The trade union movement in Africa

Regional level

The African regional trade union landscape is characterized by the existence of two main regional organizations: the African Regional Organization of the International Trade Union Confederation (ITUC-Africa) and the Organization of African Trade Union Unity (OATUU). In addition to these two organizations, there is a regional secretariat of the World Federation of Trade Unions (WFTU). A string of unions in Benin, Senegal and South Africa and a few

others are linked or otherwise related to the WFTU. There also exist a number of subregional trade union organizations and regional formations of the global union federations.

OATUU was established in 1973 under the auspices of the Organization of African Unity (OAU, now the African Union (AU)), to provide an independent voice for African workers. OATUU was the result of a merger of the All-African Trade Union Federation (AATUF) and the African Trade Union Confederation (ATUC). The two regional organizations reflected the differences in the international trade union movement in the 1960s and 1970s arising from the cold war. Their existence and their inflexible stance on both African and international issues gravely undermined the unity of the emerging trade union movement on the continent.[2]

OATUU was founded to provide a framework for unity for all African workers, regardless of ideology or political inclination and affiliation. OATUU was prominent in the 1970s and 1980s, when the cold war was at its height. It maintained a provision in its statute that barred its member organizations from joining other international trade union organizations. OATUU currently has 88 national affiliated organizations in 54 African countries, and claims a membership of 25 million.

In view of its origins, OATUU gained early recognition in OAU structures. It has ensured the presence of African workers in the AU Specialised Technical Committee on Social Development, Labour and Employment and other AU forums including, more recently, the AU Economic, Social and Cultural Council. OATUU has also enjoyed recognition at the ILO since the early 1990s, as a representative of African workers. It maintains a range of relations with the WFTU, the Arab Trade Union Confederation and the All-China Federation of Trade Unions (ACFTU). OATUU implements a range of activities and projects on education, conflict prevention and resolution, occupational safety and health and HIV/AIDS, social dialogue, decent work and employment, social protection, migration and the global financial and economic crises.

The ITUC-Africa is the product of the unification of the African Regional Organization of the International Confederation of Free Trade Unions (ICFTU-AFRO) and the Democratic Organization of African Workers' Trade Unions (DOAWTU). Both were regional organizations of the International Confederation of Free Trade Unions (ICFTU) and the World Confederation of Labour (WCL), respectively. The ITUC-Africa was founded by 86 national trade union centres with a total paid-up membership of 8,891,928, drawn from the affiliates of the erstwhile ICFTU-AFRO and DOAWTU and three independent national trade union centres within the African region that were already affiliated to the ITUC.

The ITUC-Africa's mission is to strengthen the trade unions in Africa and provide a common voice for all African workers in order to realize a healthy and safe working environment and

[2] AATUF advocated non-affiliation of African trade unions to international trade union organizations as a variant of the non-alignment policy of a number of African States. ATUC, on the other hand, considered that African trade unions should freely associate with any international trade union organization of their choice.

a decent life for all by fighting all forms of exploitation and discrimination. The ITUC-Africa leads the African representation in international trade union delegations to the multilateral agencies, the G20 and United Nations (UN) high-level consultations and meetings, including those of the UN Framework Convention on Climate Change. The ITUC-Africa also represents African workers within the workers' group of the ILO and in the AU Specialised Technical Committee on Social Development, Labour and Employment.

The ITUC-Africa has 105 affiliates (although a significant number of these are not in good standing) in 52 out of the 54 African countries, compared with the 88 affiliates of OATUU in all 54 African countries. There is a considerable overlap in affiliates between the two organizations; they share 50 affiliates from 45 countries. In addition, the ITUC-Africa has 38 affiliates that are not members of OATUU, while OATUU has 12 affiliates that are not members of the ITUC-Africa.

As a regional organization, the ITUC-Africa, like its counterparts in the Americas and the Asia-Pacific region, relies on the regional allocation from the ITUC as core funding for the operation of its secretariat. Limited subscriptions from members (accounting for 15–20 per cent of its total income) and grants/donations are its other sources of funding. OATUU relies for its core funding on subsidies from some African governments, limited subscriptions from affiliates and grants from solidarity support organizations and others. Both organizations share support from the ILO, the Japan International Labour Foundation, the Swedish Trade Union Confederation and Swedish Confederation of Professional Employees (LO-TCO) and Landsorganisasjonen i Norge (LO-Norway) for projects. While the ITUC-Africa implements a range of projects with support from various organizations,[3] OATUU implements other projects with the support of the ACFTU.

The WFTU is based in two regional offices in Africa: in Gabon for French-speaking countries and in South Africa, hosted by the National Education, Health and Allied Workers' Union and the Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union, which are affiliates of the Congress of South African Trade Unions (COSATU). It is difficult to measure the WFTU's true membership, since its affiliates are confederations as well as federations and sector unions.

Given the stated preoccupations and programmes of OATUU and the ITUC-Africa and the overlap in their membership, it is reasonable to question why they should remain as separate organizations. It is curious that they are not actively exploring the possibility of becoming one organization, since this would enhance the focus, coordination and delivery of the needed services and benefits to African workers. It would help greatly in optimizing resources and mobilizing the united power of African workers to aggressively confront

[3] American Center for International Labor Solidarity; Basque Workers' Solidarity; Canadian Labour Congress; Confederation of Christian Trade Unions (Belgium); Danish Trade Union Development Agency; French Democratic Confederation of Labour; Friedrich-Ebert-Stiftung (Germany); General Confederation of Labour (France); Italian Confederation of Workers Trade Unions; Italian General Confederation of Labour; Netherlands Trade Union Confederation; Quebec Federation of Labour; Syndicated Workers' Union (Spain); Trade Union Solidarity Centre of Finland; Trades Union Congress (United Kingdom); UN Environment Programme; Workers' Commissions (Spain).

the multiplicity of challenges facing unions and the workers of the continent. On the other hand, if the two organizations insist on staying separate, the question of separate membership should be considered, to give full meaning to plurality if that is the aim of having two organizations.

Again, since the end of the cold war in the early 1990s and the redemocratization of African countries, the sharp ideological divide among countries and the survival strategy of non-alignment adopted by countries in the global South have lost their perceived effectiveness. In the current regime of global affairs, which tends to deepen inequality within and among States, a united regional trade union front is more imperative than ever before.

Subregional level

Autonomous trade union centres also exist at subregional level in Africa, the most active among them being the Southern Africa Trade Union Coordinating Council and the East African Trade Union Confederation, and to a lesser extent the Organization of Trade Unions of West Africa, the Organization of Trade Unions of Central Africa, the Horn of Africa Confederation of Trade Unions and the Arab Trade Union Confederation (which groups some workers in North Africa with others in the Mediterranean region).

Regional formations of the global union federations also exist and provide a home and support for sector unions in various countries.[4] The federations operate autonomously, even though they try to find a common voice among themselves and with the ITUC-Africa and OATUU.

Other African workers' trade unions and platforms, such as the Coalition of Black Trade Unionists (part of the American Federation of Labor and Congress of Industrial Organizations) and other African workers' caucuses in Western countries and the Americas also exist and are functioning. The result of this dispersal of regional/continental and diaspora organizations is that the voice and representation of global African workers remains fragmented and weakened in their engagement with regional and global institutions, including the AU, the ILO, the UN, the World Trade Organization and international financial institutions.

National level

There are many unions at the national level. There are multiple trade union centres affiliated to the two continental organizations or linked to the WFTU secretariat, as well as others without international affiliations. These centres are marked by stark differences in size, strength and ideological or political orientation. There are also differences in internal

[4] Global union federations in Africa include Building and Wood Workers' International; Education International; Federation of African Journalists, linked with the International Federation of Journalists; IndustriALL; International Domestic Workers Federation; International Transport Workers' Federation; International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations; Public Services International; and UNI Global Union.

democratic structures and practices, independence, representativeness and effectiveness. Some relatively big national centres have well over 1 million paid-up members. These include COSATU, the NLC, the General Union of Algerian Workers (UGTA) and the Egyptian Trade Union Federation (ETUF). Others with several hundreds of thousands of members include the Central Organization of Trade Unions Kenya (COTU-K), Tunisian General Labour Union (UGTT), TUC Ghana, the Moroccan Workers' Union (UMT) and the ZCTU. There are also smaller unions numbering membership in the thousands and tens of thousands.

The relatively smaller unions are in countries with smaller populations. However, multiple national trade union centres and unions (most of them small) exist in many African countries, being most prevalent in West and Central Africa.

Disunity also prevails at shopfloor and sectoral level, leading to a plurality of unions organizing similar groups of workers and hence to the existence of multiple unions for the same constituency. Thus, for example, many unions exist for teachers in a number of countries, especially in West Africa. Several unions organize primary school teachers; while several others organize teachers at secondary/high school and other levels.

A number of the small unions have survived thanks to their dependence on donor support and/or government subsidies. This is particularly the case in the French-speaking countries of West Africa. Also, at national level in many countries with relatively small populations (less than 5 million inhabitants), multiple national trade union centres exist that claim to represent the national interests of workers. Most large and medium-sized unions employ technical and professional staff to support union action and service delivery in respect of industrial relations, occupational health and safety, legal aid, education and training, organizing, research and policy, social security and pensions. On the other hand, most small unions are not able to mobilize resources internally to engage much needed human resources for their trade union work.

These factors notwithstanding, in terms of capability of autonomous action in pursuit of workers' interests, a number of trade unions perform creditably. Over the last few decades, a number of unions have taken independent action against employers and governments in pursuit of workers' interests. Examples of notable union actions have been recorded in Benin, Burkina Faso, Chad, Ghana, Kenya, Malawi, Mali, Niger, Nigeria, Senegal, Somalia, South Africa, Tunisia, Zambia and Zimbabwe, among others. Where union action has not been significant or effective, this has largely been because workers in multiple union centres have not presented a united front, as seen in the Congo, Côte d'Ivoire, the Democratic Republic of the Congo, Gabon, Madagascar, Mauritania, Mauritius and Togo. Some national centres stand out from the crowd, but are unable to exert the needed impact because they do not act in concert with one another. There are instances of the different unions pushing in different directions, which ultimately undermines workers' interests.

In pursuit of trade union unity in Africa

Following the Second World War and in the succeeding decades, divisions based on ideology and politics were a notable feature of the international trade union movement. These divisions also played out in the African, South American and Asia-Pacific regions. From the 1950s through the 1960s and 1970s, the main protagonists were the ICFTU and the WFTU. The WCL also assumed some prominence in the 1980s and 1990s, which impacted the regional organizations.

In November 1959, Kwame Nkrumah, the President of Ghana, sponsored the formation of AATUF as a pan-African trade union confederation. This was an attempt to keep African trade unions from affiliating with the rival international trade union confederations, the ICFTU and the WFTU. ATUC was founded in 1962 as a rival organization to AATUF; unlike the latter, however, ATUC sought to encourage African trade unions to affiliate with international organizations. In 1973, under the aegis of the OAU, OATUU was formed out of a merger of AATUF, ATUC and the Pan African Trade Union Organization. OATUU emerged as an umbrella organization providing a home for all trade union tendencies. As a unified continental trade union centre, OATUU had a provision in its statute (article 8), which prevented its national trade union affiliates from affiliating with any international trade union confederation.

Towards the end of the 1980s and the beginning of the 1990s, the wave of democratization across Africa and the end of the cold war radically transformed relations between African trade union organizations and the international trade union movement. In a number of countries, particularly in West and Central Africa, single national trade union centres that had been linked with one-party States saw the emergence of another centre or multiple centres. At the same time, the international trade union movement was reviewing ways of penetrating Africa and integrating its working class and trade unions into the global labour movement.

ICFTU-AFRO, which was originally formed in 1959, went through various struggles and existential challenges as an organ of African workers' organization directly linked with the international trade union movement. This was during the cold war, when there was controversy about the international alliances that African States and trade unions should maintain in their own best interests. The number of affiliates of ICFTU-AFRO fell from 20 in 1960 to 8 in 1977. The organization was relaunched in 1992, with a secretariat based in Nairobi, Kenya. Notwithstanding article 8 of the OATUU Constitution, which barred its affiliates from affiliating with international trade union confederations, the majority of OATUU affiliates joined ICFTU-AFRO after the relaunch. Andrew Kailembo became its General Secretary.

Throughout the 1990s, there was considerable rivalry between the two main organizations, ICFTU-AFRO and OATUU, under the leadership of Kailembo and Hassan Sunmonu, respectively. It is to the credit of these two leaders, however, that over time the rivalry waned and they sought avenues for cooperation. The ILO and the AU Labour and Social

Affairs Commission (now the Specialised Technical Committee on Social Development, Labour and Employment) suggested ways in which they could cooperate.

The two organizations drew their authority from a number of different affiliates, the majority of which belonged to both.[5] As the rivalry between the two main organizations persisted, OATUU had the tendency to align more with the WFTU at international level than with the ICFTU. The WFTU also remained active on the continent, with a limited number of affiliates in a few countries including Benin, Senegal and South Africa, but this contributed to the disunity within the ranks of the trade union movement in Africa as a whole.

DOAWTU was formed in 1993 as a regional organization of the WCL and became the third significant organization on the continent. ICFTU-AFRO and DOAWTU provided homes and support for new trade union centres that had broken away from national organizations that were affiliates of OATUU. OATUU had a policy of having one national centre affiliate per country. The causes of breakaways from national union centres, leading to multiple trade union centres and the formation of new centres, have been well documented. They included issues of weak internal democracy and poor management of trade unions; election disputes; leaders perpetuating themselves in office; leaders serving their own selfish interests rather than those of their membership; political interference; and external interference by donor organizations (ITUC-Africa 2011), among others. Disunity allows for the exploitation of the differences between unions to undermine the collective demands and interests of workers.

At the turn of the century, the consolidation of neo-liberalism, which had been increasing since the 1980s, highlighted more sharply the asymmetry of interest between workers' organizations and foreign investors in industrialized countries. It also worsened the development-related crises in non-industrialized countries on the periphery of world capitalism. Overall, the trends in the global political economy contributed to resolving some of the differences among the working classes of the world, leading to greater cooperation within the international trade union movement. Under the leadership of Guy Ryder of the ICFTU and Willie Thys of the WCL, this trend culminated in the unification of the two organizations creating the ITUC in June 2006. The ITUC brought together 176 million workers from 312 affiliates in 155 countries and territories around the world. The WFTU remained a minority, with its affiliates concentrated in parts of Europe, the Middle East, Africa and South America, claiming a membership of about 80 million. The ITUC has since grown to 200 million members with 332 affiliates in 163 countries and territories around the world.

The regional organizations of the ICFTU and the WCL, ICFTU-AFRO and DOAWTU, merged to create the ITUC-Africa in 2007, following the merger of their parent organizations in 2006.

[5] OATUU drew its strength mainly from the NLC, COTU-K, UGTA, the National Confederation of Workers of Guinea, the National Workers' Union of Mali, the National Confederation of Workers of Togo, the General Union of Workers of Côte d'Ivoire, the National Confederation of Eritrean Workers and non-ITUC affiliates ETUF and the Sudan Workers' Trade Union Federation. The ICFTU-AFRO also drew its strength from the ZCTU (Zambia), Zimbabwe Congress of Trade Unions, the Swaziland Federation of Trade Unions, TUC Ghana, the National Confederation of Workers of Senegal, the Sierra Leone Labour Congress, the UGTT, the UMT, CSA-Benin and COSATU.

The process of merging the two organizations did not take full account of the history of unionism on the continent that had produced OATUU and the strong attachment that a number of established unions had to the organization. Beyond narrowly negotiating the fusion of the ICFTU-AFRO and DOAWTU, the unification process did not address the existence of OATUU and some formation of the WFTU, or how these factors would affect the broader unity of African workers; hence OATUU's claim that it could not join the process of unification because it should have been consulted earlier, when the whole question of global trade union unity was being considered. There is merit in that claim. However, it is not more important than unity and the contribution unity can make to the struggles of African workers.

At the national level, debt-ridden African States became sucked into the neo-liberal economic and political order. African governments were advised and to some extent coerced by international financial institutions to deregulate the labour market by reforming labour laws. Among other things, the new labour laws promoted multiple unions or trade union pluralism at the enterprise, sector and national levels. This has created a situation where unions compete for membership. Thus trade union unity has been severely undermined.

The declining membership and fragmentation of unions at both the national and continental levels have combined to weaken trade unions on the continent. The unions are no longer in a position to serve their members as expected. Workers' rights are violated by both local and foreign investors with impunity. Many African workers are denied access to basic benefits such as social security, pensions and medical insurance, even when such benefits are provided for in ratified ILO Conventions and in national labour legislation.

Impact of divisions and disunity

At regional/continental level, the two main continental trade union organizations have not been able to secure common and concerted representation within AU structures or engagement with global institutions and organs. Both organizations have relatively weak and disparate representation in AU structures and in canvassing for the interests of African workers where it matters most. There is virtually no united voice at international level in dealing with international financial institutions and other multilateral agencies. International financial institutions have had a profound adverse impact on employment and conditions of labour in Africa, but the unions have not consistently engaged with them. The disunity at the regional level itself provides a bad example for national affiliates and other organizations. The activities of the two main regional bodies are uncoordinated and often executed at cross purposes. At the continental level, there is no organization that champions campaigns or advocates strongly for African workers. The two organizations operate with some cooperation within the ILO and the AU, but they are unable to achieve the necessary synergies and influence that would be attained by a united organization acting for African workers.

Both regional organizations are financially weak, reflecting the financial weakness and dependence of most of their affiliates and their relatively low levels of union membership and density. The two organizations both try to access the same resources, which could be harnessed more effectively for the benefit of African workers if they were merged. Both depend primarily on external resources to remain viable: the ITUC-Africa on the ITUC and OATUU on a number of African governments. This has fostered a dependency mentality, limiting the possibilities for independent planning and execution by both organizations. For one thing, projects that are predominantly funded from external sources offer only limited scope for sustainability, and such projects often do not tackle the fundamental challenges facing workers.

At national level, multiple national centres and unions face a challenge in securing their representativity. Union density in most African countries is already low. In most countries, no more than 10 per cent of the workforce is organized into unions. Having multiple national trade union centres and unions brings negative implications for the representativeness of each of the national centres or unions.

A major consequence of the multiplicity of national centres and sectoral unions is that organizations are weak, both in terms of numbers of members and financially, and become financially dependent, as witnessed in many countries of West and Central Africa. This destroys their independence and ability to serve the interests of their members. Multiplicity then undermines the strength of unions at industrial or sectoral level, and likewise undermines their strength and ability at national level. When unions are not financially autonomous, there is even less likelihood of ensuring the financial autonomy of the national centres, to which many are affiliated and must pay affiliation fees. The membership of unions operating as one of multiple unions ranges from a low of thousands to a high of tens of thousands. In countries where there is less multiplicity membership of national centres ranges from a few hundreds of thousands to a few unions with more than 1.5 million members.

Unions' lack of financial autonomy exposes them to undue influence and manipulation by employers, governments or foreign donors, which may wish to secure spheres of influence for various purposes. Unions that are compromised in their relations with employers, governments and/or foreign donors, or are the objects of their manipulation, are unlikely to serve the interests of their members properly. We see this in the inability of unions to stand up to growing violations of workers' rights across the continent and the increasing vulnerability of African workers.

Also in the absence of financial autonomy, unions are unable to recruit qualified technical personnel to serve their members. This affects the union's ability to deliver on a range of important services to affiliates or members – education, research, negotiation, social security and pensions, communication, information and campaigns, legal support and other activities that may be deemed appropriate.

A considerable number of the organizations have small membership numbers that render them financially unsustainable and dependent on donors or governments to maintain themselves. In the few cases where national centres are big enough to sustain their own administration, limited means and a syndrome of dependency that has developed over time still leads to some reliance on external financial support for the execution of important activities.

At its 4th Ordinary Congress in Abuja, Nigeria in 2019, the ITUC-Africa adopted a declaration: Unite and Make a Difference. It did so partly to reaffirm the mandate of the global labour movement to organize to build workers' power to change the rules of the global economy for the benefit of working people and their families. It set the goal of achieving cohesion and unity within the trade union movement at the continental level during the quadrennium. It also called for the development of a programme for achieving unity among trade unions at national level as well as within and across sectors (ITUC-Africa 2019). Little has been achieved since the adoption of this declaration.

Recommendations

One important aspect of the quest for African trade union unity is its value for strengthening African unity and African institutions in advancing the common interests of the African workers and people. Since its integration into a global system dominated by Western countries, Africa has experienced a loss of identity. The continent is mired in crises of governance, conflict, political instability and a caricature of democracy with its predominance of fraudulent elections and widespread violation or absence of rights. Africa remains locked in this situation largely because it is led and managed by elites that neither recognize the fundamental contradiction between the African condition and the interests of world capitalism, nor perceive the benefit of Africa acting as one in its relations with the rest of the world (Adu-Amankwah 2010).

A new regime of economic policies and management and political governance is urgently needed to prevent a further slide into irrelevance and continued suffering on the continent. Governance that strengthens the State and its role in economic development is needed, without scuttling markets and the incentives they provide for the pursuit of enterprise, as well as a system of governance that deters corruption both by Africans and by foreign agents and addresses the large-scale pillaging of Africa's resources that leaves Africans high and dry. Installing such a system will not be easy. It will essentially involve denying the powerful benefactors of the current system of failed policies the benefits they have come to expect. It will require organized opposition to the status quo that bestows enormous benefits on the few and misery on the majority. Organized opposition is required, and this can best be achieved by the existing organized element of society, with trade unions at the forefront.

Unions cannot expect to achieve the transformation of African societies and economies if they are in disunity. A fragmented union movement can achieve coherence in narrating

the ills of society, but can never achieve united action that forces a change of the narrative which they collectively deride. Forging a united front, above all else, is paramount. For this to happen, they must dispel the illusion that fragmented and atomized unions beholden to governments and foreign donors and not connected by a common ideology can somehow work together to achieve enduring change. At best, some ephemeral changes on the fringes of the core issues may be achieved. For system-wide change that is enduring, the fragmented unions must be consolidated into bigger unions that are financially and operationally independent of the prevailing forces.

Workers' leaders and activists who profess their commitment to unity must pursue it diligently moving forward from cogitation and lamentation to practical action to address a challenge that is all too well identified. The quest for unity must focus on action at the global, continental and regional levels (ITUC-Africa, OATUU, the WFTU), and by subregional organizations and global union federations. But the main area of action for trade unions will be at the national level, where the large number of unions and their disunity are profoundly detrimental.

The issue at global level has to do with the relations to be developed with workers and their organizations in the African diaspora – in the Americas, the Caribbean, Europe, the Middle East and Asia.

At the regional level, a good starting point would be to address the existence of two regional trade union organizations. While accepting that OATUU and the ITUC-Africa are rooted in the history of the movement in Africa, it is time to move on and not be trapped by that history. The challenges we face should lead us to consciously address the issue of unity of the trade union movement in Africa. While the two organizations have agreed to cooperate, their continued existence as separate organizations, with similar representative structures and both laying claims to representing African workers, virtually epitomizes the absurdity of "one body with two heads and, in this case, two stomachs" (Adu-Amankwah 2010). The leadership and representation of African workers is thereby weakened.

At national level, multiple national centres must focus on moving towards unity, beginning with full cooperation. Workers face common challenges of unsafe and insecure employment, decent-work deficits, rights violations, low wages, weak social protection, inequality and the impact of climate change. There are challenges relating to digitalization and technology, working from home, occupational safety and health, low vaccinations, declining real incomes and mounting public debt. There are also issues of organizing in the informal economy, extension of social protection and promotion of the social economy, as well as the development of cooperatives. The national centres that are affiliated to the ITUC-Africa and OATUU must be instructed to begin simultaneous processes of engagement for unity, with monitoring at the regional level. Sectoral processes can also be initiated with the encouragement of the global union federations. A united trade union movement will be of immense benefit, not only to workers, but also to Africans in general. A small but powerful

minority of current union leaders will lose out: a framework for unity must seek to address their fears and concerns so that they do not frustrate the process.

The quest for unity, however grandiosely it is proclaimed by unionists and friends of the labour movement, will continue to elude Africa until champions of African trade union unity find ways to bring back ideology. It takes just a small amount of engagement with trade union leaders across the continent to realize the ideological near-bankruptcy of the fragmented unions. In fact, the very existence of so many splinter unions and further attempts to splinter off over trivial matters demonstrate that most unions on the continent are not bound by considerations beyond the intentions of their leaders. Rigorous research must be pursued to lay bare these self-seeking tendencies, in which people split unions, only to replicate the tendencies they themselves complain about. This research must be backed up by mass education of the African workforce on trade union ideology, the commonality of the challenges facing Africa and the indispensability of large, united and stronger unions in overcoming them. The world now has affordable media to provide mass education, and we must make use of it.

The global organizations of trade unions can play a catalytic role in the quest to unite unions in Africa. The ITUC and WFTU must actively encourage their affiliates on the continent to seek unity. They must make special dispensations in their administrative and structural arrangements to accommodate the demands of a united trade union movement in Africa. The ILO can provide technical support for the processes involved in forging trade union unity. Funding from the international partners should now be channelled into the pursuit of unity. This funding should be used for research and education in trade union ideology and values to support the unity project.

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

New wine in old bottles: organizing and collective bargaining in the platform economy

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Introduction

Digital labour platforms are at the centre of the debate about the future of work, owing to their role in advancing the use of digital technologies in mediating and organizing work. Automation of organizational functions and online labour intermediation have expanded the pool of available workers beyond geographical or organizational boundaries and have radically transformed existing business models, jobs and the way work is organized, challenging the relevance of existing ways of ensuring good working conditions and income (Drahokoupil and Piasna 2017; Vallas and Schor 2020; Graham, Hjorth, and Lehdonvirta 2017). In this context, maintaining social dialogue and organizing online gig (platform) workers represent major challenges. Moreover, digital labour platforms are pioneering solutions in terms of algorithmic management, digital surveillance, remote work and cross-border outsourcing, which are increasingly being adopted in the offline economy. Developments in the platform economy are thus crucial in providing lessons for collective interest representation and mobilization in changing labour markets. There is a need to examine the strategies adopted by trade unions to face these challenges in order to offer recommendations for future action.

This article addresses these issues by exploring the concerns that trigger the resistance of workers in the platform economy, as well as their attitudes towards collective organizing and the tactics they pursue when resisting the practices of online platforms. To better convey the significance of the platform economy for the wider world of work, we position it within broader trends towards the development of internet-based labour markets and the adoption of digital technologies for organizing and managing work across various traditional sectors. The article presents a non-exhaustive review of recent forms of organizing and mobilizing platform workers across Europe, with the objective of mapping current variations in trade union strategies towards technological change and analytically distinguishing emerging patterns in representation forms among the platform workforce.

Internet-based world of labour

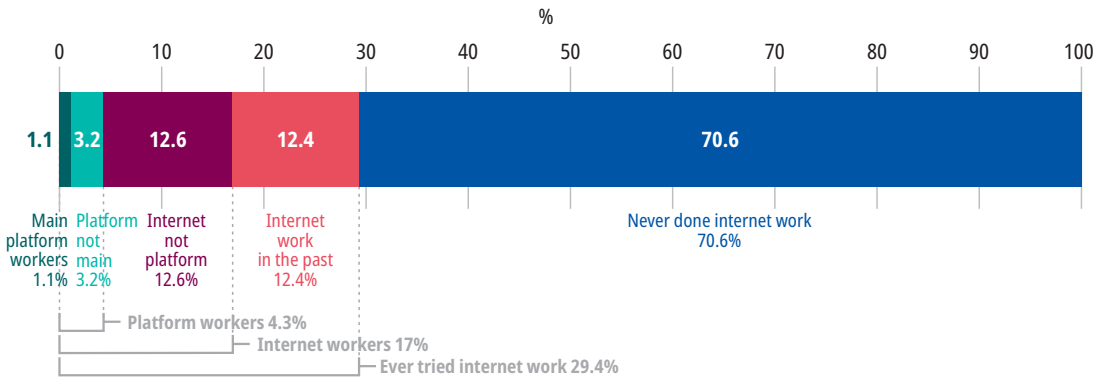
Digital technologies have ushered in profound changes in the organization of work and employment. The technology-mediated matching of labour supply and demand has created online labour markets where jobs across different skill levels are divided into assignments, ranging from micro-tasks to larger gigs, and then commissioned virtually to workers who are often considered to be independent contractors. Digital labour platforms are at the forefront of these changes. These economic agents provide digital infrastructures that greatly reduce the transaction costs involved in matching work with workers on an ad hoc basis and that defy boundaries. Deployment of algorithmic management and digital surveillance, aimed at increasing efficiency in task performance, have generated a host of challenges related to, for example, biases and information asymmetries due to the automation of managerial and human resources functions, data protection and the use of intrusive surveillance technologies (Drahokoupil and Piasna 2017; Prassl 2018).

Much ado about nothing? The size and impact of platform work

The novelty of the technological solutions deployed by platforms and, perhaps more importantly, their impact on working conditions has generated a wide policy debate and a boom in research. The actual size of the platform workforce is less impressive, even though there is little agreement on this issue, given that this phenomenon escapes most established labour-market statistics (see discussion in Piasna 2020). Recent cross-national data from the representative European Trade Union Institute (ETUI) Internet and Platform Work Survey (IPWS), carried out in 2021 across 14 European Union (EU) countries, suggest that 4.3 per cent of the working-age population had worked on platforms in the previous year (Piasna, Zwysen, and Drahokoupil 2022). Earlier estimates from the COLLaborative Economy and EMployment (COLLEEM) studies of the European Commission put that number at 8.6 per cent (Urzí Brancati, Pesole, and Férnandéz-Macías 2020), with this higher value explained by the strategy of sampling internet users who sign up for online panels. The ETUI IPWS shows us that only about 1 per cent of Europeans rely on platform work for the majority of their income.

Nevertheless, the still-modest size of the platform workforce should not lead to a dismissal of its significance. First, the internet-based world of labour is much broader than digital labour platforms alone. The ETUI IPWS attempted to measure this wider phenomenon, referred to as "internet work", by looking at various ways of generating income on the internet on a freelance basis, using apps or websites that organize the exchange but which do not necessarily have all the features of labour platforms, such as developed rating systems or payment processing mechanisms. The results show that an astounding 17 per cent of Europeans did internet work over the past 12 months, while 29.4 per cent have tried it at some point (figure 1).

Figure 1. The size of the internet-based world of labour in Europe



Note: Average across 14 EU countries (Austria, Bulgaria, Czechia, Estonia, France, Germany, Greece, Hungary, Ireland, Italy, Poland, Romania, Slovakia and Spain). All working-age adults.

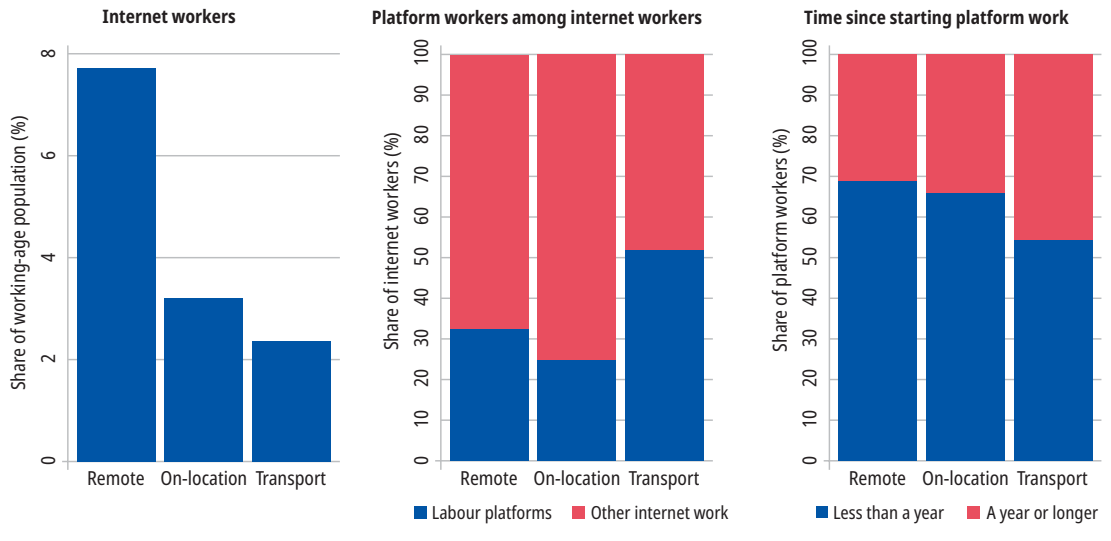
Source: ETUI IPWS Spring 2021.

This points not only to the scale of online labour markets, but also to the significant potential of further expansion for labour platforms, whose steady growth has already been documented (Prassl 2018; Urzí Brancati, Pesole, and Férnandéz-Macías 2020).

The growth potential varies by type of platform work, based on the types of task and the location of the work. As shown in the left-hand panel of figure 2, services provided remotely are the most common type of internet work in the EU, with only about one third of them provided through actual labour platforms. On-location work, where labour matching is done online but work is provided offline, such as handyperson work, tutoring or childminding, is done by around 3 per cent of the working-age population and organized by labour platforms for only one in four internet workers. The type most saturated by platforms is transport, including both delivery and taxi services. According to the ETUI IPWS data, around one half of drivers rely on labour platforms for their orders, while the rest are freelance, using other internet-based tools to find clients. AssoDelivery, an Italian industry association of food delivery platforms, estimates that currently only about 11 per cent of food delivery is organized online, with the remainder (89 per cent) receiving orders via traditional offline channels.[1]

Besides being exemplified by the number of workers doing internet work not yet organized through platforms, the growth potential of online labour markets is also evidenced by the number of new entrants. The right-hand panel of figure 2 shows that, depending on activity, between one third and one half of all platform workers started this type of work only in the 12 months preceding the survey, that is in spring 2020 (see also Drahokoupil and Piasna 2019). Thus they have done this work for less than a year.

▶ Figure 2. The growth potential for different types of platform work



Note: The left-hand panel shows the share of the working-age population doing internet work. The middle panel shows the share of internet work that is carried out through online labour platforms. The right-hand panel shows platform workers by the time they started this type of work. "Remote" work includes clickwork and professional creative work; "on location" includes services such as handyperson work, childminding and tutoring; and "transport" includes taxi and delivery work. Estimates are weighted.

Source: ETUI IPWS Spring 2021.

[1] See https://assodelivery.it/settore/.

Finally, the platform economy can be seen as a most extreme form of trends that are also spreading to the traditional economy. Traditional companies implement some of the platforms' practices in managing their own workforces, such as tight monitoring and control of workers through algorithmic management, data gathering and the optimization of work processes. Moreover, implementing the platforms' model of delegating tasks to independent providers leads to a greater dispersion and fragmentation of the workforce through remote work and outsourcing (Kilhoffer, Lenaerts, and Beblavý 2017; Prassl 2018; Sundararajan 2016). These practices, especially when coupled with regulatory arbitrage, can accelerate the race to the bottom in terms of labour standards and economic risks assumed by workers, creating unfair competition with companies that do not circumvent labour regulations.

All the above points explain current policy in relation to and research attention on the platform economy. A better grasp of this work model can provide directions for dealing with the future challenges facing an increasing segment of the workforce.

New and old sources of protest

When considering the prospects for social dialogue and collective representation in the platform economy, or online labour markets more broadly, it is vital to understand the concerns that trigger workers' resistance and protest. Technological intermediation introduces many new elements into the organization of work, but has it fundamentally transformed workers' preferences and demands, and – by extension – required a redefinition of unions' approaches and their focus?

Certainly, technological change breeds novel challenges, notably related to digital intermediation and algorithmic management offering new scope for control and surveillance. Vandaele (2018) highlights the health and safety risks augmented by digitalized management methods and the lack of transparency regarding surveillance practices and opaque rating and task allocation systems – all contested and resisted by platform workers. However, most of these grievances come down to traditional conflicts over power and information asymmetry, whereby decisions are taken unilaterally, often under the veil of algorithms, accompanied by a lack of channels to appeal unfair decisions (Wood et al. 2019; Lehdonvirta 2016). Some of the novel features of platform work advertised as its main advantages, notably extreme working time flexibility, are also resisted by workers, who show a preference for more predictable, regular hours with stable income (Piasna and Drahokoupil 2021).

Many of the employment and organizational practices of platforms – such as home-based production, piecework payment and subcontracted work – all date back to the early era of industrial capitalism (Joyce et al. 2020; Prassl 2018; Stanford 2017). For the most part, these practices are an extension of a move towards the recommodification of labour, where the risks and costs are shifted to workers (Piasna 2022). The perceived novelty of platforms as

technological start-ups thus hides vulnerabilities that are the same as those found in other forms of precarious labour.

Demands and conflicts over distributional issues thus take centre stage, and this situation is supported by the empirical evidence. The Leeds Index of Platform Labour Protest finds pay to be by far the most common cause of labour unrest globally (Joyce et al. 2020). Workers contest non-payment and very low payment, a heavy load of unpaid labour, income insecurity and a lack of compensation for work equipment (Pulignano et al. 2021; Drahokoupil and Piasna 2019). Vandaele, Piasna and Drahokoupil (2019) showed the centrality of distributional issues among Deliveroo riders in Belgium who joined the SMart cooperative to access minimum wage provisions and a compensation scheme, and who protested when this arrangement was terminated.

In Europe, and across the global North, the second most widespread cause of dispute is employment status (Joyce et al. 2020). The common practice among platform companies of classifying their workforce as self-employed workers or independent contractors has immediate consequences in terms of access to labour rights and protections, and is also the primary obstacle to unionization (Gebert 2021; Vandaele 2018). Organized activity undertaken by self-employed workers and freelancers can be considered a breach of competition rules, effectively depriving platform workers of access to fully fledged collective bargaining and freedom of association (Johnston and Land-Kazlauskas 2019).

Attitudes and experiences among platform workers

The grievances of platform workers resonate with long-standing labour demands, but is there something essentially novel about the workers engaged in this type of work? Do platforms recruit from a specific demographic group, and what do we know about attitudes towards collective organizing? Existing research shows that unionization among platform workers is generally quite low, but their attitudes towards and propensity to engage in collective action can be related to their demographic and socio-economic characteristics.

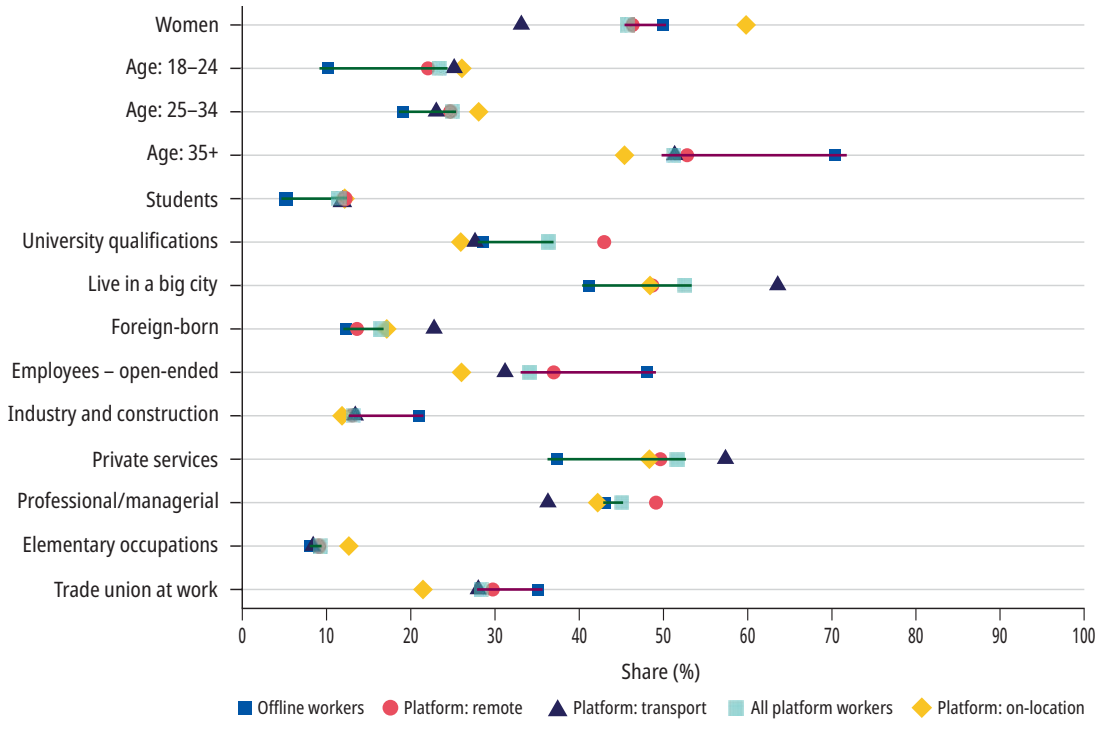
In an in-depth study of Deliveroo workers in Belgium, Vandaele, Piasna and Drahokoupil (2019) found that riders did not generally hold negative views towards unions, nor did they consider unions incompatible with platform work. Their views were thus not essentially different from those of their peers in the traditional labour market. Importantly, riders were more likely to want to join a trade union the worse they experienced job quality in terms of economic security, autonomy over their work and enjoyment at work.

The ETUI IPWS highlights that, while there are important differences in socio-demographic characteristics, platform workers are essentially not radically different from the offline labour force when similar types of activities are compared (Piasna, Zwysen, and Drahokoupil 2022).

Figure 3 highlights how platform workers overall differ from the offline labour force, and how different types of platform worker differ from each other. On average, more men than women are platform workers, but this differs greatly by the type of platform work, with 60 per cent of on-location workers being women, compared with only about one third of drivers. There are rather more young people among platform workers, but about one half are aged 35 years or older. Only a small minority of platform workers are students, although their share is slightly higher than among offline workers. Remote platform workers, unlike on-location workers, are more likely to have university qualifications. Platform workers more often live in big cities, especially drivers, as this is where the work is available. Platform workers are also more likely to be foreign-born, likewise particularly drivers. These socio-demographic characteristics indicate a lower exposure of platform workers to traditional trade unions.

Platform workers who are also employed in the offline economy are more likely to work on a temporary or self-employed basis than to work as employees; this difference is even larger for on-location workers. When looking at their main activity, platform workers are less likely to work in traditional industries and more likely to work in the service sector. This all results in lower rates of platform workers reporting a trade union at their workplace, particularly in the case of on-location workers.

Figure 3. Characteristics of platform workers



Note: The figure shows the weighted shares of different types of platform workers and offline workers, by socio-demographic characteristics and the characteristics of their work in their main paid job. The line indicates whether a characteristic is more (green) or less (red) common among platform workers than offline workers.

Source: ETUI IPWS Spring 2021.

Organizing and mobilizing platform workers in Europe

Thus far, labour protest in the platform economy has unfolded along several convergent lines and logics of action, despite the considerable heterogeneity of platforms and types of work. Early actions have overwhelmingly been of a bottom-up nature, with workers within the same platform uniting over contentious issues in ad hoc strikes, demonstrations or online campaigns (see Johnston and Land-Kazlauskas 2019). As the platform workforce is digitally managed, and thus constantly connected, online channels of communication such as forums, chats or social media groups have proved effective in exchanging views, formulating demands and mobilizing atomized workers. Many of these initiatives have morphed into grassroots organizations led by fellow workers and focused primarily on increasing the membership base (Vandaele 2018).

While the availability of online channels of communication is key in all types of platform work, given the absence of a shared physical workplace, the potential for forging collective identity and solidarity is augmented by geographical proximity and opportunities for personal meetings, as well as company identity via the visible branding of work gear. These conditions are easier to fulfil in on-location platform work with services delivered in public spaces, notably transport and delivery. This is reflected in the emergence of multiple worker-led initiatives in this sector, such as Collectif des coursier-e-s in Belgium, Collectif Coursiers Bordeaux in France and Liefern am Limit in Germany.

Remote platform work, as well as on-location work delivered in private spaces (e.g. childminding) or purposefully hidden from public view (e.g. mystery shopping), lack many of the features conducive to worker organizing found in transport and delivery. However, online communication tools and charismatic leadership can be used to build community groups worldwide among people who can only be reached online. An inspiring example is YouTubers Union, founded in 2018 by a popular German content creator as a Facebook group for people earning money by posting videos on YouTube who were dissatisfied with the company's pay policies.

The evolution of YouTubers Union into FairTube, since 2021 a formally registered organization supported by IG Metall, is an emblematic further step for bottom-up initiatives: gaining legitimacy and bargaining power through recognition and support from mainstream unions, as well as institutionalized forms of association. Building alliances between worker-led initiatives and unions shows the potential for innovation and experimentation going beyond the renewal of traditional organizing capabilities (Gebert 2021). Such efforts can include the provision of a structured network of support, expertise and material resources. Platform workers can be further integrated in insurgent unions specific to the platform economy (such as the App Drivers and Couriers Union, which started out as an association and was later incorporated as a branch of the Independent Workers' Union of Great Britain) or the sector-specific arms of some mainstream unions (such as 3F Transport in Denmark; the transport section of the Swedish Trade Union Confederation; the Food, Beverages and Catering Union in Germany; and the hospitality division of the

largest Dutch union, the Federation of Dutch Trade Unions).[2] These strategies can build on experiences with mobilizing non-standard workers, such as opening up membership to solo self-employed workers or particular occupational groups, such as artists.

Trade unions defend platform workers' interests by leveraging power in relation to other stakeholders, in line with the logic of influence as postulated by Vandaele (2018). In that sense, the emergence of legitimate actors on both sides of the negotiating table can facilitate collective agreements and deals. Employer organizations that group online platforms can be helpful in settling sectoral or multi-company agreements, as opposed to more fragmented firm-level bargaining, thus extending coverage. For instance, negotiations between 3F Transport and the Danish Chamber of Commerce established a national sectoral agreement for delivery riders for 2021–23, with the potential to cover multiple platforms.

A growing number of national collective agreements negotiated by unions with these high-tech multinationals testifies to the efficacy of "old" instruments. Nevertheless, experimentation has been introduced in the form of, for example, cross-border agreements, such as those between German-based Delivery Hero and the European Federation of Food, Agriculture, and Tourism Trade Unions in 2018, establishing an SE (Societas Europaea – European Company) works council with representatives from each European country where the platform operates.

Trade unions have also tended to engage in legal action which, in most cases, is related to the employment status of platform workers. Litigation is more widespread in countries where there are important gains regarding minimum wages, paid leave and other protections attached to achieving legally recognized employment status, as well as where it is a prerequisite for entering formal negotiations (Vandaele 2018; Johnston and Land-Kazlauskas 2019). Legal challenges can generate leverage over platforms especially where workers' bargaining power is too low to pursue other routes, but also where new provisions specific to platform work have been introduced, such as the so-called "Riders' Law" in Spain (Law 9/2021), and where platforms are failing to comply.

Despite many successes of platform workers and their associations in winning legal battles, the legal route has its limits in that judgments may conflict, yield different outcomes in different jurisdictions or be appealed, which increases uncertainty for workers. In that respect, international labour standards and regulation of the platform economy have the potential to provide a more coherent and consistent reference for national policies across different jurisdictions, especially in view of the cross-border activity of many platform companies. This direction has been pursued at EU level – although, admittedly, it does not yet encompass all aspects of decent working conditions – with a proposed directive on improving conditions in platform work.

[2] Many examples of organizing cited here are described in more detail in the Digital Platform Observatory (https://digitalplatformobservatory.org/), a joint initiative of the European Trade Union Confederation (ETUC) Brussels, Belgium, the Institut de recherches économiques et sociales, Noisy-le-Grand, France and Association ASTREES, Paris, France, funded by the European Commission.

Conclusions

The brief overview presented in this article clearly shows that trade unions, and industrial relations systems more generally, have been changing and adapting to new labour-market players, such as online labour platforms, and to new organizational practices (Hayter, Fashoyin, and Kochan 2011). On various occasions, online platforms have demonstrated a reluctance to enter negotiations with workers where they were not formally organized or institutionally supported, yet various barriers, including employment status and the atomized character of this volatile workforce, hamper long-standing strategies for building a membership base in the digital economy. Traditional labour unions have thus been deploying existing resources and organizational capacities to form novel networks and alliances, rightly recognizing that, despite the increasing diversity of issues on the bargaining agenda brought by technological developments, the core of the platform workers' struggle remains those issues that have continually taken the centre stage of collective bargaining: fair pay, decent working time, social protection and labour rights. Organizational experimentation has opened access to collective bargaining for platform workers across a variety of sectors and jurisdictions, demonstrating that a synergy between "the organisational capacity of the 'old' and the imaginative spontaneity of the 'new'" (Hyman and Gumbrell-McCormick 2017, 557) is an effective way to resist the recommodification of labour in the platform economy.

Lessons for collective representation of platform workers learned from the European context include the following:

- focusing on long-standing labour demands, such as decent pay, health and safety, non-discrimination and working time, thus recognizing commonalities between platform work and other forms of precarious labour;
- forming novel networks and alliances with emerging associations and bottom-up initiatives;
- deploying digital communication tools in reaching a dispersed yet constantly connected online workforce;
- developing social dialogue, with a focus on multi-employer and sectoral bargaining; and
- leveraging institutional influence before expanding the membership base.

In addition to generating new forms of collective representation, unions have acted to demand an appropriate regulatory framework for online-based labour. While national-level initiatives to review labour law, such as those undertaken in Croatia and Ireland in 2021, cannot be underestimated, greater impact could be achieved with international regulation and standards. A prominent initiative is the lobbying effort undertaken at European level by the ETUC for a regulatory framework governing the platform economy. Here, the legislative process is already quite advanced: the European Commission published a proposal for a directive on improving conditions in platform work in December 2021.[3] Apart from acting on

[3] See https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2021)397&lang=en.

the key issue of employment status, the proposal recognizes the importance of establishing a communications infrastructure for workers through channels not monitored by the platform. Together with the increased transparency of this segment of work and worker representation rights, this is an important step towards independent, collective worker organization and representation in the internet-based world of labour.

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

Digital activism as a pathway to trade union revitalization

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Introduction

If trade unions are to find a pathway to revitalization, it is imperative that they invest in better ways to engage in the digital realm. Technological change is of critical importance for the future of unions. On the one hand, the rapid rise of the platform economy and the decentring of industrial work pose an enormous threat to their very existence (Visser 2019). On the other hand, digital tools offer a plethora of opportunities for union engagement with existing members, but also with workers in traditional and emerging sectors with low rates of unionization.

Unions have traditionally been slow to embrace new technology, and digital communication tools are no exception to this trend; however, as the COVID-19 pandemic has demonstrated all too clearly, it is no longer possible to imagine a future in which unions flourish without embracing digital communication tools. These technologies hold much promise: they are cheap, quick and versatile and can help unions connect with – and grow – their membership, mobilize support and influence public opinion on labour and other social issues. However, unions need to formulate a well-considered digital media engagement strategy that aligns with their organizational goals, as well as understanding both the opportunities and the challenges associated with its implementation.

Digital technologies as an activist tool

Information and communication technologies (ICTs), such as social media and the web, offer technological affordances – things that can be done better or more easily because a technology enables them. A number of studies have warned that the ubiquity of digital technologies will alter the dynamics of contention (Segerberg and Bennett 2011) and potentially render traditional organizations irrelevant (Bimber, Flanagin, and Stohl 2012). Digital activism, the practice of taking direct action to achieve change through digital means, brings both benefits and challenges. Traditional organizations like unions can thrive in this digital era, as long as they remain deeply connected with their grassroots membership, possibly including the use of digital tools to mobilize offline engagement.

There are three key benefits that digital engagement can provide. First, through more sophisticated use of existing digital technologies, unions can improve their capacity to advance the interests of their existing members through campaigning and organizing, as well as reaching non-unionized workers. This is one of the most important benefits in terms of union revitalization, as unions around the world have experienced membership loss, the dismantlement of their membership structure and the weakening of mobilization capacity among young workers (Carneiro and Costa 2020). Second, ICTs provide available space and opportunities for unions to advocate for their cause and gain new members (Dahlberg-Grundberg, Lundström, and Lindgren 2016). Through online tools and platforms, unions can disseminate critical information in real time, expand their support base and build online communities. Third, having to operate in a more networked, decentralized and

open environment forces unions to become more transparent in their communication and governance procedures using more distributed means of communication (Hogan, Nolan, and Grieco 2010).

While the benefits of digital engagement are undeniable, there are also many challenges with pursuing digital engagement strategies. First and foremost, unions must grapple with limits in the reach of the digital ecosystem. The popularity of social media platforms such as Facebook and Twitter masks important divides in access to digital infrastructure and technology adoption and use along rural–urban, demographic, gender and socioeconomic lines. Unequal access to the internet and social media remains a challenge in many countries. In addition, online freedom has been in decline globally for ten years, a decline that has been exacerbated by the onset of the COVID-19 pandemic (Shahbaz and Funk 2020), which political leaders have exploited to limit access to information, expand surveillance powers and deploy intrusive technologies in the name of public health. Unions' efforts to establish a digital profile can also bring them into conflict with various bad actors, as online spaces are saturated with misinformation, disinformation, trolling and cybercrime. Recognizing these perils of digital activism will help to prepare unions to tackle the problems as they arise and formulate thoughtful responses to these challenges.

Background and methodology

To better understand the current practices and impacts of digitization, we examined the experiences of 11 peak union bodies across six countries in the Asia-Pacific region (Australia, Fiji, India, Indonesia, the Philippines and the Republic of Korea). These countries were selected because they have different levels of digital inequality, connectedness and openness. Even in wealthy and highly wired countries like Australia and the Republic of Korea, people from lower socio-economic backgrounds spend far less time on social media and are less confident users than their wealthier counterparts (Kemp 2021). In least developed countries, lower levels of connectivity contribute to much deeper digital inequalities. India is one of the most digitally divided societies in the world, with rural Indian women the most digitally excluded (Sheriff 2020). Urban Indians are nearly twice as likely to be connected to the internet than their rural counterparts. Gender is also highly influential. On Facebook, for example, only 24 per cent of users in India are female (Kemp 2021). Indonesia has similar, though less stark, disparities in social media usage. The urban–rural divide stands at 62 per cent versus 36 per cent in terms of internet access. YouTube users are split into 46 per cent female and 54 per cent male, while Facebook users are split into 44 per cent female and 56 per cent male. In the Philippines, the difference between urban and rural Filipinos with access to fourth generation (4G) wireless technology is 14 per cent. However, women are more active users of social media. For Facebook, 53 per cent of users are women, as are 65 per cent of Instagram users and 76 per cent of Twitter users (Kemp 2021).[1]

[1] There are no reported data for Fiji.

The union context in these countries is equally diverse. At one end sits Australia, where unions – while rapidly diminishing in membership density – continue to play a broadly accepted role in both the political and the industrial sphere. Unions in Fiji, India, Indonesia, the Philippines and the Republic of Korea all face some level of political oppression through legislative measures, but also through surveillance and other anti-union behaviour. In Fiji, the Philippines and the Republic of Korea, governments also target individuals, sometimes violently, because of their union activities. The six countries also vary dramatically in terms of union density, collective bargaining coverage and size of the formal economy. Membership density is highest in Fiji, where 28.6 per cent of employees are union members. All other countries sit below the global average of 17 per cent (ILO 2020), with the lowest density found in Indonesia, where union members account for just 5.2 per cent of employees (DTDA and Mondiaal FNV 2020).

Union engagement with social media

The digital engagement strategies of the unions we studied focus primarily on social networking sites (social media and messaging apps), as well as email and websites. Virtually all have a presence on Facebook and a few other major platforms, such as Twitter, Instagram, YouTube and WhatsApp. Other digital technologies that have seen significant adoption since the onset of the COVID-19 pandemic are tools that facilitate online work and learning, such as Zoom (Table 1).

Across the board, the clearest point of differentiation is between use of social media platforms and messaging apps. Unions in several countries use Facebook and YouTube for general information but prefer chat apps, including Facebook Messenger, WhatsApp and Bend, for more targeted communication with their members. Of the 11 unions we studied, the Australian Council of Trade Unions (ACTU) is the most digitally leveraged, with sizeable numbers of followers across four social media platforms – Facebook, Twitter, Instagram and TikTok – who are frequently engaged with its campaigns and affiliates, as well as an active and targeted email strategy. At the other end of the digital spectrum are the Indian unions, which only embraced digital technologies beyond email when the COVID-19 pandemic interrupted face-to-face communication.

The most engaged unions on Facebook – the most popular platform among the unions – were the Confederation of Indonesian Trade Unions (Konfederasi Serikat Pekerja Indonesia, KSPI) and the Confederation of All Indonesians Trade Unions (Konfederasi Serikat Buruh Sejahtera Indonesia, KSBSI) at 2.06 per cent and 2.13 per cent, respectively. These interaction rates, measured by the amount of engagement received from the public compared with the amount of activity posted by the organizations, show that the organizations that do not post most frequently, and do not have the most well-resourced digital media teams, can still create engaged online communities.

▶ Table 1. Digital tools used by the selected peak union bodies

	Bend	Digital newsletter	Email	Facebook	Instagram	Messenger	Petitions/surveys	Signal	TikTok	Twitter	YouTube	WhatsApp	WBS Pro	Website	Zoom or similar	Integrated system
Australia																
ACTU		✓	✓	✓	✓		✓		✓	✓				✓	✓	✓
Fiji																
FTUC			✓	✓						✓		✓		✓	✓	
India																
BMS		✓	✓	✓						✓	✓	✓		✓	✓	
INTUC			✓	✓	✓	✓	✓			✓	✓	✓		✓	✓	
SEWA		✓	✓				✓				✓	✓		✓	✓	
Indonesia																
KSBSI		✓	✓	✓	✓					✓	✓	✓	✓	✓	✓	
KSPI			✓	✓	✓		✓			✓	✓	✓		✓	✓	
Philippines																
FFW		✓	✓	✓			✓	✓			✓			✓	✓	
KMU			✓	✓	✓	✓		✓		✓					✓	
Sentro		✓	✓	✓	✓	✓		✓		✓				✓	✓	
Republic of Korea																
FKTU	✓	✓	✓	✓		✓				✓	✓			✓	✓	

ACTU: Australian Council of Trade Unions; BMS: Indian Workers' Union; FFW: Federation of Free Workers (Philippines); FKTU: Federation of Korean Trade Unions; FTUC: Fiji Trades Union Congress; INTUC: Indian National Trade Union Congress; KMU: May First Labor Movement (Philippines); KSBSI: Confederation of All Indonesians Trade Unions; KSPI: Confederation of Indonesian Trade Unions; Sentro: Center of United and Progressive Workers (Philippines); SEWA: Self Employed Women's Association (India).

Twitter is the second most popular public social networking site, although in most cases unions make only limited use of their Twitter accounts. Even ACTU, which has by far the most tweets and followers, uses it for "a very particular purpose", namely "to get materials in front of journalists and politicians and pundits". Meanwhile, most unions in the region simply use Twitter to mirror their Facebook content – if, indeed, they use it at all. This is true even for May First Labor Movement (Kilusang Mayo Uno (KMU)), the second most intensive user of the platform. As a KMU representative reported: "We don't use Twitter independently. It mirrors the Facebook account. Workers don't use Twitter, it's more for engagement with the middle class, students, professionals, social media influencers and the traditional mass media who use Twitter for publication of news items."

Unions achieve far higher levels of engagement on direct messaging platforms like chat apps, such as Messenger and WhatsApp, which they use intensively for internal communications. The challenge here, though, is the quality of that engagement. According to a representative of the Indian National Trade Union Congress (INTUC), WhatsApp groups for senior leadership are an incredibly effective means of communication, but it is difficult to get cut-through in larger member groups because "most people in the WhatsApp groups just post a bunch of pictures and messages, and important messages are not visible. This is the problem with this strategy." These apps nevertheless allow a level of internal communication that was previously unimaginable.

Representatives of the unions we studied identified without prompting the greatest benefits and challenges associated with the adoption of these digital communications shown in Table 2. All believe that the benefits of engaging with digital communication tools outweigh the challenges associated with their use. A Fiji Trades Union Congress (FTUC) representative reported, for example: "Social media is really important in generating the support of the majority. Things generally happen really quickly, and social media is the fastest way to get the message across." This perception was strengthened, moreover, with the advent of the COVID-19 pandemic. As the General Secretary of the Indian Workers' Union (Bharatiya Mazdoor Sangh (BMS)) observed:

> The pandemic has really changed the way we use digital communication tools. This is the new normal. Social media is helpful, and the fastest mode of communication. We have started an awareness programme for digital education, supported by a foundation. We are creating an awareness programme on burning issues like the labour code and the gig economy.

The pandemic has also seen a rise in digital literacy among union members and officials. Increasing acceptance of Zoom and similar platforms has generated an opportunity to increase the frequency of meetings between different levels of the union, but also between unions in different countries. Union leaders have sometimes struggled to embrace different technologies. For example, the KMU media team reported that, during the first part of the lockdown, they had to teach staff and union leaders how to make videoblogs because they could no longer go out into the field. However, these new skills, and the change in mindset that comes with them, constitute a tremendous resource.

Table 2. Perceived benefits and challenges of digital communications

	ACTU	FTUC	BMS	INTUC	SEWA	KSBSI	KSPI	FFW	KMU	Sentro	FKTU
Benefits											
As a campaign tool	✓					✓	✓				✓
Brand and reputational benefits						✓	✓			✓	✓
Building networks with other social media organizations										✓	
Capacity to engage with members			✓		✓	✓		✓			
Can share uncensored views		✓									
Economical way of communicating				✓				✓			
Encourages conciseness of messaging									✓		
Feedback on programme implementation			✓								
Membership growth	✓				✓						
Raise awareness of labour issues				✓				✓	✓	✓	✓
Outreach and community-building	✓	✓		✓							
People unable to speak publicly engage		✓									
Speed of communication			✓		✓				✓		
Challenges											
Can discourage real-life activism					✓		✓				
Cost of producing good content				✓		✓		✓			✓
Creating good, relevant content	✓					✓		✓	✓		✓
Employer retribution against members		✓					✓				
Hard to attract attention										✓	
Irrelevant posts on officials' own pages						✓					
Lack of technical skills			✓	✓				✓		✓	
Leaking of sensitive information		✓									
Low levels of digital literacy			✓		✓						
Levels of member engagement				✓			✓			✓	
Member access to smartphones			✓		✓						
Maintaining growth	✓										✓
Threats to members from government		✓									
Time management	✓								✓		
Troll armies									✓		

ACTU: Australian Council of Trade Unions; BMS: Indian Workers' Union; FFW: Federation of Free Workers (Philippines); FKTU: Federation of Korean Trade Unions; FTUC: Fiji Trades Union Congress; INTUC: Indian National Trade Union Congress; KMU: May First Labor Movement (Philippines); KSBSI: Confederation of All Indonesians Trade Unions; KSPI: Confederation of Indonesian Trade Unions; Sentro: Center of United and Progressive Workers (Philippines); SEWA: Self Employed Women's Association (India).

Note: institutions shown in the figure above in alphabetical order of country.

A question of strategy

The degree of digitization and platform engagement was largely determined by the unions' resources and organizational goals. The most strategic unions tend to see digital technologies as an integral and crucial part of their membership and expansion of their influence. For them, digital communication tools are a means not merely of getting information out to their members, but also of increasing membership engagement, helping to drive campaigns and member recruitment, and strengthening relationships with affiliates and external stakeholders.

Of the 11 unions studied, ACTU stands out as having the most sophisticated digital engagement strategy, which brings together its digital media, communication, outreach and campaigning policies to drive growth. For ACTU, each digital tool serves a different target audience and purpose, but they all work towards the same integrated goal. Its social media team is tasked with "bringing non-members into the ACTU universe" by focusing both on "core" labour issues like precarious work, equal pay and occupational health and safety, and on broader social issues, including marriage equality, refugees, climate change and violence against women. It is also very active during election campaigns.

Beyond Australia, the union among our sample with the most sophisticated digital engagement strategy is KSPI in Indonesia, which also focuses heavily on lead generation. Its *Ayo Berserikat* (Let's Unionize) campaign seeks to encourage existing members to be more active, but also to engage with non-unionized workers. Like ACTU, KSPI runs social media campaigns about broader social issues as well as specific industrial disputes. Another union that has consciously targeted the general public as well as members is the Federation of Korean Trade Unions (FKTU). Cognizant of anti-union attitudes in the Republic of Korea, FKTU focuses on creating content to improve the image of unions. FKTU's experience also revealed the importance of experimentation and flexibility in terms of platform use. As its Facebook performance has become less effective over time, reflecting a general downward trend in popularity of the platform in the Republic of Korea, the union diverted some of its resources to YouTube, which is now the most popular platform in the country. The fourth union with a highly tailored strategy for digital engagement was the Self Employed Women Association (SEWA). Since few of the informal workers SEWA organizes have access to even a smartphone – and many are illiterate – it does not make sense to adopt a broad-based digital strategy. Instead, SEWA largely limits its digital communications to communications with its external supporters through email and its website while limiting internal digital communications to officials and members of its research teams via WhatsApp.[2]

[2] Some other unions, including INTUC and KSBSI, strive to be as digitally engaged across as many platforms as possible, with varying levels of effectiveness. Others still have returned to email campaigning, as this tried-and-tested tool has seen a resurgence in popularity as a result of the rising importance of e-commerce.

Not surprisingly, these unions were also the ones that differentiated their branding for different audiences. Other unions in the study have far more homogeneous communications. For example, when asked about audience differentiation, a representative of the Philippines' Center of United and Progressive Workers (Sentro ng mga Nagkakaisa at Progresibong Manggagawa, Sentro) reflected:

> We haven't really thought about being more targeted. To be honest, [in] most of our work online, our main concern is our membership. Other than taking public positions on issues which are obviously directed to the general public and policymakers, most of our communications are targeted to our membership. We devote a lot of energy trying to reach out to our members, getting engagement.

It is important to recognize here that there are significant resource implications associated with a successful digital engagement strategy. It involves purchasing hardware and content management systems, but also requires engagement with a number of different platforms and a focus on content creation. All these aspects of digital communications are highly resource-intensive (Schradie 2019). In addition, digital activism is ultimately laborious: organizations with more time, money and personnel are better able to leverage the benefits of digital communication tools to make their voices heard and influence felt. ACTU has eight full-time paid positions dedicated to digital communications, embedded within a larger "growth team" of 35.[3] But few of the unions we studied have a dedicated budget, or even a dedicated team, for their digital communications. The presence or absence of a budget is most evident in relation to visually intensive platforms, and YouTube in particular. ACTU has in-house video production capacity, while FKTU has the funding to outsource production of video content to professional providers. Other unions rely heavily on the skills and energy of officials or volunteers.

However, while important, financial resourcing and staffing are not the only predictor of success. Skills deficits among staff and officials tasked with managing a union's digital presence – rather than staffing levels per se – are the main barrier to implementation of an effective digital engagement strategy. As an official from a KSBSI affiliate observed:

> You have to be really creative and have a lot of initiative to deal with this stuff. It's about making people interested and not everyone has that skill. You need to be consistent also. You need to upload 2–3 videos a week. That requires creativity. And there's no one at the confederation level that looks after it.

In some cases, unions have access to gifted individuals with a passion for digital technologies. KMU and KSPI, two of the most digitally successful unions in our study, rely largely on donated time for their digital engagement. Indeed, in terms of overall engagement, KMU punches well above its weight, focusing on content quality and viral hashtagging, driving effective digital campaigns with limited resources.

[3] The union with the second-largest digital communications team is BMS. In its case, however, team members are funded by a time-limited project. At the other end of the spectrum is INTUC, which relies entirely on volunteers. In a number of cases, unions have access to the time of staff or officials supported by their affiliates.

An additional consideration relates to security threats in the form of technical vulnerabilities and government surveillance. All unions studied have experienced at least one form of cyberattack, with "fake news" being the most common. In the Philippines, all three unions we studied reported concerns that they were not only being monitored, but also being targeted by state-funded troll farms and in fake news via red-tagging campaigns. Attacks on freedom to communicate online may also be less overt. In the Indonesian context, both unions interviewed expressed concerns about the Electronic Information And Transactions Law, which includes anti-defamation provisions that have been mobilized against unionists. In one example, a union member was arrested and charged for posting a criticism of his employer, with a picture of the company's logo with a line drawn through it. In India, unions expressed similar concerns about the prospect of negative impacts on union activists of government regulations concerning digital communication.

A key constraint in terms of impact, meanwhile, involves the challenge of actually reaching union members. Digital unionism has not been widely adopted or accepted by rank-and-file unionists, even in highly digitalized contexts. In a study of six large unions in Europe and the United States of America, Carneiro and Costa (2020) found that union members rarely engage with their organizations online. Part of the problem was that most digital activity was unidirectional and hierarchical, consisting largely of organizations broadcasting information on various digital media platforms, with little interaction with their members or with the general public. A similar pattern was found among the unions we studied. They also made infrequent use of readily available analytical tools to assess the effectiveness of their digital engagement, which would have helped them to better understand the reach of their communications. Indeed, only ACTU and KSPI systematically use platform analytics to identify the content that is most popular, and the language that gains the most traction, as well as collecting contact data through online registration and surveys.

Conclusion

For today's unions, embracing digital technologies is no longer a choice, but a necessity. The COVID-19 pandemic has wrought havoc globally, but it has also thrust generations of workers, union members and union officials into a far more digitalized world. Faced with lockdowns and prolonged periods of workers working from home, unions have had to rely heavily on digital tools to communicate internally and externally. The capacity and appetite for digital engagement has never been higher, even in contexts where digital resources are least available, and this constitutes an unparalleled opportunity to drive digital engagement. The real challenge facing unions now is how best to harness digital technologies in meeting their organizational objectives. Unions that are successful in digital engagement are those that have the right staff and strategy to leverage digital tools to advance their goals. The pandemic has also created a situation where the importance of worker collectivity has been reinforced by laying bare the many dimensions of deficits in decent work.

In light of these challenges, unions can improve their digital engagement in the following ways.

- Create a digital strategy policy that outlines the union's organizational capacities, goals and policy guidelines when using digital communication tools.
- Investigate ways to enhance internal and external ICT capabilities that are aligned with organizational structure and resources. Unions may consider applying for funding from philanthropic organizations, for example, that can provide social media campaigning capacity should the union lack internal resources.
- Identify talent within the union that can help to generate a robust digital strategy and develop digital communication capabilities. This "talent" may include members or even staff who are not traditionally considered for such a role, but who have the necessary knowledge of and interest in digital media engagement.
- Conduct or sign up for free training offered by digital media platforms or civil society organizations that will help to increase the knowledge of privacy, cybersecurity and policy relevant to digital media engagement.

In these ways, unions can leverage digital technologies to strengthen their communication, extend their reach and advocate for their members and the general public in innovative ways – and in the process promote their own organizational revitalization.

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

Trade union responses to organizing workers on digital labour platforms: A six-country study

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Introduction

The new millennium has seen the rapid rise of the digital economy as the preferred means for organizing standard economic and sociocultural activities. Kenney and Zysman (2016) describe access to digital technology as providing individuals and households with greater convenience and wider choices and, as a result, causing remarkable changes in purchasing and consumption behaviour. Digitization is credited with helping enterprises to conduct their businesses online and providing global reach that would not have been available in traditional economic models. Digitization has also been credited with helping transformations in the world of work. However, there is another dimension to the digital economy that is receiving less attention – union organizing. The challenge for trade unions is to organize workers in the digital economy to harness its potential benefits while minimizing its adverse effects.

This paper examines the changing dynamics of the employment relationship in the digital economy and the resulting implications for the continuous adaptation of freedom of association and protection of the workers' right to organize in the Asia-Pacific region, in order to identify what might constitute appropriate trade union responses to organizing in the digital economy. The analysis is informed by interviews with trade unions in six focus countries: Bangladesh, India, Malaysia, Mongolia, Sri Lanka and Thailand. The countries have been selected to represent different legal jurisdictions and demographics, so that the impact of a range of digital work arrangements on the core research questions of freedom of association and collective bargaining may be examined to develop broader recommendations for action by trade unions and governments. However, as all of the trade unions interviewed worked mostly with workers on digital labour platforms, and in particular delivery- and travel-related platforms, the paper focuses on how trade unions are overcoming the challenges created in organizing and protecting workers engaged on these labour platforms.

The five questions guiding the paper's exploration are:

1. What are the types of work arrangements that are visible in the digital economy (including digital labour platforms) in the six countries?
2. What are trade union organizing responses to platform work in the region and are there any specific country case examples?
3. How have union organizing approaches been adapted to opportunities and challenges associated with platform work?
4. Are there examples of "organizational creativity" within the unions to respond to platform work?
5. How are unions responding to losses in social insurance/protection, algorithmic management and the erosion of decent work that might be associated with digital labour platforms?

The conclusion the paper reaches provides a justification for the statement that trade unions need to be more proactive in identifying and approaching all types of digital platform workers, and not only those who are easily recognizable and visible, if better rights are to be pursued collectively and protected.

The digital economy and the world of work: A contextual background

The technology that spurred the growth of the digital economy can be identified as the development of easy-to-use and freely available software technologies, the growth in artificial intelligence, availability of cloud computing and storage, and blockchain technologies. Similarly and simultaneously, the introduction of high-speed connectivity and high-capacity data storage solutions permitted the exchange of large amounts of data and information between customers and businesses, at a low cost and high speed that had been hitherto unimaginable. Hardware development led to the introduction of affordable smart devices for customers and businesses, which supported the rapid growth of the digital economy.

The digital economy has also impacted on employment in a number of ways (ILO 2021).

- Digital platforms have introduced algorithmic management of work processes and performance, which automates the allocation and evaluation of work and calculation of payments.
- Platform operations have changed the organization of work by shifting the responsibility for investing in capital assets and the operational costs to the workers, thereby reducing the risk to platforms. For instance, capital equipment, such as computers on online web-based platforms or vehicles on location-based platforms, which would traditionally be the responsibility of the platform operator, are instead provided by the workers themselves, who also bear the costs related to fuel, maintenance, purchase of licences or internet charges.
- Platforms have changed traditional employment relationships: they usually have a small core workforce directly employed by the platform and a large outsourced workforce (often in remote locations) who perform set tasks on the platform, which is provided by the operator. The outsourced workers are usually categorized as self-employed or independent contractors by the platforms and by labour regulators, and payments to these workers are governed by terms-of-service agreements determined by the operator, which do not usually include any other benefits or protections.
- Digital labour platforms have also created a new model of outsourcing work to a global workforce with skills and expertise that may be unavailable locally or are more cost-effective; at the same time, location-based platforms have also enabled businesses in the hospitality, restaurant and retail sectors to expand their customer base and improve

efficiency; in particular since the outbreak of the COVID-19 pandemic, many such businesses have also relied on delivery platforms to continue their operations.

However, it has become apparent that, as with any technology or innovation, the digital economy has both desirable and undesirable consequences. It raises issues of competition, data privacy, social and labour protection for workers in the digital economy, safety and security for customers, and taxation for governments – all of which require a re-evaluation of existing laws and regulations. It may also amplify existing development challenges, including inequalities, both globally and nationally. Regulatory authorities have been slow to respond to early challenges: as one commentator puts it succinctly: "It's [an] old .... trick: just start doing something, let legislators and judges take their usual 10 years to grasp what's going on, and by that time it will be too late to undo anything [the Company] has accomplished" (Smith 2019).

The challenge, then, for governments and regulators is to act speedily to set standards and limits to harness the potential benefits of the digital economy while minimizing its adverse effects.

The impact on trade unions and membership

The ILO identified the emergence of online digital platforms as one of the major transformations that has taken place in the past decade with regard to labour and conditions of work. This new form of work was found to have disrupted not only existing business models, but also the employment model upon which these business models relied: the traditional master-servant relationship. Workers have undoubtedly transitioned towards work on digital labour platforms because of the opportunity these platforms provide to work from anywhere at a time of their choosing and to take up any job that suits them, or multiple jobs simultaneously (ILO 2021).

There are however, many risks in engaging in such work in terms of security and status of employment, such as whether workers earn an adequate income and enjoy social protection, health protection and other benefits – in short, whether the digital economy will create decent work. These questions have become even more relevant in the current global COVID-19 pandemic, owing to the rapid and widespread loss of employment, the decimation of thriving economic sectors that has impacted livelihoods, and the ensuing increase in poverty in the most vulnerable groups in every country.

The rapid increase in work in the digital economy has also been identified as one of the factors placing further stresses on trade unions and workers' organizations, which were facing many new and old threats in various parts of the world. Visser (2019) identifies industrial decline, developments in technology, digitization and globalization as factors that have changed employment union membership and outlines four possible futures for the trade union movement:

- **marginalization** – decreasing rates of unionization and ageing unions;
- **dualization** – defending current positions and servicing members closest to them;
- **replacement** – a process of replacing trade unions by others, such as non-governmental organizations (NGOs), social movements, States, employers or other intermediary agencies;
- **revitalization** – innovating tactics and coalitions to strengthen trade unions as strong, relevant, democratic and representative actors in organizing and servicing the "new unstable workforce" (as Visser calls it) in the global North and South.

A recent research paper described the impact of the growth of the digital economy on labour as follows:

> The potential disruptive effects of platforms on labour markets are large and outweigh their importance as a current source of employment. Amidst various attempts to come to grips with platform work through unions, cooperatives, works councils and Internet tools, we are only at the beginning and much has yet to be invented. Advocates contend that platform work can economically benefit socially marginalized groups including the unemployed, geographically isolated, and refugees, although this does not seem to have been important in the case of Uber. (Hall and Krueger 2018).

Which of Visser's four possible futures will occur in specific environments, or whether a combination of these outcomes will occur, remains to be seen. However, it is self-evident that trade unions will need to plan for various possibilities in order to remain relevant and to assist their members to overcome the numerous challenges that they are likely to face in the digital economy, especially when working on digital labour platforms.

The transformation of the employment relationship in the digital economy

Most national employment law systems are based on the traditional employment relationship of master and servant, based on a contract of employment. Much of the focus of the ILO in its first century of work was on ensuring that workers were not exploited or disadvantaged, by defining the parameters of this traditional employment relationship to include "disguised employment relationships"[1] in an attempt to address the unequal bargaining power between employers and workers. Most recently, the Employment Relationship Recommendation, 2006 (No. 198), sought to clarify the ambiguities that arise in determining whether a work arrangement constitutes an employment relationship but also, much more importantly, recognized that other challenges are likely to undermine the

[1] "A disguised employment relationship is one which is lent an appearance that is different from the underlying reality, with the intention of nullifying or attenuating the protection afforded by the law or evading tax and social security obligations. It is thus an attempt to conceal or distort the employment relationship, either by cloaking it in another legal guise or by giving it another form. Disguised employment relationships may also involve masking the *identity of the employer*, when the person designated as an employer is an intermediary, with the intention of releasing the real employer from any involvement in the employment relationship and above all from any responsibility to the workers." (Employment Relationship Recommendation, 2006 (No. 198)).

traditional concept of employer and worker in the future. The Preamble to Recommendation No. 198 therefore refers to the traditional idea that labour law "seeks, among other things, to address what can be an unequal bargaining position between parties to an employment relationship", but also recognizes that international guidance on the scope of the employment relationship should remain relevant over time, and that "in the framework of transnational provision of services, it is important to establish who is considered a worker in an employment relationship, what rights the worker has, and who the employer is". However, even that Recommendation did not foresee the extent to which the employment relationship would be transformed in the digital economy.

The ILO Centenary Declaration for the Future of Work recognized the need for members to work individually and collectively to "respond to challenges and opportunities in the world of work relating to the digital transformation of work, including platform work" on the basis of "tripartism and social dialogue" but reaffirmed "the continued relevance of the employment relationship" (ILO 2019). The Declaration was based on widespread consultations with tripartite members and key experts, and acknowledged that digital and platform-based work was expected to expand in the future. The ILO also recognized that "digital labour platforms provide new sources of income to many workers in different parts of the world, yet the dispersed nature of the work across international jurisdictions makes it difficult to monitor compliance with applicable labour laws. The work is sometimes poorly paid, often below prevailing minimum wages and no official mechanisms are in place to address unfair treatment" and recommended the development of an "international governance system for digital labour platforms to require platforms (and their clients) to respect certain minimum rights and protections" (Global Commission on the Future of Work, 2019). The Declaration therefore encapsulates the dilemma of the digital economy and digital labour platforms: extending the decent work principles developed within the framework of the employment relationship to the digital economy and digital labour platforms, which are built on a refusal to recognize any such employment relationship.

Digital and platform work is now global in its reach and usage, but no uniform or universal definition exists for workers providing services in the digital economy. Most legal systems provide for terms and conditions of employment, as well as rights at work, only where there is an employment relationship, even though the definition of what constitutes an employment relationship differs. Regulation of work arrangements in the digital economy is also challenging, owing to the physical, geographical and digital separation between the worker and the provider of such work (which would be the employer in traditional employment relationships): any user in the digital economy may disguise their location and identity using virtual personal networks and when users and providers of digital work are connected only through technology and often based in different jurisdictions, the application of employment laws becomes problematic and, in many instances, unenforceable across national boundaries.

In some instances, the nature of work performed in the digital economy by these workers may even exceed the scope of duties required of a worker in a traditional employment relationship. For instance, workers in the digital or platform economy may be tasked with assisting in processing and organizing the basic data that are required for the platform to function; not only have platform operators reduced costs by being able to call on a virtually unlimited supply of platform workers, but they have also eliminated the need for additional workers to input data and manage systems at entry level. These data are essential for machine learning and training algorithms for future automation (UNCTAD 2019). For instance, on ride-hailing and delivery platforms, the drivers also feed data into the company database in addition to transporting people. Those data are then used to automate the management of the company's operations, such as dispatching drivers or surge pricing, without the drivers being aware that they are providing additional services to the platform operator; the drivers receive no additional compensation for such work, and are often at a disadvantage as a result of providing real-time information (Chen and Qiu 2019).

Owing to the very nature of work in the digital economy, there are no precise data on the employment status of workers, although much of the available research indicates that there are almost no platform workers with a traditional employment relationships (Hauben, Lenaerts and Kraatz 2020). In fact, many of the platform operators ensure that the publicly available terms and conditions of signing up on their platforms emphasize that workers (such as drivers in ride-sharing and taxi service providers/facilitators) are "independent contractors" or "independent third party drivers".

The terminology used by platform operators is clearly intended to remove any point of intersection between the platform operators and any platform worker. DiDi (a ride-hailing platform operator in China and Mongolia), in particular, has extended this exclusion of liability to including in its Driver Agreement the right of indemnification by the worker in the event that any authority deems the relationship to be that of employer and employee, as well as recovery of employee benefits ordered to be paid if an employment relationship is recognized. Whether the right to such an indemnification will be pursued, or can be legally pursued at all, is doubtful, but it is noteworthy that the platform operator considered it sufficiently important that it included a specific reference in the agreement.

It is therefore clear that platform operators will attempt to distance their platform from the presumption of any employment relationship with digital economy workers.

Impact of the pandemic on the digital labour economy

By 2020, the global unemployment rate had reached 6.5 per cent, up 1.1 percentage points from the previous year; in Central and Southern Asia, the increase was higher at 1.3 percentage points (UN 2021). The number of people unemployed worldwide increased by 33 million, reaching 220 million. This figure is projected to fall to 205 million. Although unemployment decreased slightly in 2022, signalling the possible start of a post-pandemic

economic recovery, the United Nations projects that the global unemployment rate will remain above its 2019 level of 5.4 per cent, at least until 2023.

It is interesting to note that some of those who became unemployed as a result of the pandemic may have transferred to the digital economy as platform workers. A recent ILO report stated that "there has been an increase in both labour demand and supply for such work on online web-based platforms between 2017 and 2020. The onset of the COVID-19 pandemic and the resultant switch to remote work and teleworking have led to an increase in demand for such work from mid-April to June 2020, unlike previous years. The data shows that supply has been rising faster than demand, including during the COVID-19 crisis" (ILO 2021). The latter point could adversely impact the ability of workers to obtain work and earn a substantial amount of income. Other characteristics of platform work, such as not being eligible for social security coverage, have also created significant challenges for all platform workers during the pandemic, and especially for those on location-based platforms, particularly women, who face various occupational safety and health risks that have been exacerbated by the pandemic.

Country level analysis

The following countries were selected for further study on the impact of the digital economy on the employment relationship and the consequences for workers' organizations: Bangladesh, India, Malaysia, Mongolia, Sri Lanka and Thailand. Except for India and Malaysia, these countries have adopted a traditional approach to defining an employer, an employee and the employment relationship, which excludes non-traditional employment relationships from coverage under national labour laws. India and Malaysia have recognized work arrangements in the digital economy, such as gig work and gig workers, for the purpose of providing social security. This approach is a relatively recent one, and the practical impact and operation of these provisions and the limits of such coverage are not yet evident. However, the clear intention to extend coverage of at least some benefits to workers in the digital economy in these two countries, with their rapidly developing digital labour platforms and other types of digital work, is a welcome one, and may provide guidance to other countries looking to resolve the challenges of enforcing protections built up in the context of traditional employment relationships and extending them to emerging work arrangements in the digital economy.

From the perspective of organizing digital workers, most platforms classify these workers as independent contractors; in all the countries studied in this report (except Thailand), this classification precludes workers from forming or joining a union and engaging in collective bargaining. "Even where unionization is possible, the predominance of non-standard work arrangements may present challenges to achieving effective union recognition and bargaining. Thus, platform workers experience myriad challenges when

attempting to build a collective voice and structure and create lasting and enforceable employment regulation" (Visser 2019). The right to form and join trade unions is often dependent on a direct employment relationship with a single employer, and the very nature of the digital economy makes it unlikely that a direct relationship could be established.

Organizing workers in the digital economy: Trade union experiences in six countries

Trade union representatives from each of the countries were interviewed using a briefing note forwarded prior to the interview which identified focus areas for discussion (the interview notes are annexed to this paper). Since the focus areas were broadly comparable for each country, the responses are grouped described under the relevant question for ease of discussion. However, it must be noted that all the trade unions interviewed focused almost entirely on the platform economy, and primarily the app-based taxi-hailing and delivery platforms. This was probably due to the visibility of and large numbers engaged in these sectors; most trade unions stated that they have focused on organizing these platform workers as an entry point into organizing workers in the digital economy more generally. This approach can be considered as a practical way in which to commence the effort to resolve the many issues faced by digital workers, as it is more likely that trade unions would be able to campaign for reforms or to obtain better terms for locally operating digital labour platform workers – an approach which could, in turn, be extended to other gig and digital workers who are less accessible and less likely to pursue collective action against platform operators and digital commerce companies. Attempts to organize other types of workers on cross-border digital labour platforms is seen as too difficult, given the complexity of reaching out to such workers and the location of platform operators outside national jurisdictions. The discussion therefore focuses on locally operating digital labour platform workers in each country. The responses of trade unions in the six countries are summarized below, based on the common interview questions addressed to all participants.

Protection available to digital economy workers, especially with regard to trade unionization

Only two of the countries, India and Malaysia, extended coverage of employment legislation to workers in the digital economy, as they were generally considered as independent workers or self-employed persons. In Thailand, a recent Royal Decree that focused on the digital economy contained provisions intended to protect consumer rights and to ensure registration of platform operators and tax arrangements. However, no provision was made with regard to the rights of workers in the digital economy and it was not likely that any further provision would be made at present. In Mongolia, a new labour law was adopted in July 2021; while it made specific provision for employment contracts, probationary employment, seasonal work and remote work, workers in the digital economy

would not be covered under this law, as there would not be any employment agreement with platform operators in order to enjoy the rights and protections provided under the law. The draft law had been reviewed over a period of nine years, and these provisions were intended mainly to encourage formalization of the employment of herders, rural agricultural workers and domestic workers, rather than extending coverage to workers in the digital economy.

India is in the process of consolidating 44 pieces of central Government labour legislation into four comprehensive labour codes: (a) the Code on Wages, 2019 ("Code on Wages"); (b) the Occupational Safety, Health and Working Condition Code, 2020 ("OSHW Code"); (c) the Industrial Relations Code, 2020 ("IR Code"); and (d) the Code on Social Security, 2020 ("Social Security Code").[2] While the other codes are in various stages of enactment, the Social Security Code, for the first time, applies to certain non-traditional types of occupations and workers, such as gig workers, platform workers and unorganized workers, for the provision of social security benefits. The scope of the term "employee" has been extended to include contract workers and to require an employer to make some social security contributions (such as provident fund contributions) for such workers. Public interest litigation filed by the Indian Federation of App-based Transport Workers seeks to have platform workers treated as unorganized workers under the Unorganised Workers' Social Security Act, 2008, so that they would be entitled to all social security benefits under the Act; the unions contend that the failure to do so violated workers' right to work, livelihood, and right to equality of opportunity guaranteed under the Constitution (Anand 2020). If successful, this initiative will strengthen the position of gig workers, as such workers must then be recognized for employment-related benefits.

Malaysia has implemented two programmes to introduce social security to platform-based and other workers through the Self-Employment Social Security Scheme, established under the Self-Employment Social Security Act 2017. This is a compulsory scheme for the self-employed that explicitly includes e-hailing drivers and provides protection for self-employed insured persons against employment injuries, including occupational diseases and accidents during work-related activities. The latter is the provision which allows the self-employed and those who do not earn a regular Voluntary Contribution with Retirement Incentive (i-Saraan) income under the Employees' Provident Fund to make voluntary contributions towards their retirement and, at the same time, to receive additional contributions from the Government (Kidd 2020).

[2] The Social Security Code amalgamated the following pieces of central labour law legislation: (a) The Employee's Compensation Act, 1923; (b) The Employees' State Insurance Act, 1948; (c) the Employees' Provident Funds and Miscellaneous Provisions Act, 1952; (d) the Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959; (e) the Maternity Benefit Act, 1961; (f) the Payment of Gratuity Act, 1972; (g) the Cine-Workers Welfare Fund Act, 1981; (h) the Building and Other Construction Workers Welfare Cess Act, 1996 [a cess is a tax or levy]; and (i) the Unorganised Workers' Social Security Act, 2008.

These initiatives from two different countries approach the issue of protection for workers in the digital labour economy through the provision of social security, probably thanks to the ability to provide social protection without being restricted by the need for an employment relationship.

Impact of the increasing shift to the digital economy on current trade union members

In each country, it was considered that trade union members, and especially non-unionized entrants to the labour market, were increasingly taking up work in the digital economy. Several reasons were highlighted for this, such as the impact of the pandemic (all six countries), the reluctance of youth to accept outdated workplace norms and their interest in being able to determine their working conditions themselves (Malaysia), the increased flexibility of digital and platform work (all countries), the relatively higher earning potential in the digital economy, and the lack of control by superiors and managers that traditionally restricts freedom in the workplace. Working conditions were difficult and most workers had no understanding of the algorithms and technological criteria used by the platforms to calculate wages and commissions, but the relatively younger workers preferred the flexibility of working when they wanted to and only as much as they needed to, to achieve their limited aspirations.

The Malaysian trade union representatives highlighted the fact that workers did not realize that the platform operators had passed on to them both the cost of equipment and capital and the risks of platform and digital economy work. The riders/drivers also bore a higher risk arising from possible accidents, non-payment of fares and cancellations, and had no formal or informal social security system to rely on in emergencies. However, many younger workers did not wish to look ahead at problems they considered to be unlikely to matter to them for some time, and focused only on the flexibility and freedom to determine their own working hours and routines on the platforms, seeing this as an advantage. The union representatives stated that the unions could not take this view and that they were studying different mechanisms to provide a social security system and health insurance for these workers. Trade union officials stated that they were collaborating with international organizations to raise awareness among digital platform workers about the advantages of joining labour unions and on workers' rights, such as healthcare and social security.

One of the main problems appeared to be the legal impediment preventing trade union members who had lost their employment (due to the COVID-19 pandemic or for any other reason) from continuing to be members of the trade union, as only workers or employees with a contract of employment were usually entitled to become members of trade unions. In Sri Lanka, a trade union member had to be a "workman", and a non-worker could be elected as an office-bearer only under limited circumstances. Although it was likely that unemployed workers who moved into the digital platform economy would not be entitled to become, or continue as, members of a trade union, the unions in Sri Lanka did not consider

this to be a significant threat to their strength of membership, possibly because it is unlikely that any action would be taken by any authority to disqualify such workers from holding membership.

Only India permitted digital economy workers, informal workers or contract workers to join a trade union (this appeared to be justified under the definition of "unorganized workers", although it was not clear whether the right had been established judicially). In most other countries, ride-hailing or digital commerce workers had formed trade associations and then become affiliated to a trade union or a trade union federation in order to campaign for workers' rights (such as in Sri Lanka).

Impact of the COVID-19 pandemic on union members

Most trade unions noted that the pandemic continued to cause loss of employment among their members and other workers, but that their respective governments did not have specific initiatives in place either to generate employment or to provide unemployment benefits for such workers. Most members who had lost their employment looked to join the platform economy, but since increasing numbers of workers meant that earnings would reduce for individual workers, there was some degree of uncertainty whether they would be able to continue employment in the digital economy.

However, respondents were generally of the opinion that workers on digital labour platforms reported higher earnings that those in comparable traditional employment relationships (Malaysia, Sri Lanka); this may be due to the non-application of compulsory social security and point-of-payment tax deductions on the earnings of digital platform workers, which would reduce the take-home earnings of other workers.

In this context, it is interesting to note that some initiatives exist in other countries, such as the cooperative of workers in London, United Kingdom, that have banded together to form locally owned delivery platforms as an answer to the proliferation of global labour platforms (Islington Council 2021). While it is unlikely that these would become as popular or as profitable as the global labour platforms, they can attract customers to locally owned and operated platforms by promoting concepts of sustainability and local pride in helping home-grown businesses.

Impact of digital platform work on trade union operations and collective bargaining

Digital work arrangements affect workers in two ways, as can be seen by the discussion with trade union respondents across countries. In the first instance, in many countries, an employment relationship is a prerequisite for exercising the right to freedom of association by forming or joining a trade union. In the absence of such a relationship, the legal definitions do not recognize the right of a worker in the digital economy to join a trade union. Although compliance may not be reviewed or enforced by any regulatory authority because of practical difficulties, in the event of any challenge to working conditions or any

other matter, the worker would first need to establish the right to be a member of a trade union before the complaint can be heard. Otherwise, the worker's lack of standing is likely to prevent any relief being sought and granted.

Secondly, trade unions, too, seem to focus on outreach programmes based on ease of access to platform workers, such as ride-share and delivery workers, rather than online workers, such as crowdworkers, who work from home or on their own, which makes it difficult to organize or even contact them. Although no survey of workers was planned within this research study, anecdotal evidence from the trade union representatives indicates that such workers are generally unaware of any legal rights related to employment in the digital platform economy and do not know whether they would have the right to join a trade union. A recent survey of digital labour platforms (Berg et al. 2018) recommends a number of initiatives that may overcome the challenges faced by trade unions in reaching workers on cross-border platforms, including providing a mechanism for workers to rate platforms that provide work. However, in the context of the increasing supply of such workers created by the pandemic, especially in the region being studied, it would be difficult for trade unions to utilize these mechanisms.

With regard to collective bargaining, there is no compulsory recognition of trade unions for bargaining purposes in several of the countries, thus making the application of the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), a matter of mutual agreement rather than of right. Sri Lanka, although acknowledging the duty of the employer to recognize a trade union with more than 40 per cent of the workforce in its membership for bargaining purposes, has been criticized by researchers and the ILO as having an arbitrary and impractical threshold for recognition. Therefore, even where the right of recognition exists, provisions vary from country to country in ensuring that right.

Collective agreements are provided for in the national legislation of all the countries, and have entered into practice at workplace, industry and national level. However, there are no collective agreements covering digital labour platform workers in any of the six countries studied, and none of the trade unions were pursuing such initiatives. In Sri Lanka, a group of drivers signed up to a ride-hailing platform had formed an association with the assistance of a mainstream trade union. However, they had not attempted to register as a trade union, but instead operated as a society registered with the relevant local government authority (YouCab.lk 2019). They had very successfully engaged with the platform operator and concluded a memorandum of understanding (MOU) on various aspects of the conditions of work, and continued to focus on strengthening their membership.[3] Although there were reports that another ride-hailing platform operator had introduced a life and health insurance scheme for drivers, workers were not aware of such a scheme, and stated that they

[3] The MOU would not fall within the definition of a collective agreement in relevant Sri Lankan legislation, as the workers would not be considered to be employees of the relevant operator organization, nor would the latter be considered as an employer.

needed assistance much more than insurance, since they had to bear the high operating costs entirely by themselves.

Helping digital workers to obtain workers' rights and ensure freedom of association

With the exception of India, most countries did not consider that an association of digital platform workers could be registered as a trade union, as long as the workers themselves were categorized as independent workers or excluded from employment legislation. However, many organizations had devised other strategies to reach workers in the digital and platform economy, with the intention of encouraging them to organize in some way.

- In **Bangladesh,** traditional trade unions are helping platform workers to lobby the Government and the platform operators to provide basic rights in employment. Recently, trade unions supported the Dhaka Ride-Sharing Drivers Union in presenting six demands to the Government, namely: (1) to end all kinds of police harassment; (2) recognize app-based riders as workers; (3) set commission at 10 per cent instead of 25 per cent for all types of rides; (4) organize parking space for ride-sharing vehicles in Dhaka, Chittagong and Sylhet; (5) exempt the listed ride-sharing vehicles from Advance Income Tax as public transportation; and (6) return the taxes collected from the listed vehicle owners the previous year (Dhaka Tribune 2021). While there is no response as yet from the Government, the fact that the drivers' union was able to successfully enforce a 24-hour strike in providing rides is indicative of its underlying bargaining power.
- **Malaysia** is reaching out to younger workers in the digital economy to join the Malaysian Trades Union Congress (MTUC), regardless of their employment status. The intention is that, although the young workers are not interested in long-term benefits, focusing more on maximizing earnings, the union is attempting to provide longer-term perspectives by negotiating with the Government.
- **Mongolia** introduced a web-based application, the Confederation of Mongolian Trade Unions (CMTU)'s app, that can be downloaded on a mobile smartphone. The app contains information on the nearest branch of the trade union and similar matters, and is targeted primarily at the 30 per cent of the labour force who are categorized as independent workers and work as herders in remote areas that cannot be reached in person. The digitization that took place after the pandemic has helped in this regard, as most workers have been forced to improve their information and communication technology skills and even collective bargaining is conducted virtually.
- **Thailand** is organizing platform workers through social media and online petitions by building networks with civil society organizations. The activist organization assisted a union of 500 food delivery riders in launching an online campaign on the Change.org website to persuade platform operators to provide medical insurance for workers. The petition was supported by 4,000 signatories.

Some of the trade unions stated that, although they did not have specific data, membership of trade unions was negatively impacted during the pandemic and was likely to be further affected by the growth of the digital economy: first, workers who transferred to work in the digital economy as a result of loss of employment in the pandemic or for other reasons often moved away from their previous workplaces in order to reduce the costs associated with work in the platform economy (such as to move to a location that had higher demand for platform services and e-commerce) and thus were unable to continue their membership; and second, such workers were not entitled to remain members since they were no longer categorized as workers. Trade unions were also uncertain of their right to campaign on behalf of such workers other than by encouraging them to form collectives and associations that could then be affiliated with the trade union in some way.

The right to freedom of association of all workers and employers, "without distinction whatsoever" is recognized in Article 2 of the Freedom of Association and Protection of the Right to Organise Convention (1948), No. 87. A worker in the digital economy must thus be able to join a trade union, irrespective of any employment relationship. However, even where the Convention has been ratified, restrictions at national level make it difficult for workers and trade unions to determine whether workers in the digital economy are also protected. For instance, while the Constitution of Sri Lanka establishes the fundamental right of every citizen to form and join a trade union, restrictions of that fundamental right in pre-existing legislation make the right to become a member of a trade union conditional on the existence of a contract of employment. Therefore, the right of a worker in the digital economy to become a member of a trade union needs to be stated without ambiguity, in order to better protect rights in employment.

Conclusions and recommendations: Overcoming challenges in organizing workers in the digital economy

Conclusions

The foregoing summary of discussions with trade union representatives in the six countries highlighted a distinction in efforts to organize workers based on visibility: each trade union focused on platform-based ride-hailing and delivery workers, clearly because of the higher likelihood of identifying such workers, and the relative ease of approaching them; the ability to identify and negotiate with employers within the country's boundaries and legislative systems was also a reason for this focus, as opposed to approaching platform operators outside national boundaries. There were no reports of any attempts to organize other types of workers, such as e-commerce workers or crowdworkers; the response to a specific question asking whether the respondent trade union had attempted to organize such workers was that there was no way to identify them, and even if there were, it was unlikely that they would be interested in joining trade unions or organizing collectively, as they did

not face the same issues as ride-sharing and delivery workers. There was no evidence of the trade unions making use of the technology that the workers themselves were using to obtain and perform work (the internet, digital platforms and social media), to encourage and interest the workers to organize and to join a trade union.

Therefore, the responses to the research questions are based on the responses of trade unions relating to the "offline" platform workers that form their focus group, but the recommendations include the larger population of workers in the digital economy.

Recommendations

The need for better use of digital technology by trade unions: It is clear from the foregoing discussion that trade unions in the countries studied need to be more proactive in identifying and approaching all types of digital platform workers, and not only those that are easily recognizable and visible, if better rights are to be collectively pursued. The ILO has recognized that "workers' organizations need to adopt innovative organizing techniques – including the use of digital technology to organize labour" (Global Commission on the Future of Work 2019). Workers across diverse workplaces and countries can be organized through digital means and engage in new forms of connected action. Digital technology provides workers' organizations with the potential to connect with workers outside traditional workplaces and offer new services, such as the mining of data to design effective strategies and the sharing of information about crowdworking platforms or portable benefits.

While much can be gained from forging alliances with other collectives in civil society, this is no substitute for organizing workers, whether self-employed women in the informal economy, rural workers or workers on digital labour platforms. Workers in the informal economy have often improved their situation by organizing, and working together with cooperatives and community-based organizations. Workers' organizations therefore need to adopt inclusive organizing strategies, expanding membership to workers on digital labour platforms where possible.

There are examples of successful efforts from other countries that can provide guidance on organizing workers in digital workplaces. Inspired by the success of the German union IG Metal in organizing workers who were creating content on the YouTube online platform, the Spanish Unión General de Trabajadores reached out to people who make their living creating online content, and is now in the process of setting up a union for content creators and developing guidance for collective bargaining in the social media sector. In Serbia, unions successfully protested against Government plans to impose higher taxes on some groups of self-employed workers such as translators (Voet 2021). In Belgium, very basic organizing techniques have been used, where trade unions offered warm beverages and bicycle repair services at points where delivery drivers congregated in order to drive the organizing of platform workers.

Exploring different models of workers' organizations: Where national-level legislation does not recognize the right of digital workers to join trade unions, experiences from other countries indicate that workers have set up works councils and other organizations, which can play a useful role in paving the way to obtaining the right to form or join trade unions. For instances, works councils may provide a collaborative platform with employers for improving health and safety, as has been done in Sri Lanka with a society of digital labour platform workers. While these associations or "non-unions" are no substitute for trade unions, in some legal environments it may be useful for trade unions to explore these mechanisms further to serve as stepping stones to organizing workers in each country.

Seeking judicial expansion of the standard definition of the employment relationship: As is evident from the series of judicial decisions that have recently changed the definition of the employment relationship by platform operators, it may be possible for trade unions in other countries to seek similar interventions based on the local circumstances in each country. Most judiciaries in the region have proved amenable to progressive interpretation of laws based on trends in other jurisdictions; therefore, as in India, public interest litigation or similar initiatives may provide some advantage for workers and trade unions.

Bilateral or multilateral agreements at State level based on international standards: The issue of the lack of jurisdiction to enforce national legislation across boundaries will need to be resolved at the level of the States concerned. If countries that provide digital workers can enter into such agreements with the States where operators and digital economy players are located or registered, some progress could be made on ensuring respect for minimum standards in employment of such workers regardless of the nature of the employment relationship. In addition, the development of international standards may also serve to define and establish norms for digital workers, despite the absence of the protection of standard employment contracts or the employment relationship.

Annex. Interview notes (supplemented by written responses to questions)

Bangladesh

Question	Trade union participant: Socialist Labour Front
Has digital/gig work affected the members of your labour/ trade unions?	▶ Some problems arise due to e-commerce ▶ The unions believe that e-commerce is exploitative of workers ▶ If an e-commerce company is shut down, management is shifted to another country but workers are not provided for ▶ No set working conditions, job security or trade unions ▶ E-commerce companies use marketing to bolster their reputation ▶ Ride-share operators face many issues: • they are staging demonstrations and trying to create an organization • they say that there is no scope to organize themselves within the law ▶ Ride-share operator organizations are created but are not registered or recognized ▶ The unions work as ethical organizations to raise awareness, etc., but not as traditional trade unions ▶ Digital/gig work is a new area of employment but it is not governed by the country's labour law ▶ Question is how to raise the ride-share operators' demands and how to recognize nearly 700 000 ride-share operators? ▶ The unions are trying to improve the digital/gig sectors in their labour law • are digital/gig workers treated as workers? • what are their rights? • how can they organize? • what are their risks? • how can they be compensated? • if they have accidents, how can they be supported? • how can their families be compensated in the event of death?
Is it correct that people look down on gig workers?	▶ People see it as a "no other option" situation ▶ Unemployment and uncertainty push these workers to get a job ▶ The common sentiment is that any job is better than unemployment ▶ Only 30 to 40 per cent of students come from solvent families, but 60 per cent of students have to find jobs ▶ This allows e-commerce to exploit students without providing any materials
Do these workers want to join unions or associations?	▶ Unions and associations are trying to organize these workers, but are facing two problems: • they are afraid that they will lose their jobs if the employers know they are forming a union • the workers think that it is a temporary job so there is no sense of belonging ▶ There is no provision for forming a union in their labour law
Is there a provision for forming labour unions?	▶ Provision is made for any contracted employee to form a union to enjoy the same benefits as any other employee ▶ Problem is that there is a contract (e.g. with Uber), but no identifiable contractor

Question	Trade union participant: Socialist Labour Front
Has the Government tried to regulate this at all?	▶ Government says it does not plan to formulate a law, but says it should regulate the e-commerce business; no mention of workers' rights or recognition ▶ First the unions want to get recognition for gig workers, so that they can define the worker's rights • appointment • what kind of goods they provide • any conditions about leave or days off with pay, etc. • there is a gap between the labour law and the digital economy
Do you see the sector growing?	▶ It is growing very fast ▶ The unions think that within a very short time this will be the main sector of their informal economy ▶ A lot of young people are going abroad, sometimes illegally ▶ The huge pressure of unemployment is scope for the growth of e-commerce companies, especially with many cheap and well-educated workers ▶ Traffic jams are a serious issue in getting to workplaces, so many workers prefer to work from home ▶ If employment is increased, then young people may not be forced to go into gig work ▶ However there are many areas where workers are working for a very low salary ▶ It is a lucrative job for young people until they get to 30–35 years, when they need a secure job
Do you see that young people are looking only at the income and not at the other benefits?	▶ There are many discussions around the benefits you might get ▶ Young people think they do not need the benefits, as these are not a priority at their age ▶ The unions believe that young people are being exploited because of their lack of awareness

India

Question	Trade union participants: RSS and BMS*
Have you any experience with unionization?	▶ Unionizing all gig workers ▶ Issue is that permanency is becoming a thing of the past ▶ One issue in India is that everything is becoming contractual ▶ An advantage India has is the Industrial Disputes Act (applied 1978 Bangalore) ▶ Social Security Code is attempting to define gig workers (law passed, rule-making in process) ▶ Every gig worker should be compensated with 6/7 social security benefits under the Code ▶ Employees State Insurance Scheme aids gig workers as well ▶ At present these workers are classified in the unorganized workers' category ▶ Gig workers are covered by: • Industrial Disputes Act • Shops And Establishments Act ▶ Using the term "aggregator" may create legal confusion, as this is not included in the category of employer; however, an employer relationship may be established, as the aggregator must make contributions ▶ Issue is that, in almost all emerging sectors, unionization is very slow ▶ Once workers feel there is a lack of benefits or insecurity, then they will approach unions ▶ Uber workers etc. have started agitating ▶ In some categories they register specific unions, but otherwise they are enrolled in general unions
Is there any problem with joining the unions?	▶ At present there are no bars to joining unions
Have any of them tried to speak to platform operators for better conditions or more information?	▶ Issue is the question of jurisdiction ▶ The matter comes up within the purview of state government, but the employer will be outside the latter's jurisdiction ▶ No direct settlements in writing as yet
Have workers formed any cooperatives outside of unions?	▶ This will not be useful, as under the Industrial Disputes Act and Trade Unions Act, they must form as unions ▶ Any other organizations will not be covered by labour law ▶ Many NGOs in the sector are registering as unions
Where the labour authorities are concerned, have they been helpful with resolving disputes?	▶ In India generally that problem does not exist, as trade unions are well organized ▶ Only in certain areas, such as special economic zones, are union activities discouraged, as foreign nationals request union-free workplaces
Where other things such as working from home are concerned, have workers been approached to join unions or do they look after their own interests?	▶ Those who are unionized have no issues, as young people prefer to work from home ▶ However, physical workplaces are returning

Question	Trade union participants: RSS and BMS*
For cloud workers with remote employees, how do they benefit from union activities?	▶ In most towns, there will be business process outsourcing companies ▶ The managers of these companies will be based in the locality and classified under the Shops And Establishments Act ▶ Relationship with foreign nationals is a contractual relationship, but payment is through local employers ▶ Most are unionized and will have protections
Recent Supreme Court decision re garment workers	▶ Prior to this judgment there were several judgments ruling that they are extended industrial workers and covered by protections ▶ Home-based workers are also counted as workers of the particular industry ▶ Under new laws, supply-chain workers are employees only of their direct employer ▶ This is causing issues related to accidents and workplace safety ▶ It is also an issue because the direct employer will employ too few employees for benefits to apply ▶ If there are many layers between the worker and the end-user company then, too, benefits will not apply
Will the new codes being passed bring some clarity to the law?	▶ All four codes have been passed, but only the Social Security Code recognizes gig workers ▶ General law will apply in these cases
India issues with labour courts	▶ If employee count is fewer than 50, employers will be outside the scope of occupational safety and health regulations
Do you think workers will leave this system?	▶ Workers want to be gig workers ▶ Skilled workers will bargain with employers, but employers will bargain with unskilled workers
Why do you think employees want to be gig workers?	▶ Highly skilled, in-demand workers will try to move from company to company ▶ Efficient workers will change companies for small advantages

* BMS: Bharatiya Mazdoor Sangh (Indian Workers' Union); RSS: Rashtriya Swayamsevak Sangh (National Volunteer Organization).

Malaysia

Question	Trade union participant: Malaysian Trades Union Congress
Has digital/gig work affected the members of your labour/trade unions?	▶ A major driver of development is the digital economy because of the pandemic ▶ Malaysia is one of the first developing countries to import digital services provided by non-residents ▶ Close to 4 million freelance workers and 700,000 workers engaged in e-hailing services in Malaysia (April 2021) ▶ Government has included the digital economy in its Twelfth Malaysia Plan ▶ Freedom to select the worker's job and flexibility are some reasons for the popularity of the gig economy ▶ Concern: Rights of gig economy workers are not protected by the Employment Act of 1955 and do not receive the benefits outlined in it ▶ Working from home and the digital economy are the new norm in Malaysia ▶ Example: HSBC Malaysia shifted to digitization, which removed the jobs of a number of people (Solution; upskill or re-skill workers) ▶ Workers can work for multiple digital principals ▶ Very difficult to organize gig economy workers ▶ Labour unions want to advise the Government on how to handle the situation
Has your members' work shifted to gig/ digital economy work?	▶ Yes ▶ Unions cannot represent gig workers because the Employment Act of 1955 does not classify them as workers ▶ Tourism industry has been affected and its biggest labour union has shut down ▶ Workers move to gig/digital work after their job is terminated by their employers ▶ Labour unions are collaborating with international organizations to organize workshops to raise awareness of joining labour unions and workers' rights (job security/health/benefits) ▶ Labour unions introduce workers/members they meet to the sector unions and government-sector organizations to help the latter to participate in awareness-raising efforts ▶ Gig unions are classified as trade associations ▶ The impression is that the workers want flexible hours and contracts "for service" not "of service", which is where there is a conflict ▶ Workers maximize their earnings by working for multiple companies, but do not have as many rights ▶ People do leave the labour unions for gig/digital work ▶ Labour unions cannot form federations with trade associations

Question	Trade union participant: Malaysian Trades Union Congress
Have there been attempts to talk to the platform owners about forming unions?	▶ Unions can only discuss proposals, because platform owners know that the workers are not covered by the 1955 Employment Act ▶ Workers can be dropped at any time, and their commission can also be reduced ▶ Workers are considered to be independent contractors ▶ Trade associations and ruling party held meetings on 6 September 2021 to strategize ways of pushing for all workers to be protected under the 1955 Employment Act ▶ Example: Alongside the New Zealand Supreme Court decision, a recent case was referred to the High Court and dismissed because of the exemption under the 1955 Employment Act; case now being sent to appeals court
Do you expect the current situation to be reversed post-pandemic?	▶ Outlook is optimistic that it will be reversed ▶ Post-pandemic, the gig/digital economy may continue, but at the moment the concern is to recognize and protect the workers ▶ Employers are now comfortable with the gig economy, Government has also allocated some funds for gig economy ▶ Malaysian Trades Union Congress understands that the gig economy and e-commerce are connected now and that the e-commerce boom is related to the gig economy ▶ The Congress says that it must now learn to live with the gig economy ▶ But the Congress understands that the country cannot stifle e-commerce initiatives
What rights do digital economy workers want?	▶ Demographic is mostly younger (30–40 years), tech-savvy individuals ▶ Workers want to maintain their flexible work style ▶ Malaysia does not have any rules to limit gig/digital workers to one principal employer ▶ As the 1955 Employment Act creates "obstacles" in the workplace, such as the bureaucratic hierarchy of having managers and supervisors, workers prefer to go from that stressful fixed environment to a more free environment in the gig/digital economy ▶ Opinion is that they are not looking at the holistic approach and benefits provided to them under the 1955 Employment Act, such as working only for a single employer for a longer period of time; trade unions need to take a longer-term view and provide for compensation for loss of employment, old-age benefits, healthcare, etc. ▶ Workers' commission income can also be much higher than that of full-time workers (approx. US$3,000 per month for some workers, which they would never get as employees) ▶ However, there is a need to establish a floor price for commission, as principals can change this at any time
What are your recommendations for teaching platform workers about how the platforms and algorithms work to bargain better?	▶ At the moment, the gig/digital workers are collaborating among themselves (anecdotal evidence) ▶ Unions are speaking to platform providers, leaders and owners to get a better idea of how the platform works ▶ The unions need to have the information about platform operations to start bargaining ▶ The root cause of the minimum benefits enjoyed by gig/digital economy workers should be addressed first before this can be done

▶ Mongolia

Question	Trade union participant: Confederation of Mongolian Trade Unions (CMTU)
Has digital/gig work affected the members of your labour/trade unions?	As a union, how have your operations been affected? ▶ In the last two years the union has had a tough time because of coronavirus, like everyone else. so it has had to shift its union activity into the digital realm ▶ Digital activity is affecting its work intensively, especially in the last two years ▶ Not only its own organization, but the whole nation, has had to adapt to the situation by using more digital platforms and applications, so it is proposing to work and connect all trade union members using social platforms and applications ▶ In the previous year, it had produced a CMTU application, through which it connects its members; the members can use it to join the union at sector and enterprise level ▶ Through the union, the members can reach the information they need at whatever time they need it ▶ Seventy per cent of the union's work is now conducted using a digital platform or social platform; even collective bargaining and collective agreements are conducted through social platforms ▶ We see that the percentage of trade union members is not decreasing as much as in the nation as a whole; however, the level of trade union involvement is decreasing in some job sectors, which may be connected to digitization of those jobs (some terms, such as pay calculations, are set digitally and cannot be negotiated) ▶ We also see that this is connected to the priorities of the CMTU, which is actively engaging with the Government, always using social dialogue and protection agreements, and reminding the Government that it should not forget the issues affecting the workers, such as wages and social security ▶ The new labour law was adjusted in July 2021, and the whole process took almost nine years, but the CMTU is actively engaged in the adoption of new labour laws ▶ This labour law has several new kinds of regulations, such as access to information and the gig economy ▶ It is involved with new trends like the gig economy, remote work and digitization ▶ The union thinks that the new law is much more advantageous for the gig economy and workers
How will the new labour law that was passed in July help workers in the digital economy?	Was it a very difficult process to get the law passed? ▶ Yes: it took nine years ▶ Took many governments and cabinets to achieve ▶ The implementation of the new labour law was scheduled for January 2022, so CMTU's priority is now to advocate for the new law and train facilitators; the union is also actively planning to train all its trade union community leaders and activists to promote the new law

Question	Trade union participant: Confederation of Mongolian Trade Unions (CMTU)
Will this still allow workers shifting to the gig economy to join trade unions?	▶ Since 2019, one priority of CMTU has been engaging with work in the information economy ▶ One of its priorities is promoting the informal economy ▶ It is conducting a new survey on the informal economy, which is included in the gig economy ▶ CMTU would like to cooperate actively with the Government and employers to formalize informal workers (ongoing project with ILO and the Government) ▶ The informal sector is quite large in Mongolia, and includes herders and platform workers ▶ Another project by the ILO for formalizing herders is under way ▶ Through this project, CMTU also actively engages with the herders; the latter group accounts for 30 per cent of the working population of Mongolia ▶ CMTU is focusing on herders to train them and also recruit them formally into the trade union committee ▶ Herders may not have good internet connectivity to access the digital economy ▶ The project is also developing an app for the herders and other workers, which they can use to search for possible trade union committees that they can join; through this, they can access podcasts and other information ▶ The union assumes that it will work ▶ The week before the information was gathered, Brother Nyandiwa went to one of the provinces (his home province); he met with the herders in person and they said that, if this project is going so well, it is a really necessary project for them, but they are very busy, always engaging with the livestock ▶ CMTU sees that it can implement the project easily with its affiliated organizations; it has 36 affiliated organizations in 21 provinces, and it uses these to connect the herders in the provinces ▶ Through this project, it is also actively engaging with other Government organizations and other NGOs; the main goal is formalizing herders into trade unions and informing them about what the trade unions can do and their goals ▶ Anyone can download the application and, once they log in, they can search for trade unions they can join
Can a self-employed person join the trade union?	▶ Any herder can join the trade union, because every province has provincial trade unions, and each province has approx. 10–20 subprovinces (som) which they can also join ▶ Note: It seems as though anyone can join unions
Do they have cooperatives they can bargain with as herders?	▶ They can sign collective bargaining agreements at the primary (som) level with the governor of the som (a som is the second-level administrative division, below a province) ▶ Every collective has a collective agreement with the som ▶ The herder issue is a part of that agreement ▶ There is a lot of interest in keeping informal workers as part of the trade union

Question	Trade union participant: Confederation of Mongolian Trade Unions (CMTU)
Do they access any other markets for selling their produce and e-commerce type things?	▶ The project is just beginning, so the union chose two example provinces and is connecting with the governor of the province and with the herders, using the same social platforms that they are using ▶ The technology is difficult to use, because internet access is not so good, but they try to reach the herders by using the same social platforms that they use ▶ Also the public service is not good enough at the som level, so the union tries to reach the herders by encouraging them to join the trade union
Do young people join trade unions?	▶ Mongolia is a young country, but the unemployment rate among young people is very high, so this means that many join the gig or platform economy ▶ The union has a youth committee, and they are trying to engage with young people, but one of the problems that they face is that the young people are not informed about what trade unions are ▶ The youth committee head and secretary is not a permanent position, but they are trying to connect with the young people who are already members of the trade unions ▶ The trend is towards digitization ▶ Only three or four people work in one company, so it is hard to get them into the trade union and they do not know or want to join the trade union ▶ Sister Namuun is secretary of the youth committee of the organization; every year the union tries to engage with young people, but engaging with the young workers is hard, especially with the coronavirus pandemic; however, the union can reach them using digital platforms
Do they see the digital economy growing in Mongolia?	▶ The digital economy is growing bigger ▶ Women, including young women, are learning about the possibilities of the digital economy, so the union is trying to shift its work as much as possible into the digital sphere ▶ The employment outlook says that the digital economy is growing and will continue to grow, even after the pandemic
Can digital workers working online join trade unions?	▶ It is a new area of activity for the trade unions ▶ It is difficult to accommodate the unions ▶ According to the new labour law, workers can join unions and benefit from the collective bargaining agreement ▶ They have not gained any experience yet in recruiting workers into the union and how to let them know about the unions ▶ The Government recently organized a digital nation forum which young people are interested in ▶ The only concern is how the union can influence the working conditions and the labour-market issues in which they are involved ▶ Also how it can use the labour law and engage in the labour market
Other issues	▶ Recently, CMTU has been actively engaging with the new social protection package, so it is actively engaging with the Government ▶ Its priority is to look into the deployment of social protection, which has not been made available to the people in the last 20 years ▶ All workers, including digital and informal workers, can receive benefits under the social protection package ▶ Everyone can join the voluntary social security package ▶ All workers come under the Ministry of Labour and Social Protection

▶ Sri Lanka

Question	Trade union participants: All Island Association to Protect the Rights of Taxi Owners and Drivers and two others, facilitated by the National Union of Seafarers of Sri Lanka (NUSS)
Has digital/ gig work affected the members of your labour/ trade unions?	▶ Have formed an association of taxi-drivers, registered as a company limited by guarantee; it is not a trade union, but the association is affiliated with the NUSS
Have there been attempts to talk to the platform owners about forming unions?	▶ The association has entered into an agreement with one ride-hailing platform operator (YouCab), and has attempted to enter into a dialogue with other companies; however, it has not been successful
What rights do digital economy workers want?	▶ With the pandemic, drivers have faced even more difficulties, as their daily earnings are insufficient to maintain the vehicle, manage operating costs and support their families
Do you have any control over the algorithm or the calculation?	▶ Previously, the platform app indicated a live calculation of the rate, so that the waiting charge, enhanced charges, etc. and the final charge calculation were clear, but now only the final charge is shown when the ride is ended and if there is an error in the signal or network coverage, sometimes a shorter distance is indicated and there is no way for the rider/driver to challenge this; also, the platform operator is more concerned with maintaining customer satisfaction, and is not concerned with rider/driver issues
Other issues	▶ The sector is not covered by any regulations or guidelines of the State, and therefore the platform operators give priority to customers and to their own interests at the expense of the riders/drivers; regulation by the State is needed to make the situation more equitable

Thailand

Question	Trade union participant: State Enterprises Workers' Relations Confederation (SERC)
Has your members' work shifted to gig/ digital economy work?	▶ The union has seen that digitization has resulted in a shift by many sectors to the digital sector ▶ For factories, full digitization is costly, so not many factories have achieved full digitization ▶ More digitization in the banking sector, thanks to labour-intensive tasks being replaced by digitization; staff such as tellers have been laid off ▶ The union has seen situations where some workers cannot keep up with digitization and the workplace does not want to train them, so they become unemployed ▶ Digitization creates jobs in platform employment ▶ In Thailand, platform workers are informal workers ▶ They do not experience the impact that a trade union can make, because informal workers are not recognized and cannot unionize ▶ Informal workers cannot be protected, because unions are not strong enough to bargain collectively ▶ Platform food delivery workers have been trying to unionize to negotiate with their employers ▶ The organizing of the foreign domestic worker platform is in the initial stages, so the union cannot negotiate much, but it believes this is a start to protecting their employment conditions ▶ During the pandemic, many businesses have suffered, so the result is fewer members for the trade unions ▶ Some of the formal workers have been informalized because they have returned to rural areas to continue farming on inherited land or have engaged in platform work ▶ There is no existing legal law or framework to provide protection for platform workers ▶ The union is trying to improve the situation through the digital workers' rights bill, but thinks it has fallen short in this regard, because the bill is unilaterally drafted by ministers and they have not properly understood the position of the workers ▶ Earlier in 2021 the Ministry of Labour said that, with the arrival of digital work, it was going to draft the bill based on an hourly rate ▶ Instead of the Ministry of Labour trying to protect platform workers, it chose to promote hourly paid employment, which the union thinks will provide less protection

Question	Trade union participant: State Enterprises Workers' Relations Confederation (SERC)
A Royal Decree was drafted to protect platform operators, but nothing on worker protection. Any opinion on this?	▶ In the light of the digital economy, the Royal Decree was an investment promotion so that businesses could promote companies; usually they do not focus on worker protection but, with more development, this may happen ▶ The union is looking for opportunities to promote worker protection through the Royal Decree ▶ Because of the military Government in Thailand and the recent election, officials may not be in the right state of mind to listen to any arguments ▶ Digitization is a new sphere for trade union workers and leaders, so they do not really understand a strategy to assess and assist them ▶ Usually they only assist workers in traditional workplaces for common issues and are not equipped to assist digital/platform workers ▶ Right now, trade unionists are rather disoriented, because they do not have a clear understanding of digitization ▶ The other issue is that, five years ago, some trade unions discussed digitization and agreed to transfer knowledge to informal workers, but they are actually still preoccupied with internal activities rather than sharing knowledge
Overall, what are the things that can be done to organize these workers? Do you think that crowdfunded initiatives can have an impact on platform operators?	▶ The union thinks that there are some restrictions on joining with the Solidarity Centre (an international NGO) ▶ It thinks that demonstrations are good for public awareness and can generate support for protection ▶ However, just petitioning is not enough to pressure the legislators into enacting a law to protect informal workers ▶ It thinks the next step it can take to raise support and awareness is to help formal workers to unionize and to educate informal workers ▶ If all workers are united, people working in the gig economy can gain both visibility and strength when they are recognized ▶ The way to address this is to ensure that people working in the gig economy have protection under the law ▶ The public campaign by the Solidarity Centre is a good first step, but the trade unions need more cooperation from both types of workers to address organizing and collective bargaining ▶ The problem is that currently, under Thai law, workers are categorized differently and governed under different types of law e.g. formal workers are governed by formal law, while gig workers are governed by informal law and cannot unionize ▶ The union can see that sometimes workers with protections do not pay attention to helping informal workers ▶ The public campaign is a good way to help people understand the issue but, if they want to protect workers, they need to take action to organize them and unite to exert leverage and pressure to create impact
Do you know if any Thai workers have gone to court to get themselves recognized? Have they tried to use any laws to get recognized?	▶ The union does not think that this approach is used in Thailand in terms of recognition of its workers by the Thai Chamber of Commerce ▶ It has not tried this owing to its workers being classified as informal workers ▶ The Thai labour solidarity centres have petitioned the Government to recognize informal workers, but the Government did not accept the petition ▶ The workers in the gig economy are not protected by the scope of the existing law

Question	Trade union participant: State Enterprises Workers' Relations Confederation (SERC)
With regard to collective bargaining and organizing in the private sector what do you experienced? Are these used in Thailand and what issues do you face?	▶ The unions think that, even in government sectors, it can be seen that many workers have been changed over to informal working on a short-term contract basis, e.g. health workers, nurses, minor employees, etc. ▶ They are not hired on a permanent contract ▶ Thai pharmaceutical trade unions also recognize that informalized workers in the public health sector present a big issue ▶ Thai pharmaceutical organizations have themselves continued to help workers negotiate with the Government to improve their pay and working conditions ▶ During the pandemic, the Government had to devote a lot of money to economic stimulation and cut the public health budget, so it cut temporary health worker contracts from 3–5 years to 1 year contracts which gives workers less job security ▶ After negotiation with the public health authorities, the latter decided to reinstate 3–5 years contracts rather than 1 year contracts ▶ The unions also use the Thai labour solidarity centres as a platform to negotiate with the Government by submitting petitions ▶ In recent years, the unions have advocated for informal workers using the union platform, because there are many gaps in social security packages both formal and informal workers
If you were able to change things, what are the three most important things you would request for informal workers?	▶ The union would like to see more industrial unions and more laws to promote industrial unions in Thailand. Usually there are enterprise-level unions, which cannot cope with digitization of work on their own ▶ Traditional workplaces have a smaller number of workers, which means they have less power to negotiate ▶ In-house (enterprise-level) unions cannot really be effective in helping the members to show solidarity in helping workers ▶ The unions would like to see workers, especially formal workers, trained in strategies in the new forms of employment ▶ The unions need to think "outside the box" in negotiating and cope with the new changes of digitization and informalization, and change the house union mentality ▶ The unions would like to see the law strengthened with new tools to protect employment ▶ The unions like to see Government protect workers rather than companies ▶ Example: German workers have policies to keep jobs in Germany rather than outsourcing jobs ▶ In Thailand, if workers are in the formal sector and informalized, they lose workers' protection, because informal workers do not have protection ▶ The unions need to make sure that workers stay in their jobs as long as possible to ensure their welfare ▶ If the unions do not get proper working conditions and pay, they cannot help their workers

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

Voice and representation for ridehailing drivers in sub-Saharan Africa: Pathways for trade union revitalization?

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Introduction

As organizations with the mandate of representing all workers, trade unions are challenged on two fronts. First is the challenge of fulfilling their traditional responsibility towards new categories of workers, who are often in precarious forms of work and unrepresented or under-represented. Such workers include migrant workers, informal economy workers and platform workers. Platform workers, in particular, stand out, because a distinct feature of the contemporary labour is it increased dependence on the use of the internet. This is supported by app-mediated and crowdworking websites; hence the growth of the platform economy. Platform work has arisen from the global digitalization of economies and is creating new forms of work opportunities for youth, women and the disabled, especially in developing countries with weak economies (De Groen et al. 2017; Graham, Hjorth, and Lehdonvirta 2017; Vallas 2019). Nevertheless, platform work has come under attack for intensifying the vulnerabilities of the workers. Platform workers belong to a broader group of non-standard workers – especially in the global South – whose work is characterized by a decline in (formerly secure) standard employment and a rise in informality, irregular work schedules and the absence of employment and social security (Anderson and Huffman 2021; Britwum 2019; Vallas 2019). While this development underscores the need for voice and representation, it also challenges the traditional ways of organizing workers for interest representation, because of ambiguities about their employment status. In most cases, the configuration of platform work evades the existing regulatory framework for protecting workers (Rani and Furrer 2020). In addition, the dispersion of online workers across national borders, especially for globally operating service platforms such as Upwork, inhibits mobilization and undermines national trade union efforts and national legislation cover.

Second, trade unions are faced with an existential challenge occasioned by the constant altering of the global labour markets. For example, increasing levels of deindustrialization, the rise of non-standard and flexible work through subcontracting and outsourcing by the global North and the growth of the informal economy in the global South have meant a constant reduction in union density rates in almost every nation in the world. The devastating effects of the limited coverage include loss of union influence over the past few decades. Also, the insecurity that has come to define work in the twenty-first century undermines the regulatory regimes that trade unions have utilized to organize and regulate labour markets and employment relationships. These factors, coupled with internal governance crises, have caused some to predict that trade unions have outlived their usefulness and are on their way to extinction (Andrae and Beckman 1998). However, instead of sounding the death knell for trade unions, Visser (2019) predicts four potential outcomes for them, one of which is revitalization. With reference to the membership of the International Trade Union Confederation, amounting to 207.5 million in 331 affiliated federations in 163 countries and territories, he concludes that trade unions are still among the largest voluntary organizations worldwide – a fact that is hardly suggestive of outright extinction in the future.

Thus, while revitalization remains a prospect for trade unions, platform workers need protection. Recognition of the representational gap among platform workers has given rise to self-organizing by platform workers as well as the emergence of new players and non-conventional strategies for interest representation. This unfolding situation raises questions of sustainability and political efficacy, which has the potential to claim rights for the vulnerable workers these organizations seek to represent. Most importantly, however, there is a dearth of knowledge on the evolving pathways taken by the emerging actors and their potential for revitalizing the trade union movement in Africa. This paper therefore seeks to answer the following questions. Which other players apart from trade unions are emerging to represent platform workers? Which strategies are such players using? What are some trade union responses? And what are the potential pathways for revitalization?

The paper is structured in seven sections, including this introduction. Section 2 provides a context for the paper. In section 3, we discuss the state of the literature on the organization of platform workers and expositions of the future of trade unions. A brief description of the method is presented in section 4. This is followed by presentation and discussion of the findings on Ghana, Kenya, Nigeria and South Africa in sections 5 and 6. The seventh and final section presents conclusions and reflections on these findings.

Context

Uber is the first ridehailing platform to penetrate the African market, and it still holds the largest market share in many countries. According to Smit et al. (2019), over 4.8 million African workers earned a living via digital platforms in 2019, and this figure is expected to grow as the continent's internet availability improves dramatically. The growth of the ridehailing sector in Africa has been attributed to an increase in population, increased demand for platform taxis by the rising middle class who can afford them, the convenience the ridehailing sector offers as a way of coping with the poorly managed public transportation systems, and the provision of jobs in a labour market with high unemployment rates, especially among young people (Wamai 2021).

In Ghana, the use of mobile phones to access the internet has facilitated the spread of the platform economy. According to Smit et al. (2019), Ghana has about 63 digital platforms operating in the transport, hospitality, trading, agriculture and health sectors. Smit et al. explain that most of these platforms are home-grown, while some have African origins, and others have Asian, Chinese, European or American origins. They consist of platforms used for shopping, making restaurant orders, using courier and logistics services and renting accommodation. The largest and most prominent ridehailing platforms in the transport sector are Uber, Bolt, Yango, Dropping, Swift Wheels, and Fenix. Uber began operating in Ghana in June 2016, mainly in Accra, the capital city, and has remained the market leader in the country.

The ridehailing sector started in Kenya with the launch of Uber in June 2015. Other ridehailing platforms in Kenya include Little Cab, An-Nisa Cabs, Mondo Ride (Mare, Chiumbu, and Mpofu 2020), and Bold (formely Taxify) and Wasili (Anwar, Otieno, and Stein 2022). However, Uber and Bolt are the dominant platforms there. Little Cabs was launched in July 2016 from a partnership between Safaricom, the largest telecommunications operator in Kenya, and Craft Silicon, a local software firm (Dube 2016). In January 2020, Uber had over 6,000 active partner drivers, who offered 47 million rides covering 460 million kilometres (Lukhanyu 2020).

Nigeria has experienced rapid growth in the ridehailing market, becoming one of Africa's largest markets (Muttaqa 2021). The ridehailing sector started in 2014, with Uber being the first ridehailing company to launch in Lagos (Meagher 2018), followed by Taxify, now Bolt, in 2016. Bolt and Uber together continue to have the most significant market share of the ridehailing sector in Nigeria, with a presence in cities such as Lagos, Abuja and Abeokuta, among others (Muttaqa 2021). The platform ecosystem in Nigeria is large, with 21 ridehailing platforms operating by 2019, outdone only by Kenya in terms of the number of operators in a single market. Locally built platforms include GIGM, ORide, Pamdrive, PlentyWaka and OgaTaxi.

Controlling the operations of the digital capital market and its labour market is a huge challenge for African governments. According to Gramano (2020), several countries have yet to adopt governing norms and regulations for digital marketplaces, which are used by the vast majority of their population and add to an already unsolved labour market dilemma for African nations. In all these African countries, legislative instruments and policies are not fully in place. For example, the Ministry of Transportation in Nigeria has developed draft regulations on operational guidelines for ridehailing providers that were intended to come into effect on 1 March 2020, but have not yet taken effect at the time of writing this article, as negotiations are still ongoing (Muttaqa 2021). The draft regulation on the Traffic (Digital Hailing Service) Rules, 2020, is still before the Senate in Kenya, waiting for adoption. Ghana is far behind in this regard. The only way to get state protection is for platform workers to make a concerted effort to call attention to their working circumstances and demand that their Government live up to its obligations. This requires them to organize for interest representation.

South Africa was the first country on the continent in which Uber was launched (Anwar, Otieno, and Stein 2022). Other ridehailing platforms include Hailer, Uber, Taxify, Zebra Cabs and Bolt. Uber, which entered the market in 2013 (Dube 2016), is estimated to have 13,000 active drivers (Anwar, Otieno, and Stein 2022). Taxify entered the market in 2015 and re-launched its brand as Bolt in April 2016 to access a broader market. In 2016, Zebra Cabs, an existing metered taxi company, adopted electronic taxi hailing technology to launch the Zebra Cabs app, a direct rival to Uber.

Platform workers' organizing and the future of trade unions

A common definition of the platform economy is the use of online digital platforms or applications to deliver both tangible and intangible goods and services (Anwar and Graham 2019; Schmidt 2017). According to the ILO (2016), the platform economy includes a capital market where commodities and services are offered, as well as a labour market for labour services, also known as the digital labour platform. Web-based platforms that outsource work to a geographically distributed crowd ("crowdwork") and location-based programmes that assign work to persons in a specific geographical area are examples of digital labour platforms. Platform work, according to Prassl and Risak (2016), involves bringing owners, users and workers together in a digital space where they build complex virtual relationships. Running contracts are often predetermined by the owners and embedded into the operating software, resulting in an inequitable working relationship. Payment methods and working conditions are thus dictated by the application. Platform labour is characteristically informal, with irregular work hours and a lack of employment security and social security, raising concerns about digital employees' job status and ability to defend their working rights (Britwum 2019).

Much of the discourse on platform workers' organizing focuses on the factors inhibiting it. To begin with, it appears that accessing employment online and working digitally isolate and disperse workers. This circumstance raises doubts about the effectiveness of the usual trade union techniques for reaching out to workers. Also, the varying degrees of ambiguity concerning platform workers' employment status are restricting in the sense that they deprive workers of any entitlements from platform operators, who would otherwise pass as employers. Dølvik and Jesnes (2017) report that direct control by clients further blurs the exploitative interactions between platform operators. Such ambiguities further limit the use of legal instruments to defend workers' rights. Thus, the protection afforded by labour laws is not accessible to platform workers (Fabo et al. 2017; Daus 2012). Furthermore, in many countries, independent or self-employed workers engaging in collective bargaining to achieve higher wages are considered to be colluding and price-setting under competition law, which impedes platform workers' collective action. Regardless of these inhibitions, platform workers do self-organize in response to their work-related vulnerabilities. Their efforts, however, have hardly gone beyond effective mobilization and the provision of welfare support to members – what Vandaele (2018) calls mere membership logic. Their level of organization may not be sufficient to allow them to fight for their rights in the manner of official labour unions (Johnston and Land-Kazlauskas 2019). This has forced some self-organized platform workers to seek affiliation with trade unions.

The readiness, willingness and ability of trade unions in Africa to fill the representational gap of non-standard workers such as platform workers have attracted many labour researchers; for some, this remains a strategic solution to trade union survival. For instance, Akorsu and Britwum (2018) have indicated that trade union survival is dependent on their

innovative response to organizing and servicing the unorganized and under-represented workers. The ILO (2016) has already noted the existence of various trade unions' attempts to engage platform workers to broaden representation and various union techniques. Three approaches emerge in respect of unions' efforts for the organizing of platform workers which, according to Johnston and Land-Kazlauskas (2019), consist of: (1) developing alliances and organizations, whose primary goal is to supply and enhance services to digital platform workers while also lobbying on their behalf; (2) employing legal techniques and provisions to overcome or correct the misclassification claimed by platform workers; and (3) advocating for regulatory and legal reforms and for a policy framework that promotes platform workers' collective bargaining rights and organization. This shows that, with the right design, a digital platform labour force may be used to support worker organization and representation and help workers to connect, collectivize and share information (Johnston and Land-Kazlauskas 2019).

The unions' efforts to organize digital employees are bolstered by their previous experience in organizing and representing people in non-traditional jobs. According to Pulignano, Gervasi, and de Franceschi (2015), most of the unions that lead the organization and representation of digital platform workers have a history of including non-standard workers in their ranks. Such unions have redesigned their internal representative procedures to make it easier for non-standard workers to join (Lamptey and Debrah, 2020). They have also devised new organizational techniques and cut costs to make it easier to extend membership to platform workers (Heery 2015; Simms, Holgate, and Heery 2012). This insight demonstrates that organizing platform workers is not an insurmountable challenge for the labour movement.

Although unions play a key role in contesting worker misclassification, most of such contestations have taken the form of class action lawsuits (ILO 2016; Daus 2012). Most of these lawsuits provide fertile ground for digital platform workers to collectively organize and bargain for social protection and other advantages that come with being classed as an employee (Griswold 2019). This has occasioned the emergence of lawyers as players in protecting workers. Associated with the platform workers' representational gap is the emergence of new players and mechanisms to produce and channel such voices. For a long while, trade unions have offered a solution to this, but now they find themselves competing and losing to alternatives which also offer their solutions. Furthermore, there have even been suggestions that trade unions may not always be advantageous to platform workers because the perceived benefits of unionization would not balance the risks of job loss (Anderson and Huffman 2021; Wood, Lehdonvirta, and Graham 2018) and/or because, in some cases, unions may be unsuitable matches for some issues. Under such circumstances, guilds have been shown to meet the needs of specific categories of workers and address their needs efficiently and more effectively.

The above discussions underscore the importance of highlighting the writing of Visser (2019) on the four possible futures for trade unions – marginalization, dualization, substitution and

revitalization. We find this a useful framework for analysing what the various responses to organizing by platform workers could mean for trade unions on the African continent. By marginalization, Visser refers to the possibility that trade unions may be relegated to playing only a minor role in representing workers because of low coverage, and may eventually be rendered irrelevant to workers altogether. The dualization future refers to the potential of trade unions to prioritize the needs of their few members at the expense of non-standard workers as a matter of necessity, although this would be detrimental to their "equal rights" ideals. The substitution future portrays the probability that trade unions will be replaced by other forms of social action and representation. According to Visser, this is different from marginalization, because it does not undermine worker representation. The fourth future Visser presents is revitalization which, according to him, does not necessarily mean a return to the past, but regaining trade unions' vitality by doing things differently to reach the new unstable workforce in the digital economy with fewer resources.

Data sources and methodology

To achieve this paper's objectives, four African countries, Ghana, Kenya, Nigeria and South Africa, were selected for the study. The authors' interest in these countries is informed not only by their similarities, but also by their differences. Geographically, although these countries span West, East and Southern Africa, with unique cultural differences, they share similar historical experiences as former colonies and are victims of the post-colonial liberalization with the associated growth of digital platforms. However, most important for this paper are the labour responses to the negative effects of digital platforms in these countries. Next, a review of secondary sources was conducted. First, this provided an overview of the state of the literature, which is necessary for avoiding duplication and providing pointers to the conceptual focus of this paper. Second, the review served as the data source for the paper. Both published and unpublished written materials were analysed. These included books, journal articles, working papers, research reports and newspaper reports. Some positivists have critiqued document analysis on epistemological grounds as an unscientific criterion for understanding (Bryant 2000). However, secondary sources often serve as documentation of the results of scientific processes. For this study, a search was conducted using Elsevier's Scopus citation database of peer-reviewed literature, in the interests of quality assurance. The inclusion criteria focused on the existence of scientifically obtained empirical evidence for the four countries of interest. The secondary sources used helped to ensure retrospective reflections, drawing relevance from past experiences, as suggested by Bowen (2009). The analytical technique used is content analysis, which is most suitable for textual data and allows for evaluative comparisons of materials with established goals (Stemler 2015).

The players representing platform workers in sub-Saharan Africa

Different national and international players are working to defend, advance and chart the rights of ridehailing workers. These include civil society organizations, law firms, trade unions, state institutions, employers and academia (see table below for examples). The emergence of legal firms as important players in the ridehailing space is occurring as part of the digital transformation. Notably, this new development is a response to the uniqueness of ridehailing, with its employment status contestations and the use of legal suits as a strategic tool. In respect of trade unions, this may seem to point to the substitution future predicted by Visser (2019), but we argue that this is not inevitable for two reasons. First, legal firms largely have a profit motive. Apart from International Lawyers Assisting Workers Network (ILAW), which offers legal aid pro bono, it is unclear whether other legal players would provide such assistance for long. Second, it is implausible that legal firms will move beyond misclassification contests to provide broader worker services and representation comparable to those provided by trade unions in terms of magnitude and resilience.

Profile of players in the organizational stories of ridehailing drivers in Africa

Players	Actions
Drivers' self-organized associations	Mobilization and welfare support for members
National trade unions ▶ Trades Union Congress (TUC), Ghana ▶ Central Organization of Trade Unions (COTU-K), Kenya ▶ Nigeria Labour Congress (NLC), Nigeria ▶ Congress of South African Trade Unions (COSATU), South Africa	Alliances and affiliation status
Global trade unions ▶ International Transport Workers' Federation	Financial support to national unions for the support of the affiliated associations
International civil society organizations ▶ Solidarity Center ▶ Friedrich-Ebert-Stiftung ▶ Fairwork project ▶ International Lawyers Assisting Workers Network	Financial and technical support for research, strategic litigation advocacy and training
State institutions ▶ In Ghana: Driver and Vehicle Licensing Authority (DVLA), Accra Metropolitan Assembly (AMA), ministries of transport and of communication ▶ In South Africa: the Commission for Conciliation, Mediation and Arbitration (CCMA)	Legislative instruments and policies/ legislative protection

Players	Actions
Law firms ▶ Mbuyisa Moleele Attorneys, Johannesburg, South Africa ▶ Leigh Day, United Kingdom of Great Britain and Northern Ireland ▶ Olumide Babalola LP, Lagos, Nigeria[1]	Provision of legal aid in lawsuits
Private businesses ▶ Insurance firms ▶ Financial institutions	Provision of health insurance for drivers and credit facilities to purchase vehicles

Granted, reports of legal suits concerning drivers' employment status anywhere in the world, regardless of the outcome, have been responsible for heightening the consciousness of ridehailing drivers and have provided fertile ground for their self-organizing into associations. Players such as finance and insurance companies are limited to supporting the associations in their membership provisioning agenda. So far, the data shows that players that have emerged to support ridehailing drivers in Africa are performing roles other than the traditional trade union role and, therefore, cannot replace trade unions.

The organizing strategies

The predominant strategies used by ridehailing drivers to organize and to claim rights are described below. The first four strategies describe the cumulative actions undertaken solely by the drivers to self-organize; they confirm the assertion that such grassroots associations tend to focus excessively on a membership logic or welfare provisioning (Vandaele 2018). However, contrary to the claim that this is often at the expense of deeper political action to claim rights, the last five strategies show traces of political action among drivers' associations, which are largely supported by trade unions.

- *Mobilizing*: Drivers in all four countries have used social media, specifically WhatsApp group platforms, as the strategic tool for mobilizing and facilitating group formation among the otherwise dispersed drivers (Akorsu et al. 2020; Anwar, Otieno, and Stein 2022). WhatsApp platforms have provided an easy, fast and cheap information-sharing avenue for the drivers.
- *Recognition:* In Ghana, registration – getting the association duly registered with the Ghana Registrar General's Department – is used by drivers as a strategic tool for recognition by the State (Akorsu et al. 2020). We also found that the National Union of Professional App-based Transport Workers in Nigeria sought recognition through registration.

[1] The law firm is handling a court of appeal case on *Oladayo Olatunji v. Uber Technologies & 2 Ors.* The case is supported by ILAW.

- *Commitment:* Akorsu et al. (2020) report how drivers in Ghana have used financial contributions as a strategic tool for fostering members' commitment to the grassroots associations. The logic is that drivers' financial investment will give them a greater stake in working towards its success.
- *Relevance*: Welfare provisioning is a strategic tool used by drivers to prove their relevance to the members. The exigencies of survival characteristic of ridehailing make immediate attention to welfare needs paramount, and these override other needs in the interim. For example, the use of the associations as a form of cooperative for car ownership is most appealing to drivers in Ghana. In South Africa, some associations have worked with external stakeholders, for example, insurance companies and finance institutions, that facilitate the provision of loans to drivers wishing to buy cars. According to the authors, these strategies ensure the relevance of the groups to the members and facilitate organizing (Akorsu et al. 2020; Heeks et al. 2021).
- *Litigation* has been used in three of the countries (not Ghana) as a tool for gaining political influence. Legal suits, with their great potential to offer institutional power to drivers, have mainly focused on their employment status and have been mixed in their outcomes. For example, a case against Uber in Kenya was filed by a public transport business and 33 individual Uber drivers. In Nigeria, there are two cases in court, one in the court of appeal filed by drivers against Uber and Bolt, while the other is filed by individual drivers and the National Union of Professional App-based Transport Workers. In South Africa, the case against Uber was filed by the South African Transport and Allied Workers Union, the National Union of Public Service and Allied Workers and individual drivers. Here we see a mix of driver initiatives and union action.
- *Union affiliation:* For drivers, this constitutes a critical strategic tool for gaining political influence. Drivers initiated the affiliation process based on the recognition that union affiliation will potentially offer them the political influence they require in advancing and protecting their rights. This is something drivers could not achieve on their own. The National Alliance of Digital Drivers Unions (NADDU) in Ghana is a registered union of ridehailing drivers affiliated to the TUC (Akorsu et al. 2020). The Transport and Allied Workers' Union (TAWU) of Kenya is a registered union affiliated with COTU-K and the International Transport Federation (Webster and Masikane 2021). The positive responses of the TUC and COTU-K in granting affiliation status to drivers' associations speak to the willingness and preparedness of African trade unions to either support or incorporate such non-standard workers into their union structures. This seems the most promising pathway for trade union revitalization.
- *Coalition formation* as a strategy to strengthen political influence has been observed since drivers witnessed how fragmentation undermines rights-claiming efforts. Wamai (2021) reports that on occasion, in Kenya, drivers were represented by three different associations and could not agree on which of them should sign a memorandum of understanding; they eventually agreed to sign under the unregistered name of Digital Taxi Forum. In Ghana, NADDU was formed from 16 associations, following

recommendations from the TUC; efforts to create a transnational body are under way (Akorsu et al. 2020; Fairwork 2021). While coalitions of drivers' associations contribute to seamless affiliation to trade unions, they can also threaten trade union revitalization when they grow into strong independent organizations; hence the possibility of the substitution future that Visser (2019) predicts.

- *Strike action:* Drivers have been used in all four countries to gain influence through public attention. For example, in Ghana, ridehailing drivers in Takoradi have embarked on two-day strikes to fight for improved working conditions and pay (Marfo 2021). Anwar, Otieno, and Stein (2022) report strikes in Kenya and South Africa, which led to an increase in fares as requested by the drivers. Nigerian drivers have resorted to strike action against other discriminatory policies, such as the new legislation policies that restrict the age of cars that can be used for ridehailing and require already active drivers to pay for new permits to drive on Uber (Anwar, Otieno, and Stein 2022). Wamai (2021) reports an 11-day strike organized by the Digital Taxi Association of Kenya, the Public Transport Operators Union and Ride Share SACCO in Kenya. Generally, though, the protests have not been successful in terms of rights-claiming, but have given publicity to the workers' concerns and jolted the Government into starting some policy discussions on protecting these workers. This shows that using the traditional trade union strategy of strikes alone will not suffice for rights-claiming: trade union interventions are still needed.
- *Social dialogue* has been identified as essential in getting workers' demands met. For instance, in Kenya, a memorandum of understanding was concluded between platform workers and Uber Kenya in 2018 before the Ministry of Labour. This led to the creation of Digital Taxi Forum as a united mouthpiece for ridehailing drivers. In Ghana, through dialogue between drivers, and later with the support of the TUC, the payment of an additional levy to the Driver and Vehicle Licensing Authority was curtailed (Akorsu et al. 2020). Here it can be said that trade unions are needed if such bilateral dialogues are to progress to tripartite ones.

Reflections and conclusion

Much of the organizing among ridehailing drivers begins with drivers' self-mobilization and the deployment of different tools in pursuance of specific goals of group maintenance and cohesion – a membership logic. This membership logic cannot be isolated from a wider process of political influence, because of its cumulative effect. Thus, one observes a movement towards an influence logic and the deployment of distinct strategies to evoke political influence. Within this logic, affiliation with traditional trade unions has found its relevance, flagging trade unions as the most viable player in all the four countries. If this review has revealed anything of interest to trade unions, it is the fact that organizing among ridehailing drivers has opened up an offer of membership of trade unions – an offer driven by the drivers' need for the political influence that trade unions have provided over the years. Although the organizing strategies presented in this paper are mostly initiated at

the grassroots level by the drivers, they provide pathways through which trade unions can support and formalize workers' collective action in platforms to their benefit. African trade unions, judging from our review, have demonstrated by their willingness to grant affiliation status to drivers' associations that they are well aware of the most viable pathway and are poised for revitalization. We, therefore, recommend harmonization of collective efforts and expansive democracy that resonates with the drive towards advocating "with" workers, not just "for" support for all workers, especially vulnerable platform workers. Practically, the affiliation pathway suggested in this paper will, we hope, contribute to the openness of trade unions towards inclusive structures that provide a platform where concerted collective efforts for such a transformation can take place. Such a transformation, we insist, is necessary for trade union revitalization on the continent.

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

Trade union revitalization in the United States of America: A call for a labour movement programme in support of self-organizing workers

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Background: The current state of affairs

Organized labour in the United States of America today is facing a truly existential crisis, as trade union density has experienced a steady decline for the last five decades. From a peak of one third of the workforce in 1955 and still over 20 per cent in 1983, at present only 10.3 per cent of United States workers remain members of trade unions, and a mere 6.1 per cent are unionized in the private sector (Bureau of Labor Statistics 2022).

Much has been written concerning the impact that shrinking trade union density has had, not only on the ability of unions to bargain effectively with their employers from a position of strength, but also on the United States economy as a whole. It has contributed significantly to wage inequality in the United States by reducing the pay of non-union workers, as well as reducing the share of workers directly benefiting from unionization. This decline has eroded wages for workers at every level of education and experience, costing billions of dollars in lost wages (Mishel 2021).

With declining membership, many individual unions and the labour movement overall have experienced a reduction in dues revenues and other readily available resources. Accordingly, many unions have made strategic choices to allocate their increasingly limited resources more to servicing and preserving their existing membership than to organizing new members (Weil 2005), exacerbating further the density loss which makes bargaining contracts and otherwise servicing their members all the more challenging.

Meanwhile, over the past year or so, a significant trend of worker self-organizing has emerged, in virtually all parts of the country and in numerous occupational sectors (Scheiber 2022). By "self-organizing", I refer to workers' own self-initiated attempts at unionization of their respective employers – efforts that involve little, if any, involvement of or support from existing unions, and that if successful typically result in the workers' formation of a new, independent union. This is potentially akin to what happened following the Great Depression, when workers began to rise up on their own and fuelled a transformation that greatly benefited organized labour (Brody 1971).

While it is still too soon to judge just how pervasive or durable this wave of self-organizing will prove to be, it appears, at present, to be on a level not witnessed in the United States in almost a century.

One of the most highly publicized examples of this astonishing trend occurred in early April 2022, when an independent unit of some 8,000 employees became the first group of workers to unionize their Amazon warehouse in the United States, handily beating back a typically oppressive "union avoidance" campaign in which the company spent more than US$4.3 million on outside anti-union consultants – more than US$500 per worker (Kantor and Weise 2022). Meanwhile, at Starbucks, Apple Store, Google and Recreational Equipment, Inc. (REI), as well as many other employers including lesser known media outlets, breweries, healthcare agencies, museums, book stores, universities and schools, among many other

employers, workers are embarking on major collective initiatives on their own, without organized labour at the helm or often even in the picture at all.

To date, the United States labour movement's response to this trend has been tepid, at best. On an ad hoc basis, a few individual unions and union leaders, in a few locations, have offered valuable support.[1] The labour movement as a whole, however, has been largely absent, or at least not present in any concerted way.

This article argues for organized labour in the United States to play a major supporting role in this unique moment. Workers are presently organizing on their own – and in some cases, forming their own independent unions – but even with their new levels of energy, enthusiasm and creativity it will be extremely difficult to sustain initial successes, win adequate first contracts and generally institutionalize the gains that they realize without levels of resources well beyond what they are able to bring to the struggle. Moreover, at the same time, the labour movement is presented with a unique opportunity for revitalization: to help grow the overall size and power of the unionized workforce even if, for the time being, it may involve forgoing an increase in their own membership rolls.

To have any significant impact, however, the labour movement must create a substantial, dedicated, grassroots-focused programme – a Labour Self-Organizing Workers' Support (Labor SOWS) Programme – that will supplement, but not supplant, the needs of these self-organizing workers.

Why self-organizing workers and organized labour need each other

The unusual amount of spontaneous worker militancy that we are witnessing in the United States at present coincides with recent polls showing an unusually high degree of public support for unions. One widely cited Gallup poll showed 68 per cent union approval, a 57-year high (Brenan 2021). Moreover, among non-union workers themselves, almost half (48 per cent) say they would like to have union representation – almost five times the number who are actually unionized today (PBS 2018).

The enormous discrepancy between those who want a union and those who actually have one is hardly surprising. In recent years, fewer than 50,000 workers per year have succeeded in winning representation through the standard election process supervised by the relevant government agency, the National Labor Relations Board (NLRB) (Dirnbach 2018). Further, even when workers succeed in overcoming what Cornell University researcher Kate

[1] For example, the Service Employees International Union Workers United has become an important ally to the Starbucks baristas in many of their successful campaigns. The UNITE HERE union, the Retail, Wholesale and Department Store Union, the Teamsters and the American Postal Workers Union have each been offering staff, office space and other material support to various groups. The Association of Flight Attendants' inspirational President Sara Nelson is highly sought after by many of the independent worker campaigns to attend and speak at their rallies and on their picket lines.

Bronfenbrenner calls "the hoops of fire" of a hostile employer's anti-union campaign, their bigger challenge has often just begun: an employer intent on staying union-free despite the election outcome begins to impose endless obstacles preventing the newly unionized employees from effectively exercising their new rights (Bronfenbrenner 2009).

Operating under a legal and regulatory regime that provides virtually no effective penalties for such behaviour, employers are often able to delay negotiating a first collective bargaining contract for years, not infrequently dragging out the process to the point that the workers simply give up. Indeed, a study Bronfenbrenner conducted between 1999 and 2003 found that a majority of organized units had no contract within one year of the election, more than a third had no contract within two years, and some 30 per cent had no contract even after the third year (Bronfenbrenner 2009, Lafer and Loustaunau 2020).

Consider, for example, the prospects facing the groups of largely self-organizing workers at the two most highly publicized employers of late: Amazon and Starbucks. After suffering the astonishing NLRB election defeat in Staten Island, New York, Amazon promptly announced that it would legally contest the results; under current United States labour law and without strong counter-pressures, this could stall even the outset of negotiations by two years or more. Meanwhile, Starbucks, which in the past three months has lost some 50 coffee shop union elections by overwhelming margins, with another 150–200 due to take place in the near future, shows no sign of coming to the bargaining table any time soon, much less with a good-faith intent to work out a mutually acceptable agreement. Both of these companies will likely continue to frustrate the process with impunity, in the absence of a major coordinated effort that will likely far outstrip the capacity of the individual groups of self-organizing workers on their own.

Thus, as exciting as the Amazon, Starbucks and other self-organizing worker campaigns are, the workers and their allies should be genuinely concerned that many will not bear fruit in a lasting way. The workers are surely bringing to these labour struggles levels of militancy and creativity not seen in decades; however, few seem to be accompanied by support mechanisms – legal, digital, education and training, political, research, communications, or coalition-building – sufficient to withstand the ferocious opposition that most employers unleash at the mere whiff of union organizing in their workplace, and then in the follow-up campaign to achieve a first collective bargaining agreement.

Meanwhile, as the declining union membership numbers show, organized labour has yet to develop a successful formula to halt, much less reverse, its own continual losses in density and weakening of power and influence. For some years, in the 1990s when John Sweeney became president of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and again when Richard Trumka succeeded him in 2009, the unions encouraged or at least accepted AFL-CIO's experimentation with a variety of union growth strategies. These included: NLRB election organizing within unions' traditional jurisdictions; "hot-shop" organizing, where the unions' response is based more on likelihood of success than on the strategic value of adding workers in a particular industry, employer or

location; strategic or corporate campaign organizing, where unions seek to leverage an employer's voluntary recognition (without the need for an NLRB election) by focusing on an identified employer's vulnerabilities; geographical campaigns, where groups of unions attempt collectively to organize multiple employers within the same city or county; public-sector campaigns, where unions use political influence to help achieve unionization of governmental or quasi-governmental employers; and various combinations of the above. And while notable successes were achieved in each of these forms of union organizing, none were successful in achieving an overall restoration of labour movement growth.

Some unions continue to dedicate substantial resources to their own organizing programmes, and have newly unionized employers to show for their efforts. Yet even among these unions, few now have the staff or resources to respond to all of the groups of workers who seek their involvement, even within their own respective sectoral or occupational jurisdictions. Indeed, even if every established union today were to win every organizing campaign that it has pending, the numbers of newly unionized workers would reflect only a fraction of what is required to create significant change.[2] As a whole, the organizing programmes of the American labour movement and its constituent unions have simply not succeeded in reversing the decline in union membership.

It does not help that the labour movement of late has directed virtually all its strategic revitalization efforts into a single legislative goal: enactment of federal labour law reform in the form of the Protecting the Right to Organize Act (the PRO Act).[3] Unquestionably, in the Biden Administration, the labour movement has one of the best governmental allies it has had in decades. Yet it has been clear for some time that neither the Administration nor labour's congressional friends will be able to deliver this or any other game-changing legislative measure.

Others have written about the various factors that account for the labour movement's inability to turn the tide over the past five decades – globalization, new technology, increased employer resistance, failure to enact labour law reform to address economic and social change, and shortcomings within the labour movement itself, to name just the most widely cited (Brooks 2016). The point here is not to revisit, much less resolve, these past debates, but rather to advocate for the labour movement as a whole to seize this significant new opportunity: a genuine wave of self-organizing workers, in almost all unions' geographical and/or occupational areas of operation, spontaneously and simultaneously looking to become part of the country's unionized workforce.

For the first time in years, the labour movement has a real chance to help millions of workers realize their own aspirations of unionization, and in the process begin to reverse its own decline. For the reasons suggested above, however, this will not happen if organized

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[2] Historians and social scientists have noted that unions need to organize more than 1 million new workers per year to reverse the decline (Cowie 2002).

[3] United States Congress bill H.R. 842, 117th Congress (2021–2022). Protecting the Right to Organize Act of 2021. Washington, DC: United States Congress.

labour looks on passively or indifferently. What is needed, instead, is an all-hands-on-deck commitment – a top-priority Labor SOWS programme.

The commitment would not preclude individual unions from continuing to undertake their own campaigns in their own sectors; however, it would require the labour movement as a whole to prioritize an initiative to support the millions of self-organizing would-be union members, recognizing that, in the short term, many of these workers will belong to their own independent unions, not necessarily affiliated with established unions or the AFL-CIO. Moreover, whether they join existing unions in the near future, later down the road or not at all, they will still become part of the national labour movement at large, bringing the power, influence and opportunities for yet more growth that their added numbers will offer and enhancing the labour movement's ability to negotiate more favourable labour standards, to advocate for more worker-friendly legislation, and to elect more worker-friendly public officials.

Components of the Labor SOWS programme

Ideally, the Labor SOWS programme would be organized and coordinated by the nation's central labour federation (the AFL-CIO), with the full participation of all union leaders at the national and local levels. If unwilling or unable to take the lead, the job may more realistically fall to a "coalition of the willing" – those unions seeing common purpose and value in this initiative.

In any event, whether the AFL-CIO heads up Labor SOWS or whether instead it is directed by a coalition of activist unions, a central role will fall to the state and local labour movements. After all, the key to successfully assisting self-organizing workers, on a scale that will have lasting impact, will be for organized labour to lend its experience, expertise and selective resources at the grassroots level across the country.

Whichever actor takes the lead for organized labour, the requirements for self-organizing worker initiatives will necessarily vary from place to place. Obviously there will be no "one-size-fits-all" set of needs or requests for assistance from the self-organizing worker groups. Considering what could improve their chances of short-term and longer-term success will, itself, be an important role for each group of self-organizing workers to undertake, ideally with input from more experienced actors, such as long-established unions. The type of assistance that the various groups of workers need will surely differ, and the labour movement will need to listen carefully and respectfully in helping the groups determine what could be useful.

The Labor SOWS programme must include certain fundamental components. First, whether coordinated by the AFL-CIO or a coalition of participating unions, there will need to be a steering committee of union presidents who would formulate policy and commit the national resources aimed at providing the necessary support for self-organizing

workers. All organized labour needs to be part of this unique opportunity to help broaden the labour movement and restore overall union growth. Non-AFL-CIO-affiliated unions – including the Service Employees International Union, the Teamsters and the National Education Association – will need to be equal partners, working together in a collective, collaborative manner.

Second, the steering committee will need to create staff-level committees of experts in organizing, fieldwork, communications, legal work, bargaining, political affairs and research to assist local labour movements in developing possible strategies, toolkits and other necessary support materials for the self-organizing workers to draw upon. The steering committee should ensure that national groups of experts and activists – union lawyers, labour educators, political advocates, faith leaders, student organizations, civil and immigrant rights groups, and other community allies – are made available to the self-organizing workers.

Third, local labour movements – the state, area and local AFL-CIO bodies and their affiliated local unions — should be trained, resourced and otherwise equipped to provide organizing assistance, media support, legal advice, community partner coalition-building, employer research, grievance training, bargaining support, political relationships and grassroots organizing training to add to the resources the self-organizing workers are bringing to their own campaigns. These state and local organizations should prioritize the Labor SOWS programme, making sure that the requisite tool kits and other forms of assistance to self-organizing workers are available and readily accessible.

Fourth, given how much resistance employers typically devote to first contract negotiations, the programme should help to develop, by sector, a concise first collective bargaining agreement as a model or template – one focused on key priorities common to workers in a particular sector, but also leaving ample space for workers to decide for themselves how their local demands should be shaped. Detailed and more difficult issues can wait for second or third contracts.

Fifth, the labour movement should see the Labor SOWS programme as an opportunity to broaden the coverage area for organized labour. Local labour movements should prioritize initiatives led by young workers, workers of colour, immigrant workers, women and others historically underrepresented in organized labour in the campaigns that they assist.

Sixth, and crucially, the steering committee should establish a funding mechanism dedicated to this programme and large enough to meet this challenge on a truly multisectoral, national scale. As labour scholars and practitioners have long observed, unions in the United States own union halls and other real property that, given their many decades of ownership, are often mortgage-free (Masters 1997). Modest leveraging of what is estimated to be many billions of dollars of such assets could yield very significant sums that could be dedicated to this all-too-unique opportunity.

Committing to and implementing a programme of this kind is eminently achievable. Sadly, the AFL-CIO passed up an obvious opportunity to create such a programme when it held its quadrennial convention in June 2022. With scant acknowledgement of this burgeoning movement of self-organizing workers launching new campaigns throughout the country on virtually a daily basis, the AFL-CIO chose not to invite any groups of workers not affiliated with one of its existing unions. Moreover, its flagship announcement of a new organizing programme consisted merely of a commitment secured from its affiliated unions to organize into their own unions a million new members over the next ten years, i.e. 100,000 workers per year. As noted by a highly sceptical union audience and labour press in reaction to the announcement, this goal would not even suffice to keep up with anticipated workforce growth, much less reverse labour's long decline in density (Greenhouse 2022). More significantly, the AFL-CIO's new programme and numerical goal entirely ignore the need and opportunity to partner with and assist the unique independent organizing taking place on a completely separate track.

Nonetheless, it is certainly not too late for organized labour to recognize where its organizing priorities and energies should be directed at this time. If not through the AFL-CIO itself, a coalition of large unions inside and outside the Federation could unite to create and lead a Labor SOWS programme – surely many others would follow. Alternatively, if national labour leaders are not prepared to take advantage of this historic opportunity, a core of the more activist state and local labour leaders from around the United States could assume the role. Whether under the direction of national labour leaders or activist state and local leaders, a joint assessment should be made, together with leaders from the self-organizing workers' groups, of the types of assistance that would be of most value in specific sectors, locations and campaigns. The "numerical" goal of this programme should quite simply be: every self-organizing worker who is seeking to have a union at work should have one.

Historical precedent

The Labor SOWS programme would not be without historical roots. Following the Great Depression, workers began to rise up on their own and fuelled a transformation that greatly benefited organized labour. As the labour historian David Brody observes: "The depression finally broke down the acquiescent relationship fostered by welfare capitalism and aroused industrial workers to action … [and] a spontaneous push for organization developed. It was a sight, said [then American Federation of Labor president] William Green, 'that even the old, tried veterans of our movement never saw before'" (Brody 1971).

In the fierce internal debates that took place inside the labour movement at that time, the iconic labour leader, John L. Lewis, tried to convince his fellow union leaders to put aside traditional jurisdictional claims for the moment, so as not to allow labour movement division to endanger the workers' emerging self-organizing. Though not successful in bringing along many of the more conservative craft unions, a number of large unions

joined Lewis in establishing the Committee for Industrial Organization (CIO), which spent much of the mid-1930s extending financial assistance, a cadre of experienced organizers and other professional staff, and their established relationships with allied political and social movements to help millions of industrial workers achieve unionization and collective bargaining – marking the beginning of a major turnabout not only for the industrial unions, but eventually for the craft unions as well (Brody 1971, Cobble 1997a).

The American Federation of Labor (AFL) had itself undertaken a support role in yet earlier times of significant worker self-organizing. From the late nineteenth century through to the 1950s, the Federation helped many workers form their own independent workplace unions, even where there were no craft unions seeking or available to organize them (Cobble 1997b). The Federation coordinated a large network of organizers, which helped established unions build their membership and supported self-organizing workers. During this period the AFL chartered an estimated 20,000 independent organizations, directly affiliated local unions, many of which ultimately merged with existing unions or in some cases grew into their own international unions (Cobble 1997b). The AFL saw the directly affiliated local unions as "the recruiting grounds for the trade unions, both of the skilled and unskilled workers", and as a way to extend the reach of the labour movement to workers who had been excluded by virtue of skill, race or gender (Cobble 1997b).

While these examples do not provide a clear blueprint for action, they show the value to organized labour of supporting insurgencies from below. Today's labour movement has an extraordinary opportunity to put its immediate self-interest to one side and assist millions of workers seeking to organize their own unions, recognizing that in the short term the addition of these new workplace unions and the collective bargaining agreements they will negotiate can only help raise standards throughout the economy and, in the long run, may well result in many of them voluntarily joining up with stronger, longer-established unions in their areas.

Conclusion

The Labor SOWS programme must start from an acknowledgement that the labour movement would be helping these self-organizing workers to form their **own** unions and negotiate their **own** first contracts. It must see its own role in this programme as offering added value, not replacing what these new organizers are bringing to the struggle. In the short term, organized labour's commitment would not be generated by the more typical self-interest that unions bring to their own campaigns. Many of the successful self-organized worker campaigns would not immediately result in existing unions increasing their own membership rolls for the present. In time, however, many of these new independent unions will likely conclude that they will not be able to thrive without affiliating with an existing, established union. And meanwhile, even if they do not do so, the newly organized workers will bring immediate value to those existing unions,

whose own growth is dependent on a movement that does not continue to lose power and influence, much less fade from existence entirely – prospects that the labour movement must acknowledge are currently very real.

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International Journal of Labour Research • Volume 11, Issues 1-2 (2022)

Challenges of trade unionism in the face of new forms of work organization

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Introduction

To understand the prospects and challenges for trade unions in Latin America and the Caribbean, we must consider the historical context of some of the most structural features of labour in the region, where high informality and self-employment have tended to prevail, as well as the scarcity of jobs, strong social, income, race and gender inequalities, persistent social discrimination, vulnerabilities, lack of decent work, absence of social protection and the violation of rights.

The structural heterogeneity associated with technological innovations, and the effects of the coronavirus disease 2019 (COVID-19), have resulted in: (1) the growth of digital work platforms, which tends to reproduce a situation of increasing numbers of employed people with no social protection, although some countries are seeking to regulate this activity; and (2) the combined effects on work of a number of crises, which have hit, first and foremost, the most disadvantaged and vulnerable. The informal economy accounts for 60–80 per cent of jobs and is hit hardest by the crises, leading to an increase in poverty and extreme poverty. It also impacts women and men differently, as well as minorities such as people of African descent, lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ+) people, indigenous people and immigrants.

This structural configuration, highlighted by the effects of the pandemic, has had an irreversible impact on part of the working class, changing the structure of the labour market and having detrimental effects on trade unions and unionization rates.

In the face of a new reconfiguration of unions and working classes through the multiplicity of new forms of contracting and union organization, new union actions and practices that reverse the traditional style and orientations of unionism are fundamental, in order to make new choices available to actors to respond to changes in the world of work. The challenge for trade unions is, therefore, to be able to respond to the trade union agenda. In addition to understanding the transformations in ways of organizing work and engaging and guaranteeing rights, we have to analyse the ability of collective actors to respond to this context, their capacity to renew their repertoire of action and seek new strategies without losing their identity, and the purposes and characteristics that are part of their own trajectory of struggle and resistance.

Changes in the global economy not only produce a global working class, but also create the conditions for the evolution of a trade union movement with the ability to act beyond national borders, opening up new opportunities for the internationalization of trade union action that seeks to begin a dialogue with civil society and ally itself with other social movements in their struggles for their rights.

This article is developed from a perspective that takes into account the structural characteristics of work in Latin America and the Caribbean, in which a pattern of subordination to the interests of capital accumulation and large transnational companies has historically predominated, generating a high level of informality, self-employment,

scarcity of jobs and strong social, ethnic/racial and gender inequalities marked by disparities in labour incomes and exacerbated by the new forms of international division of labour that intensify three processes simultaneously: the advance in the use of new technologies and new forms of labour management ("Uberization", telework, and so on.) indicates a deepening of the deconstruction of rights and the growth of forms of work outside wage relations; these are combined with a wave of labour deregulation and the deconstruction of public institutions, particularly trade unions.

Labour context in Latin America

Neo-liberalism has transformed Latin America into a region that is highly focused on economic models aimed at the export of natural, mineral and agricultural resources and on the provision of services, at the expense of a pattern of economic and social development centred on stimulating local productive activities that promote improvements in living conditions, poverty reduction and social inclusion. The shaping of a model of accumulation based on the liberalization of national markets allows transnational capital to determine the structures of production, the relations of exchanges of goods and services and, consequently, the structures of employment on a regional and world scale and a growing automated labour market at the base of a socially excluding pyramid. Since models based on the export of industrial and agricultural commodities create few jobs, labour precariousness in Latin America exceeds the average in developed economies. This informality penetrates all spheres of social life.

Data show that 56.7 per cent of women and 56.2 per cent of men working in the region have precarious jobs.[1] Furthermore, this precarity deepens social vulnerabilities and intensifies forms of labour exploitation which are expressed in various ways (forced labour, contemporary slave labour, labour analogous to slavery, servitude, human trafficking, and so on.). Another effect is the extent of poverty, which in Latin America extends beyond the informal sector. It also affects a large segment of people who enjoy labour or other formal rights, but are exploited by modern companies operating in global chains. The extent of informality is also a consequence of the accelerated technological change that exacerbates the segmentation between skilled and unskilled workers. Stable jobs with social protection are decreasing in comparison to those without any protection, predominantly affecting women and young people. In 2020, the social protection coverage rate in Latin America and the Caribbean was 64.3 per cent, but the rate was 36.7 per cent among vulnerable people and 16.4 per cent among the unemployed (ILO 2021).

[1] These data refer to 22 countries in Latin America and the Caribbean and include both urban and rural work. Disaggregated data for agriculture show a figure of 91.2 per cent for women and 87.1 per cent for men in precarious employment. This information is available at https://statistics.cepal.org/portal/cepalstat/dashboard.html?lang=es&temaIndicadores=394. For English version, see ECLAC (2018).

Thus one of the distinctive features of the advance of global production chains in Latin America is the increase in informality and social inequality in virtually all countries of the region. Instead of ensuring the uniformity and standardization of economic and social realities, global production chains magnify the differences both between and within countries. The way in which countries integrate themselves into the global economy is a determining element of their opportunities for sustainable and inclusive development.

The persistence of informality in the region is increasingly related to the very dynamics of capital accumulation and the processes of flexibilization and subcontracting. Furthermore, subcontracting networks feed these precarious relations, as in, for example, the clothing, agro-export and food industries.

The higher incidence of informality is an obstacle to unionization, since most trade union entities are restricted to representing the population in the formal labour market, even if initiatives to incorporate and represent informal workers are established, such as Central Unitaria de Trabajadores (CUT) Chile, which also affiliates street and market workers who work informally. However, union density in the region only exceeds 25 per cent in a few countries. Some Caribbean countries barely reach 2.5 per cent, while Brazil stands at 11.2 per cent and Mexico at 12.4 per cent.

Furthermore, other obstacles contribute to this low level of unionization, such as the fragmentation of the working class through the new forms of contracting included in labour regulation systems, such as, intermittent, partial, subcontracting, fixed-term, fixed-period, by work or by legal entity contracts. These new forms aim to make it easier to hire workers and reduce costs for employers. The stimulus to self-employment and entrepreneurship is attractive to young people, who may have their own businesses, and is a strategy of fragmentation, reinforcing individualism and reducing the accountability of employers towards workers and their rights.

Consequently, it is not enough to offer benefits, as these workers also need to feel represented in their interests, claims and struggles. Thus, besides opening up the statutes to welcome them, management also needs to open up to involve them. They have to be included in collective negotiations, as this is the only way that representation can be expanded.

Trade union strategies to respond to new challenges

In Latin America, the trade and services sector accounts for approximately 50 per cent of the employed population,[2] while the agricultural and manufacturing sectors have been decreasing in size. In the manufacturing sector, this is due to the loss of industrial density – as global chains are reorganizing themselves mainly as a result of the technological changes and advances of the new digital era – and in the agricultural sector is characterized by low

[2] See https://statistics.cepal.org/portal/cepalstat/index.html?lang=en.

job creation. Data for the region suggest that 88.0 per cent of agricultural employment is informal, while in non-agricultural activities the percentage is 51.5 per cent.

Latin America's participation in global production chains is very low compared to more dynamic economies, as it is centred on a type of production chain that does not create added value. The abundance of natural resources in the region favours the initial stages of the chain through exports of agricultural products; on the other hand, the abundance of workers drives participation in sectors at the end of the production chain that are characterized by severe precariousness and do not create added value, such as manufacturing in the clothing, electrical and electronic sectors, where 70 per cent of international trade takes place within global production chains and has been expanding more recently thanks to digital platforms.

The COVID-19 pandemic accelerated the adoption of digital platforms, taking over traditional activities in the trade and services sector via online marketplaces.[3] By making loans available so that individuals may invest in their own businesses, these platforms create the illusion, particularly among women, of reconciling earning an income with caring for their families, thus reinforcing gender hierarchies and violence against women and weakening trade union influence by increasing informality.

Most transnational companies operating in Latin America and the Caribbean are part of food supply chains, which involve cultivation, processing, manufacturing and marketing. Some of these, with a long tradition in the region, use subcontracted labour, thereby challenging the unions that seek to ensure the representation of these workers, as in the case of banana production in Costa Rica.

Logistics companies located throughout Latin America and the Caribbean; their business consists mainly of logistics for storing internationally purchased and low-cost imported products (e-commerce). Operating in various countries, these companies strengthen the prospects for more collaborative action between trade unions and trade union centres to undermine strategies aimed at weakening the trade unions' action.

Work via digital platforms is an expression of the profound transformation in the organization of the production of goods and services, in which the organization of activities does not involve tangible assets or the sharing of risks. This segment has gained from the context of economic deregulation and the flexibilization of labour relations and the labour market, but it is already under pressure in several countries to submit to regulation. Particularly with regard to regulation, there is a dispute between social actors, economic agents and policy-makers about how best to establish the rules for the economic activity, labour rights and social protection of workers.

[3] Marketplace is a collaborative platform, also known as virtual shopping, where a set of companies offer products and services at the same address on the internet. Typically, the sales process is the responsibility of the organizer, which provides users with a digital structure with secure payment methods and a delivery charge calculator. Currently, Mercado Livre is the largest e-commerce company in Latin America. For more information see https://www.sebrae.com.br/Sebrae/Portal%20Sebrae/UFs/CE/Anexos/Cartilha%20Canais%20de%20Comercializa%C3%A7%C3%A3o%20-%20Marketplace.pdf.

The question is whether workers are self-employed, employed (and subordinated), or a mixture of the two. Therefore, the trade union organization of digital platform workers is a new challenge to be faced from two different perspectives: the first asks how trade unions can confront this development and how they can organize workers' rights and social security in this context, and the second asks how workers are organizing and mobilizing themselves, both nationally and internationally. There are different forms of collective representation of workers: traditional trade unions, associations of self-employed workers, groups with their own characteristics that operate fundamentally in networks, and so on.

During the pandemic, digital platform workers became more visible and showed their capacity to organize and mobilize in different countries, including the calling of a regional strike involving Uber employees in several Latin American countries. On the first occasion of the strike, on 1 July 2020, there were mobilizations and boycotts in Argentina, Chile, Ecuador and Mexico (Schavelzon 2020). This movement has triggered a wave of projects and court decisions on the relevance of specific legislation and has strengthened solidarity between the trade unions and trade union centres.

Regarding digital platforms, there are several organizational experiences, such as the cooperatives of couriers and drivers that can be found in Buenos Aires, Mexico City, São Paulo or Santiago de Chile, characterized by corporatist practices and small businesses. Concerning workers who source their work through applications (apps), important initiatives such as the creation of associations, movements and, more recently in Brazil, the National Council of Unions of delivery workers, motorcycle and cycle couriers, have brought together dozens of entities in the fight for their rights. The Council has launched a manifesto demanding the recognition of the employment relationship between workers and applications compagnies and denouncing anti-union practices.

In the Dominican Republic, the country's three trade union centres, Confederación Autónoma Sindical Clasista, Confederación Nacional de Unidad Sindical and the Confederación Nacional de Trabajadores Dominicanos, have joined together to meet this challenge and have taken on the task of building a pilot plan for the promotion and organizational development of this sector, aiming for unitary organization of the three centres, since none of them has union representation in this segment because the latter's presence in the country has developed recently.

The textile and clothing industry declined sharply with the COVID-19 pandemic. In Brazil, between the first and second quarter of 2020, 254,000 jobs were eliminated in this sector, with the greatest impact in the clothing and apparel sector with the elimination of 223,000 jobs. This sector is characterized by a high level of informality, as 82.5 per cent of people employed in textile manufacturing and 86.6 per cent in garment manufacturing are self-employed or have no rights, despite receiving wages. (IBGE, 2020).

In the clothing sector, subcontracting and informality are predominant, with women representing over 75 per cent of the workforce. These women have to work long hours –

as much as 14–18 hours a day – do not have any type of social protection and are not represented by unions. In São Paulo, the majority of these forms of contracting can be found among Bolivians and Peruvians, owing to their situation of greater vulnerability.

In the last ten years, there has been a surge in the number of small clothing manufacturers in São Paulo. In 2010, there were 979 individual micro-entrepreneurs in the sector of clothing and accessories in the capital, according to data from the Federal Revenue of Brazil. In 2020, there were 34,377; that is, 35 times as many.

These small clothing manufacturers work in conditions of informality, with no rights or social protection. Large companies hire workshops, most of which work legally, but then the latter redistribute orders among small, unregistered workshops, where work is carried out in the workers' own homes.

Some practices have spread as consequence of the COVID-19 pandemic; in Brazil, in order not to disrupt their productive activities, companies transferred part of their production to the homes of the women workers, providing them with a sewing machine. This situation implied a lack of control over working conditions and working hours. Moreover, companies did not cover the expenses of electricity, communication or cleaning, and took no responsibility for any possible work accidents, having transferred all maintenance costs to the workers. The action of the local trade union has reversed this situation, showing the importance of the trade unions in structuring the work of these women in the clothing sector and changing many aspects of social, family and public policy life in the region.

Another aspect that stands out is the final link of the production chain, which is product sales. As a consequence of the pandemic, several trade points closed and sales began to be carried out by platforms such as Mercado Livre. The platform provides loans to stimulate the workers' business, so women workers can manufacture and sell through the platform. Trade union representatives have made huge efforts to show the implications of the use of platforms for this type of work.

An important initiative in joint action is being built up by several trade unions in the apparel and clothing sector in the states of Espírito Santo, Minas Gerais and São Paulo. The initiative aims to identify and map the presence of the main companies in the clothing sector in the trade unions' representation bases.

In all trade union bases, the level of informality is high because of the hiring of factions controlled by intermediaries. The best strategy to ensure the formalization of employment contracts and improve working conditions is to unify union intervention.

Successful experiences have indicated that, in locations historically characterized by informality and low salaries, the existence of a trade union has helped to improve the lives of those who work in the cluster, boosting the constitution of the sector: the majority of self-employed work and work at home have been transformed into waged work, with workers predominantly being hired by companies.

Opportunities and prospects for the region

- Incorporate collective and permanent mechanisms into the trade union entities to contribute to a greater democratization of trade union spaces, involving youth, women, immigrants, LGBTQI+ people and people of African descent.
- Encourage trade union centres and trade unions to welcome all forms of organization of the working class; attract the new forms of organization and association; understand that there is no longer room for only one way of organizing; and understand that changes in the world of work are creating new forms of struggle and resistance whose legitimacy should be recognized and valued.
- Strengthen the participation of young people. New generations bring new experiences of struggle, since the way they are entering the world of work is quite different from that of previous generations.
- Deepen the relationship with social movements and their struggles, gather the experiences of the labour fronts and structure their activities in the field with a more comprehensive agenda; mobilize action in the field to serve the interests of the community; and direct local trade unions in order to strengthen trade union organization in the field and encourage sharing of the various experiences of community organizations, trade unions and social movements.
- Ensure that all those working in conditions that make them vulnerable have access to work and social protection.

Conclusions

The trade unions are making an effort to confront the changes described above through new trade union practices. Although these are necessary and should therefore be encouraged and strengthened, they are not enough in themselves and demand a broader response. The trade unions' challenge is to build an agenda that helps to reverse work precariousness and to think about the future of work, as well as deciding how to extend representation to all forms of work organization, while ensuring universal rights and social protection. Trade unionism has traditionally been organized for the defence of rights; trade union centres are organized by the affiliation of trade union entities; therefore, only protected workers have access to trade unions. Workers who perform their activities at home or informally have no social coverage and find it very difficult to organize themselves into a union. Objectively, trade unions, due to the way they are organized, have more difficulties in reaching workers in situations of greater vulnerability and sectors of low productivity. The COVID-19 pandemic and the dizzying growth of digital platforms has, in a way, highlighted these limits, since the most-affected sectors do indeed lie outside union representation. Changing this reality requires the construction of strategies, solidarity links and political will to build a new agenda that can address this changing reality.

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Volume 11, Issues 1-2 (2022)

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International Journal of Labour Research
ISSN 2076-9806 (Print) - ISSN 2076-9814 (web PDF)