Regulating India's Gig Economy: Towards a Fair Future of Work for Women Workers

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Gender Perspectives on the Digital Economy

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Abbreviations

AI	Artificial Intelligence
AIGWU	All India Gig Workers Union
CSC	Central Services Scheme
FIR	First Information Report
FPS	Fair Price Shop
GDP	Gross Domestic Product
IFAT	Indian Federation of App-based Transport Workers
INR	Indian Rupees
IT	Information Technology
IT Rules	The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021
PMEGP	Prime Minister Employment Generation Programme
PMJJBY	Pradhan Mantri Jeevan Jyoti Bima Yojana
PMKVY	Pradhan Mantri Kaushal Vikas Yojana
PMSBY	Pradhan Mantri Suraksha Bima Yojana
POSH Act	Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013
PIL	Public Interest Litigation
PP	Privacy Policy
SoP	Standard Operating Procedure
ToU	Terms of Use
UC	UrbanCompany
US	United States of America

Table of Contents

1. Introduction

Over the last two decades, conventional models of work have been increasingly replaced with digital work, largely led by digital platforms that have challenged how, where and under what conditions work is undertaken. However, the pandemic has exposed the widening disparity between various forms of digital work, in particular, low-touch tech-enabled high-income jobs that could be performed from anywhere and gig work on digital platforms.

The gig economy creates an estimated 56 percent of all new employment (Banik, 2020). ASSOCHAM predicts that there are 15 million freelance or gig workers across India (ASSOCHAM, 2020) and the gig economy is expected to contribute to 90 million jobs, $250 billion in volume of work, and a 1.25 percent increase in India's GDP (BCG and MSDF, 2021). Currently, 2 in 10 workers in the global platform labor force are from India, of which 2 in 10 are women (Athreya, 2021). Nevertheless, while women's participation in gig work has been rising, whether the emergence of these digital platforms is able to successfully catalyse participation of women in gig work, compared to traditional work arrangements, remains to be seen.

This expansion of the gig work or platform-based work was made possible in part due to increasing penetration of digital technology resulting in one mobile phone subscription per person globally, and four in 10 people connected to the internet (Autor et al., 2020). In India as well, high levels of digital penetration, accompanied by good digital skills and an acute shortage of formal jobs, have driven youth to opt for gig work as a primary or supplemental source of income. Numerous reports have hypothesized that gig work has proven to be a source of livelihood for people struggling to survive the COVID-19 pandemic and lockdowns (Henderson, 2020). The long-lasting impact of the pandemic is expected to further accelerate the expansion of gig platforms.

However, the impact of technology on the livelihood and conditions of workers varies. With the development of new technologies comes the promise of economic growth linked to higher productivity and increased efficiency for employers on one hand, and on the other hand, better safety, convenience, opportunities for reskilling/upskilling, higher flexibility, and easier connect to jobs for workers. Access to technology is considered a unifying agent. But this technology-driven

utopian world of work which is inclusive, gives workers more flexibility and incentives, and where workers also have time to do unpaid care and household work is yet to be realized. This discourse around flexibility for workers often disguises a more dubious phenomenon: shifting risks and responsibilities to individual workers in the gig economy by classifying them as independent contractors (Stefano, 2016), and allowing employees to sidestep employment laws and labor protections like minimum wage laws, social security contribution, anti-discrimination regulation, insurance, and holidays (Rogers, 2015).

Despite its expansion, gig work in India, while flexible for some, has remained precarious, underpaid, and unstable (Sinha, 2021). The precarity is vastly exacerbated for women gig workers, who have to contest strict social norms and the engendered nature of work in order to participate in gig work. While the gig economy was expected to remove traditional gender barriers to financial and livelihood inclusion of women, it has proven to have a gendered impact where socio-cultural inequalities, which were previously restricted to the offline world, are now being replicated and intensified in the platform world. For workers in the Global South, particularly women, high-end data and AI jobs remain out of reach, leaving them with low paid, insecure forms of work that provide no scope for upward mobility (Gurumurthy and Chami, 2021).

The lack of extensive scholarship and advocacy addressing the specific needs and challenges of women engaged in gig work in the Global South, particularly India, has left women gig workers invisible. Research has rightly highlighted that flexibility remains a myth for women who have to balance the double burden of domestic work with the demands of a job dependent on being at the right place at the right time (Athreya, 2021). The pandemic has further exacerbated the exploitation of women workers, with platform companies failing to accept any responsibility (Zainab, 2020). As this happens, it raises important questions about whether, and how, the digitalization of work affects women's opportunities and empowerment. Most existing research on women in the platform economy examines opportunities but fails to explicate the costs.

In all of this, regulations in India are still playing catch up with the new emerging forms of work in the gig economy that are moving faster than the ability of institutions to regulate them. The conundrum of classifying gig work, which in turn will impact the benefits derived from such work, has long eluded India's policymakers who are reluctant to regulate technological behemoths.

While the gig economy was expected to improve the financial and workforce inclusion of women, it has ultimately proven to have a gendered impact on women's labor force participation. The research proposes to fill critical knowledge gaps regarding constraints and costs of participation in gig work for women, analyse whether gig platforms are equipped to address these, and investigate policies so that women can engage with gig work in ways that expand their agency, security, and inclusion.

Given the paucity of literature on regulating gig work to benefit women gig workers in India, coupled with under regulation of technology platforms which allows for further exploitation of workers, particularly women, there is currently a specific window of opportunity for this research. There is much that public policy can do to ensure that gig work empowers women. Ultimately, the research is expected to contribute to the knowledge on how gig work can be made viable for the long-term, ensuring that the promise of prosperity and upward mobility becomes a reality for women in India.

2. Literature Review

2.1 Gig Work in the Global South

Whether crowdwork platforms based on digital services or platforms based on physical services provided in different locations, millions of workers in the Global South are engaged in platform gig work (Albrieu, 2021). Evidence suggests that the nature of gig work in the Global North and the Global South vastly differ, with higher paid, advanced jobs in data science, AI, and programming situated disproportionately in the Global North, while relegating lower paid and lower quality gig work to the Global South (Millington, 2017). However, the rise of home-based platform work has provided workers in the Global South access to employment opportunities in the Global North without the need to migrate. Owing to the higher rates of unemployment and underemployment in the Global South, these platforms have now seen an oversupply of workers (Wood et al., 2019), therefore increasing competition, lowering wages and compensation, and hampering the quality of work.

In the Global North, the emerging trend points towards a transition from defined, formal work to gig work (Manyika et al., 2016), whereas in countries of the Global South, the movement is from informal work to gig work (Ng'weno, 2020). As a result of this, the underlying precarity and lack of security associated with informal work does not change for the workers of the Global South. Countries consider the platform economy to be the panacea for employment and livelihood generation (BCG and MSDF, 2021). Moreover, these platforms provide those who were previously excluded from the labor market opportunities to participate in it (individuals belonging, for instance, to marginalised castes and religions and women), besides bringing greater objectivity into the domain of work management (Albrieu, 2021). Research, however, has shown that platformization can not only magnify problems of the offline labor market but also add newer dimensions to it. Both physical and digital gig workers in countries belonging to the Global South talk of the flexibility and autonomy they enjoy in choosing locations and timings for work (Surie and Koduganti, 2016). As a result of the lack of direct human managerial supervision, perceived freedom is also higher (Heeks et al., 2020). This ostensible agency, however, is illusory for two reasons. First, workers' jobs and income are highly dependent on customer star ratings thereby

necessitating particular "acceptable" forms of behaviour from the former. Studies show that this not only impedes worker freedom but also leads to investment in affective labor in order to secure good ratings, particularly in Africa and Asia. Second, they have expressed dissatisfaction with digitally-based management, especially when there are problems such as dispute settlement with clients and worker banning without good reason.

Further, reports underscore difficulties pertaining to three domains of decent work, namely, employment context, employment, and work conditions (Manyika et al, 2016). That workers do not convene in a single physical space has made collective organisation, collective bargaining and union recognition rather cumbersome. As pointed out earlier, the lack of labor welfare and several employment benefits can also be attributed to the designation of gig workers as "independent contractors" and "partners" rather than employees. Following from these factors, gig workers in developing countries endure discrimination, mistreatment and exploitation from both platform companies and clients, which is further exacerbated by dimensions of gender, race, caste and the like (Albrieu, 2021).

2.2 Opportunities and Costs for Women Workers

Historically women's work has always been more likely to be informal, precarious, contingent, and unpaid (Ferrant et al., 2014). So, when technological change impacts both men and women workers, it can result in a narrowing of the gender gap, but not always for good reasons. With the proliferation of emerging forms of gig work, female labor force participation is expected to expand (Ghosh, 2020), offering large economic dividends to economies that are able to leverage this opportunity (Ostry et al., 2018). Women prefer work that allows them to operate out of their homes (Berg et al., 2018), that allows flexibility of timing and number of hours (Zaidi et al., 2017), that provides them opportunities to balance domestic responsibilities (Kasliwal, 2020) and that can provide additional income for the household. Given these factors, women are gravitating towards gig work worldwide, with the share of women workers on online platforms rising (Stefano, 2016).

However, they face numerous barriers in not just accessing the platform economy but also continuing work on it. Factors like lack of digital skills (Kasliwal, 2020), access to technology (Mangat, 2020), and lack of financial independence prevent women from leveraging the

7

opportunities that digital technology can provide for their empowerment. Social norms in many cultures restrict women's access to hardware and internet access (Wamala, 2012). But for those women who are able to access these platforms, heightened potential for online harassment in virtual spaces, self-policing and self-censorship, the double burden of unpaid care work in addition to gig work (Tandon and Rathi, 2018), low wages (Balaram et al., 2017) and poor quality of work further reinforce, replicate, and even intensify existing offline biases (Athreya, 2021). Research by LIRNEAsia on online freelance work in Sri Lanka found that a majority of women are interested in but not yet participating in online work due to various reasons mentioned above (Galpaya et al., n.d.).

Gig work is gendered

The gig economy is gendered on several levels. For one, the types of gig work women undertake are different from men evidenced by the higher ratio of men in such "masculine" forms of work as ride-hailing and higher ratio of women in beauty and other formalised care services, commonly understood to be "feminine" (Churchill and Craig, 2019). Raval and Pal (2019) draw attention to the stigmatisation and trivialisation of platform care work by the general public. Beauty and wellness gig workers are viewed no differently from female workers in other care occupations (such as nursing and palliative caregivers), who are perceived as "morally corrupted" and "unmarriageable" for their work necessitates bodily intimacy with strangers. Crucially, Ticona and Mateescu (2018) note that there exists a gendered bias in academic scholarship and public attention as well, in that most research and discourse pertaining to platform gig work revolve around male-dominated ride-hailing platforms, especially Uber, while little attention is paid to female-dominated care-work platforms and their workers.

Safety and security concerns for women

Safety concerns beset women gig workers' lived experiences, particularly in low and middle-income countries where crime rates are higher. Work risks also vary on the basis of their profiles, means of transport, and sites of work. The considerable amount of time and money spent on travelling between gigs and the need to travel late at night or early in the morning underscores the risks associated with working hours. Whereas travelling through or to unsafe areas is a peril exclusive to ride-hailing services, carrying out home-based gigs like beauty services comes with its

own safety risks. In a study conducted by Hunt et al. (2019), female gig workers in South Africa and Kenya reported instances of aggressive, abusive and other forms of inappropriate behaviour such as being drunk or consuming illegal drugs by clients when the gig worker was at their home. Furthermore, on the one hand, the flexible work arrangement gives women the time to tend to household and other care responsibilities (Barzilay and Ben-David, 2017). On the other hand, however, erratic income and unpredictable work hours highlight the lack of security attached to their jobs (Chaudhary, 2020). Women with childcare responsibilities and no other family members to take over their responsibilities cannot take up gigs at odd hours, thereby reducing their chances of earning a high income. Inadequate access to non-wage benefits such as a maternity policy or insurance provisions, labor and income security, bargaining power, and the freedom of association are other issues female gig workers grapple with (Chaudhary, 2021).

The gender wage gap is real

The gender wage gap has persisted in places of work, both virtual and physical, across both space and time. Contrary to popular belief that given the anonymity and subsequent inclusiveness associated with gig work, the platform economy could potentially advance gender parity, it has merely reproduced gender gaps in income. Cook et al. (2020) conducted a study among more than a million Uber rideshare drivers in the United States and found a 7 percent gender earnings gap. They show that this gap can be attributed to three factors: experience on the platform (learning-by-doing); preferences and constraints with respect to the location of work, which is driven more by where the drivers live and less by safety; and, driving speed preferences. Their findings suggest that this wage gap is perpetuated by the higher opportunity cost of non-paid work-time for women and gendered differences in preferences and constraints. Two other studies, based in the US (Barzilay and Ben-David, 2017) and Australia (Liang et al., 2018) demonstrate that, despite women working for longer hours on the platform, their average hourly rates are only about two-thirds and 81.4 percent of men's rates, respectively. As for the Indian case, a TeamLease (2018-19) report found that there exists an 8-10 percent difference between the take-home pay of women and men delivery executives.

Surveillance, control, and lack of privacy

Another crucial point of concern for gig workers in general and female gig workers in specific is that of privacy, surveillance, and control through gamification of ratings. Although they are subjected to constant digital surveillance, they do not have access to the big data generated by platforms, thereby allowing the latter to exercise power over the former through the asymmetrical usage of data. Yet, there is little scholarship examining the psychosocial effects of these phenomena on workers (Bajwa et al., 2018). Additionally, Muller (2020) argues that it is likely that the algorithm could hinder female drivers in particular from earning more profitable fares due to design parameters that are innocuously intended to improve rider satisfaction. This could be done by finding a linkage between gender, driver rating, and high-urgency routes. Anwar, Pal, and Hui (2021), in their study of female beauty workers in Bangalore, India, find that they experience app-based control via algorithmic management and bureaucratic control through human supervision. Scrutiny from the platform and customers not only affects their working conditions but also overall well-being.

Gig platforms remain largely non-responsive

Tandon and Rathi (2018) note that although a few platforms are willing to negotiate conditions of work, most platform companies conveniently act as distant intermediaries as opposed to intervening to ensure that worker welfare is secured. It is only the former category of platforms which are able to offer grievance redressal to workers for cases of harassment, wages, hours of work and so on. On-demand platform companies fail to address workers' concerns (Muller, 2020). As mentioned earlier, the nature of gig work through digital platforms is such that workers do not physically interact with each other often. This hinders collective organisation and by extension, the ability to negotiate with platforms, settle disputes, and air out their grievances (Athreya, 2021).

Platformization has outpaced public policies

In 2020, four Labor Codes pertaining to wages, industrial relations, social security and occupational safety, health, and working conditions were passed. Among these, the Code on Social Security (2020) makes a mention of platform work.

Under the Code, platform workers are eligible for much-needed benefits like maternity benefits, old age protection, provident fund, employment injury compensation, life and disability cover,

education, housing, and so forth. This is, however, not to say that these protections are *guaranteed*. The Central government can implement welfare schemes to this end and set up a social security fund (a National Security Board for Gig Workers and Platform Workers) but is not mandated to do so, thereby subjecting the fate of gig workers to the political will of State and Central governments and the ability of unions to effectively garner support and persuade the state (Chaudhary, 2020). Moreover, trade unions are especially sceptical about the Board's effectiveness given the Unorganized Workers' Social Security Board's substandard functioning in providing benefits to unorganised sector workers (Ghosh et al., 2021). It is also pertinent to note, in this regard, that the Code does not explicitly mandate platform companies to guarantee said protections. It merely insinuates that they can contribute to the welfare schemes solely or in collaboration with the government (Surie, 2021). Explicit demarcation of the share of contribution from each stakeholder, specifications on implementation, and penalties of non-compliance find no mention in the law even as they are crucial for its effective implementation.

Studies caution against the promotion of digital platform-based work as a panacea to increase women's labor force participation (Dewan et al., 2021). It is evident from this review that first, the barriers faced by female gig workers are diverse and several in number and second, that the costs of gig work are considerably high. The dearth of extensive scholarship and advocacy addressing the specific needs and challenges of women engaged in gig work in the Global South, particularly India, calls for new research. As platforms expand operations and penetrate new markets, a better understanding of the dynamics of gig work for women can institute more gender-sensitive policies toward improving women's empowerment.

3. Methodology

This study uses an exploratory approach to examine the gender dynamics intrinsic to new forms of gig work emerging on digital platforms in India, analyzing constraints, barriers and costs to women's participation. The data collected, consisting of interview transcripts, a wide variety of legislative and judicial publications, and company policies, was treated to rigorous ongoing analysis. Three processes were blended throughout the study: collection, coding, and analysis of data (Glaser and Strauss, 2967). This approach provides the requisite flexibility to explore various lines of inquiry and move in new directions, as more information and a better understanding of relevant data is acquired. The research intends to generate evidence and understanding of platformization in India to help policymakers harness the potential of gig work for improving economic participation and empowerment of women.

3.1 Research Design

The design of this study is qualitative, exploratory, descriptive, and contextual in nature. Its qualitativeness, in the form of an ethnographic study that gathers observations, interviews and documentary data, offered the opportunity to explore and uncover various barriers to women's successful participation in gig work in India. For this purpose, Fairwork's five principles (2021) of Fair Pay, Fair Conditions, Fair Contracts, Fair Management, and Fair Representation were referred to, for build the framework for analysis along the following four dimensions:

- *Safety and security*

It becomes imperative to understand how threats of sexual harassment and physical harm, as well as concerns of occupational safety, particularly during the COVID-19 pandemic, result in the exclusion of women workers from the platform economy.

- *Wages and benefits*

Pay gap in the world of work generally, and especially in informal, low-wage, and precarious work, is well documented. This phenomenon is further exacerbated by the "gamification" of ratings (Athreya, 2021).

- *Dispute redressal*

Women workers face barriers and information asymmetry in accessing grievance redressal provisions.

- *Data protection and privacy*

Partner agreements in the gig economy significantly disadvantage workers, providing them with no control over how their personal data is being used (IFF, 2021). Hypervigilance, the need to stay online on the platform at all times, also disproportionately affects women who are more likely to bear the double care burden (Dubal, 2020).

- *Collective bargaining*

During the interviews, women's alienation from all forms of social networks emerged as a cause for concern for many. In order to accommodate this emerging finding, collective bargaining was added as the fifth dimension of this study.

3.2 Data Collection

In-depth semi-structured interviews were conducted with a wide range of stakeholders from the gig ecosystem - women gig workers (25), men gig workers (5), platform executives (3) and trade union representatives (2). An extensive literature review has brought forth issues regarding the exploitation of women gig workers along the above mentioned four dimensions. However, the specific purpose behind the exploration is to gain a richer understanding of the experiences of women gig workers and therefore, the research was open to capturing additional inequalities based on interview findings.

A descriptive study was chosen as little is known about the phenomenon of interest. Therefore, an in-depth literature review was first undertaken to critically analyse the existing labor practices within the gig economy in India and globally, the impact of increased platformization on women's labor force participation outcomes and the various attempts and failures in regulating platform companies. First, an analysis of the terms, contractual obligations, and policies of major players in the digital platform space was conducted to derive specific insights into whether private entities have been successful in fostering inclusion and empowerment of women gig workers. A regulatory analysis then reviewed the current legal provisions regarding gig workers in India, investigating legislative and judicial responses that have implications for platforms and/or service providers with a focus on those pertaining to women, and identifying points of potential intervention.

First, the study analysed the terms of use (ToU) and privacy policies (PP) of five gig platforms: UrbanCompany (UC), Uber, Ola, Zomato, and Dunzo to identify specific conditionalities that address women's inclusion in the gig economy. These documents were procured through gig workers, personal contacts with gig worker unions, and from researchers in the network. These findings were supplemented with 3 semi-structured interviews with platform executives from Ola, UrbanCompany, and Zomato, which reflect in the findings detailed in Chapter 4.

Then, the current legal and regulatory landscape was examined to understand if the existing regulations adequately protect the interests of women gig workers. Interviews with 2 trade union representatives, one from the Indian Federation of App-based Transport Workers (IFATW), and another from the All India Gig Workers Union (AIGWU) added to the understanding of gig workers' demands, the lack of women's representation, and the effect of unionization on digital labor rights.

In this study, semi-structured, in-depth interviews were conducted with 25 female gig workers and 5 male gig workers so as to capture both general problems faced by workers in the gig economy as well as those experienced by women, in specific. Data from 90 percent of the respondents was collected via telephonic interviews; the remaining interviews were taken live upon booking services on the platform. Given the time commitment required for the interviews, it was observed that interviewees were reluctant to engage in conversations of this nature during their working hours. As a result, initial interviews were conducted while availing services from the interviewees. Post this, snowball sampling was employed for the study - contacts of the remaining gig workers were provided by those interviewed. Further, approximately 45 workers were approached for interviews, among whom 15 refused to partake despite assuring anonymity due to concerns about identity and platform retaliation. Out of the 30 workers interviewed, 8 refused to be recorded, due to which the interviews needed to be transcribed in real-time. It was observed that male gig workers were more open to sharing their experiences, some explicitly mentioning that they were not averse to their names being used. On the other hand, women workers displayed reluctance to open, share contacts of other gig workers in their network, and identify themselves with their full names.

While 8 respondents carried out their work in the city of Bengaluru, 12 hailed from Chennai, 8 from New Delhi, and 2 from Raipur. The sectors they belong to are beauty and other care and wellness work (Urban Company), ride sharing (Ola and Uber), and food delivery (Swiggy, Zomato, and Dunzo).
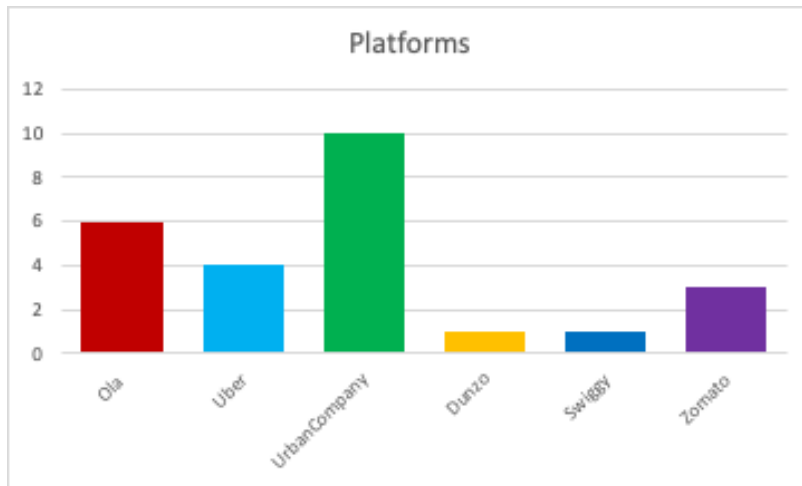

Figure 1: Distribution of workers interviewed across companies

4. Findings and Analysis

4.1 Worker Profiles

Of the 25 women gig workers interviewed, over 35 per cent were between the ages of 26-30, while only 8 per cent were below 25. However, it is likely that the women gig workers reached through snowball sampling were within the same social networks, and hence belonged to the same groups. Of the women who were above the age of 40, a majority had worked in their chosen domain for over 5-10 years. These women mentioned that they had been driving autos independently, before moving to the platforms due to the opportunities they offered. A majority of the women interviewed were not able to complete schooling. Household responsibilities first, and the pressure to get married as they got older, forced them to forego formal education. However, many were informally trained in beauty and other services as a means to earn extra income for the family. This underscores the benefits of a lack of entry barrier in the platform economy for those trained outside the formal education/training ecosystem. Only one out of 25, and four out of 25, possessed postgraduate and graduate qualifications respectively. Of these, a majority expressed the desire to eventually exit the platform economy and engage in formal and stable jobs. For those with financial resources to not be dependent on income from platforms, the flexibility afforded by the platform economy serves as a means for upward mobility.

However, out of the women interviewed, most engage in gig work on a full-time basis. This figure includes women drivers/delivery partners who often sign up on more than one platform in order to maximise their income. While working full-time hours (around 40 hours a week), women detailed challenges with balancing gig work and household duties, with higher instances of burn-out and dissatisfaction with work. For those having a support system at home to share in household responsibilities, working on platforms was similar to having any full-time job. Part-time schooling, household care duties, and family constraints on working hours were some of the reasons for women engaging only in part-time hours. These part-time workers were engaged with platform work for around 15-20 hours a week.
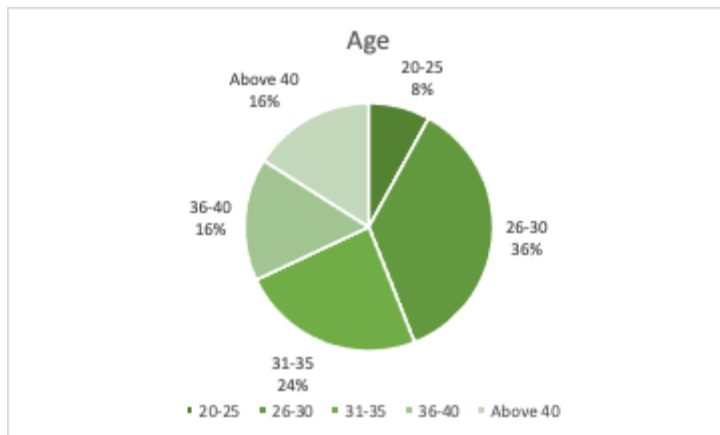
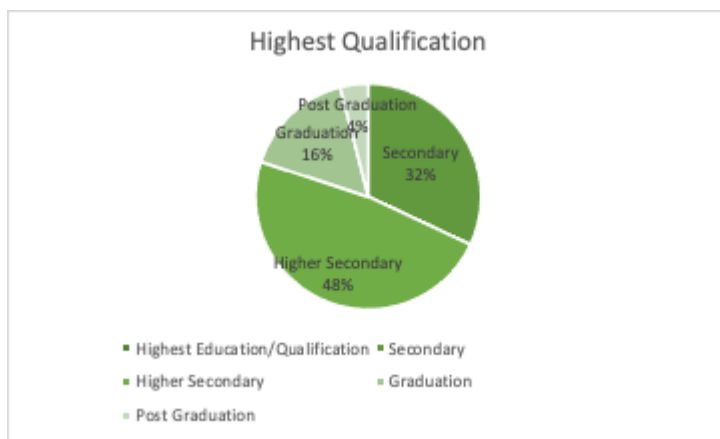Figure 2: Age-group of women workers interviewed

Figure 3: Qualifications of women workers interviewed

Figure 4: Nature of engagement of women workers interviewed

4.2 Security and Safety

Social norms and biases that restrict women's participation in the labor force are replicated, and often intensified, in the platform economy (Athreya, 2021). The pervasive problem of gender-based violence persists for women workers in informal jobs such as domestic work and beauty home care, irrespective of the intermediary.

Sexual harassment and physical violence are rampant

A recent report by Peoples Union for Democratic Rights (PUDR, 2021) found that beauty workers for UC were susceptible to harassment and exploitation by clients. As a response to these reports, several platforms have instituted an emergency button, which will terminate the service and send an SOS message to the platform. However, some of the Ola and Uber workers interviewed were not aware of any such provisions for their protection.

Interviews with beauty workers on UC revealed that the service providers believed that the platform did not sufficiently vet clients and that even when they complained about mistreatment by a client, no further action was taken. Most workers narrated stories of entering a client's home only to realise that the booking was made for a male client. In these cases, the workers were able to use the helpline to cancel their bookings. Some had experienced being propositioned to provide sexual favours, illegal under the UC contract, while some others were physically prevented from leaving the premises until the client's demands were met. A few workers also mentioned being mistreated by security guards and household help while on the job, with their clients unwilling to intervene on their behalf. A masseuse on UC was harassed by the security guard of the house she visited and upon bringing this up with the client, she was told to file a formal police complaint. Interviewees mentioned escalating these issues with their Category Managers, with varying degrees of success. Therefore, in the case of UC, the workers feeling safe and secure was largely dependent on the type of manager they were assigned to. Women also revealed that they had formed informal groups on WhatsApp to alert other workers of unsavoury clients.

Sanjana, a beauty worker who has been working with UC since the beginning of the pandemic, narrated an incident where she felt unsafe with a client even before she had started her 'job'. On calling her Category Manager to understand whether she could leave the booking without incurring any penalty for a job not done, she was persuaded to continue the job and leave only when there was an apparent threat. This situation escalated with her being locked out of the client's house without payment. While she was aware of the emergency button, she preferred

calling her manager to feel safe and comfortable. Even after this, the client's profile was active on UC and she admitted that alerting her friends about the client was the only thing she could do until UC decided to block the client's profile.

Drivers on Uber and Ola largely maintained that they had to take preventive and vetting measures themselves, which included not driving at night, and not taking rides from locations known to be unsafe. In all of this, some drivers did not believe that the platform had a role to play. Kanimazi, who has been driving an auto on platforms for the last 5 years faced one situation where she was sexually harassed by a customer while the ride was ongoing. Instead of contacting the helpline on the app, she decided to drive the customer to the nearest police station where she threatened them with an official complaint. Lack of direct contact and communication with platform executives further removes these apps from taking responsibility. Another Uber driver described how she had to take her safety into her own hands and her only expectation from the app was that she would not be penalised in such cases. If there were problems with the customer, she would cancel the ride, giving 'inappropriate behaviour of the customer' as the reason. She happily reported that in these cases, she would be paid commensurate to the distance travelled until the cancellation.

Often, women workers rely heavily on male members of their families for protection. Several UC workers mentioned that instead of using public transport, their husbands/brothers/fathers would drop them to clients' locations to ensure their safety. When Kanimazi drives her auto at night, she calls her husband and keeps him on the line. If some passengers make her feel unsafe while driving at night, she asks her husband to come to the drop location.

Even though Dunzo, Flipkart, Swiggy, UC, and Zomato have Prevention of Sexual Harassment policies in place (Fairwork, 2021), lack of awareness about these provisions prevented the women gig workers we interviewed from accessing the benefits. Of the women workers aware of signing such a policy, most believed that having these policies on paper would not override the grim reality of their situation. All the women interviewed believed that not the platform, but they themselves were responsible for their own safety and security. Reshma, an Uber driver from Bangalore shares that while driving at night she has to face catcallers, but she does not take it seriously, "I work hard like a woman and face situations bravely like a woman."

Unfortunately, in the absence of a gender-responsive framework that provides a safe working environment for women on gig platforms, women workers have had to bear the responsibility for their own safety. This is highlighted by an incident narrated by an Ola driver from Chennai where women drivers came together to support their fellow driver - "A female Ola driver was driving in Vadapalani once and there was some altercation between her and a male customer, after which the latter unzipped his pants. She then complained to the police. We all went with her, beat the man, and went to the police station with her to file an FIR. There was no help from Ola's end". It is important to acknowledge that while physical safety is a concern for all gig workers, women working as gig workers are more vulnerable to sexual harassment and physical harm due to the nature of their work.

COVID-19 related measures further burdened gig workers

The platform economy was significantly reoriented during the pandemic to keep up with lockdown and mobility restrictions. Platforms such as Ola and Uber have installed separations between the seats of their driver-partners and passengers to prevent transmission while in transit. Requiring the drivers to wear a mask and sanitise their vehicles, the platforms were able to shift the onus on the drivers to follow COVID-19 protocols. Drivers not wearing masks were either penalised or blocked from the app for 24 hours to ensure compliance. As a result, interviewees mentioned making significant investments in ensuring both they and their clients were safe during the pandemic. Interestingly, there was a gendered asymmetry in awareness of safety provisions on ride-sharing apps. While male interviewees mentioned receiving masks, sanitisers, and screens through the company at the beginning of the pandemic, most women were not aware of such provisions and as a result, could not benefit from them. This highlights the unfairness of shifting the onus on the gig workers to ensure safety during the pandemic.

With Project Kavach, UrbanCompany has adopted an altered SoP for its professionals providing at-home services, which includes daily temperature checks & Personal Protective Equipments use for partners, equipment sanitisation, and contactless services and facilitated regular handwashing. All UC workers admitted to receiving masks, shields, gloves, and other protective equipment from the company on a regular basis, but some interviewees claimed that a certain amount was deducted from their accounts in lieu of these provisions. Others mentioned receiving these only after they had completed a certain number of jobs on the platform. UC also announced

"Suraksha holidays" with a weekly income grant of INR 2000 for those infected (Ramchandran and Raman, 2021).

During the pandemic, Kanimazi's husband, who also drives an auto on Ola received an automated call from the platform giving him the option of enrolling for a 'lifetime insurance'. However, Kanimazi did not receive the same message and was left to wonder which criteria excluded her from these social security provisions.

4.3 Wages, Benefits, and Platform Discipline

Gender bias and pay gap in the world of work generally, and especially in informal, low-wage, and precarious work, is well documented. In its Employment Outlook Report 2019, TeamLease found that there was an 8–10 percent difference in monthly salary between male and female delivery executives, ranging between INR 15000-30000 per month (Kar, 2019).

Wages do not meet gig workers' expectations

A representative of Indian Federation of App Based Transport Workers (IFAT) reinforced that apps like Zomato, Swiggy, Ola and Uber have decreased per-task pay for their workers. Of these, UrbanCompany has been in the news for lowering the app commission from 30 percent to 25 percent, while increasing the rate of beauty services by 2-3 percent because of the recent protest (Bhalla, 2021).

One of the biggest challenges highlighted by interviewees was the revised daily targets which would determine the bonus received. Shabnam, a delivery partner for Zomato shares "Only if I achieve the double target (daily incentive) and get incentives am I able to make up for gas and vehicle service costs. But achieving the target is difficult because of the low amounts provided for each delivery except during peak hours. It is also highly stressful and tiring so I try to reach this target only on the weekends." Flipkart and UC are the only two companies that have committed to instituting a paid leave policy for their workers (Fairwork, 2021).

Fuel charges and equipment costs also factor into the abysmal take-home pay for women gig workers. UC workers are required to buy the products from the company at the rates they offer. Oftentimes, beauty services are abruptly pulled off the app without informing the workers and according to some interviewees, this results in them possessing a surplus of products that they are

no longer able to use. For women workers who work exclusively on UC, this is another loss that they have to constantly worry about incurring. Commute is another factor that impacts income. Prapti, a hairstylist at UC, described how at the beginning of her stint with UC, she would take up all gigs, even those far from her home. Now, she is more vigilant and checks Google maps to only accept gigs that are nearby. Sonali, a beauty service provider with UC, shared that she relies on Ola to commute and hence can only accept gigs closer to her home. Others admitted to relying on family members for conveyance. However, none of the platforms in the study share in on these costs. Vyjayanthi, who has been driving with Ola for 3 years, pays a weekly fee to a local transport company in Chennai to rent out a car, which costs over 30 per cent of her monthly income from Ola. An UrbanCompany masseuse was able to avail of a loan for purchasing requisite equipment from the platform, which she then had to pay within 4 months.

The women workers interviewed were aware of the wage gap and narrated several instances of male workers earning more for the same tasks. However, they attributed this asymmetry to the male workers' ability to take up jobs that the women workers would not opt for, owing to household responsibilities, safety concerns, or lack of skills. Ride-hailing apps offer surge pricing and incentives for drivers on weekends and holidays, which most women workers admitted they were unable to take due to household responsibilities. Safety concerns often meant that women drivers would not accept rides late at night or to locations known to be unsafe. Therefore, even though platforms have instituted standardization in compensation, and on paper, both women and men get the opportunity to earn the same, the reality is that women workers do not make nearly as much as their male counterparts.

Veena, a cab driver on both the apps, describes how contrary to popular discourse, not all gig workers prefer platforms. "I've come back crying some days because I get such little income. When these apps did not exist, we used to get paid higher through normal, metered autos. Now the government is not increasing the meter fare and the apps never think about us - about our families, rent, insurance, or health. They only want to earn through us." Another woman driver shares how she had no choice but to sign up on these platforms- "I can't switch to normal metered autos because people mostly use only platforms. The day these apps were established things became really bad for us."

These instances underscore how gig workers need to invest time, money, and resources even before they can engage in their first job on the platform. These investments, which are sometimes

upfront, but most often not, result in a mismatch between the worker's expectation of income when signing up for gig work and the actual take-home pay each month.

Ratings, rewards, and incentives impact women's income more than men's

Apart from the pay gap, platform discipline further exerts new forms of control over work and workers through rating systems, and reward and penalty systems (Atherya, 2021). While the rating system affects both genders, it is important to acknowledge that ratings reflect social norms and may therefore reflect the normative bias of the customers. Women drivers on Ola and Uber confided that the clients' responses to a woman driver cover the spectrum, from scepticism to constant criticism and interference with their job, to the extreme of negative ratings.

Incentives like sign-up bonuses, and performance-linked bonuses, based on the number of tasks picked on a daily, weekly, or monthly basis, were initially offered by platforms to lure workers on the app. However, the surge of gig workers on the platforms has increased competition among workers resulting in a race to the bottom. Platforms like Ola and Uber have rescinded many of their incentive schemes now, with adverse consequences for workers' economic decision-making. Men can take advantage of surge pricing during the night, and special incentives during holidays, but safety concerns and household duties prevent the women interviewed from supplementing their take-home pay through these schemes. They expressed dissatisfaction with the design of rewards and incentive systems that preclude them from benefiting and hoped to see incentive provisions that rely on the quality of jobs performed.

On delivery apps like Zomato and Swiggy, customer rating has an impact on the frequency and quality of jobs the workers receive. On UC, the rating system has no bearing on income, but a rating below 4.5 results in the worker's ID getting suspended until they receive requisite training. Workers expressed fear of arbitrary ratings, or ratings as "punishment" for not being able to please the customer. As in any offline workplace, micro-aggressions and biases are prevalent in platform work as well. Kanimazi and her husband Raja, both auto drivers on Ola, noticed a stark difference in their ratings. Kanimazi attributes this to customers' deep-seated biases against women drivers, based on several interactions she has had in the past. She has met several passengers who have condescendingly asked her about being a female driver and worried for her safety, she gives brief responses. On the other hand, some passengers advise her to "not drive too late at night and go home to take care of her children". An Uber driver from Bangalore, Shashikala shared how it was common for her passengers to instruct her on driving, traffic rules, and directions, thereby

questioning her competency as a driver. She believes that she is judged more harshly for any infractions, and hence incurs more negative ratings compared to her male counterparts.

Workers are also penalised for cancellations, irrespective of the reason for it. On UC, one cancellation per month is free beyond which workers are charged Rs. 400 for every cancellation. Women workers, who might make cancellations due to safety or security concerns are not only unprotected but also penalised by the platforms. While platforms have an option for women workers to cancel jobs owing to customer behaviour without incurring a penalty, most women refrained from using this option as they were not aware of which situations would qualify.

Social security benefits are absent

In the emerging employer-employee dynamic in gig work, social protection can no longer be tethered to one single employee. This results in gig workers, particularly women gig workers, being excluded from social security benefits. None of the women interviewed were aware of health or medical benefits provided through the platforms, and neither did they express an inclination or ability to purchase private health insurance. Gig workers, particularly women gig workers, perceive private insurance as an unnecessary expense and government insurance as a hassle.

The terms of contract of Amazon, Flipkart, and UrbanCompany provide accident insurance policies for gig workers. Zomato covers accident and life insurance along with an OPD allowance, whereas Swiggy provides INR 6,00,000 worth of medical and accident insurance cover.

UC beauty workers were aware of injury compensation, sick pay, insurance etc. but mentioned that in their experience these benefits were rarely provided. Lathika narrated the story of one of her friends who had to leave the company when she met with an accident, but UC did not provide any assistance. While Ola workers were not aware of any insurance or injury compensation provisions, they admitted to receiving food rations and money from the company during the pandemic. Kanimazi's husband, who also drives an auto on Ola like her, received an automated message from the app offering "lifetime insurance", but she did not.

This highlights the information asymmetry that exists among women gig workers, even those who are part of informal networks. The onus is then on platform companies to ensure that their workers are aware of the benefits available to them, and the process to avail the same. In the absence of transparent communication from the companies, women workers are left outside the purview of these provisions.

4.4 Barriers to Accessing Grievance Redressal Mechanisms

Another facet to the process of disintermediation on platforms is disruption of the normal employer-employee dynamic, leading to gig workers feeling like they work for an "app" and not a person. This lack of managerial accountability also results in workers having minimal recourse to dispute settlement and grievance redressal mechanisms. Even though the IT Rules mandate all intermediaries to appoint a grievance officer and make his or her contact details public, gig workers interviewed lacked awareness and understanding of these provisions. Most platform companies have the contact information of their Grievance Officers conspicuously displayed on their website, yet all of them fail to communicate this information to their workers. None of the women workers interviewed were apprised of these provisions.

Among all the platforms studied, only workers from UC expressed satisfaction with the grievance redressal mechanism. This was, in large part, owing to the presence of a category manager who they could contact directly for addressing all their issues. Even though workers' experience with their category managers varied, they all believed that having a human to interact with, over bots and chat executives, made for a more empathetic experience. The UC helpline is also available in different languages, with one beauty worker sharing that when her profile was blocked due to low ratings, she was asked to speak to the office and within 24 hours her account was unblocked. In contrast to the experience of UC workers, some women mentioned using their informal networks to contact executives from Ola or Uber to get their issues resolved. However, most women who had used the customer care number either did not get any response or received automated messages. Interestingly, an auto driver with Ola believed that cab drivers on the app, with her husband being one, had mechanisms for lodging complaints against passengers, but auto drivers did not.

Language emerged as one of the major barriers to grievance redressal. Thanuja, an Ola cab driver from Chennai shared that the Ola care number was either in English or Telugu but not Tamil. Similarly, a beauty worker from Bengaluru claims that their customer care number has options for Hindi, Telugu, and Tamil, but not Kannada, which is the language she speaks. Another driver from Bengaluru recounts her experience when she called the helpline number and was asked to speak in English or Kannada; both of which she could not. She tried calling around 3 times but they disconnected her all 3 times saying they could not translate the conversation to Tamil for her.

Another Ola driver shared that she received frequent policy updates on the app in Tamil. However, she lacked reading comprehension skills in the language due to which she had to resort to seeking translation support from her neighbour.

Another contributing factor to women workers' inability to access these provisions is their lack of technological know-how and digital skills. Women admitted to not being able to change their language preference on the app or access helpline numbers, thus preventing them from navigating the app features to their benefit. Some women relied on male family members to teach them how to operate the apps, and most expressed no desire to learn beyond the basics of accepting and cancelling jobs. With literacy outcomes for women in India being far lower than men's, the onus is on platform companies to ensure that educational background and language skills do not constrain women workers from availing grievance redressal facilities.

4.5 Surveillance, Data Protection, and Privacy

Another crucial point of concern for gig workers in general and female gig workers in specific is that of privacy, surveillance, and control. Although they are subjected to constant digital surveillance, they do not have access to the big data generated by platforms, thereby allowing the latter to exercise power over the former through the asymmetrical usage of data.

High levels of control over data are reflected in the partner agreements as well. Dunzo's delivery partner agreement states it "may monitor, track and share your geo-location information obtained by the Platform and Delivery Partner Device… for safety, security, technical, marketing and commercial purposes" (Dunzo, 2022). Similarly, Zomato's delivery partner agreement states that Zomato can "store, process, access, and use delivery partner information for certain purposes" as Zomato may deem fit (Zomato, 2022).

Access over personal data by the platform and customers not only affects their working conditions and safety, but also overall well-being. Most of the women workers interviewed admitted to submitting identifying documentation including driver's licence, Aadhaar number, as well as income statements, without any clarity on where this data would be stored and for what purposes. They expressed scepticism regarding the privacy of this data. However, their main concern was regarding customers' access to personal information like phone numbers and addresses. While

platforms have addressed this concern by using a central line to connect workers and clients, customer service representatives on these platforms are known to give out workers' numbers on client requests. Two respondents narrated stories of being harassed by male customers over texts and whatsapp for several weeks after the jobs were completed.

For these women, concerns about digital surveillance are often overshadowed by security and safety issues arising out of improper storage and communication of personal data. Most women interviewed believed that platform surveillance through geo-spatial data of gig workers was justified, and they expressed no concerns about platforms accessing this information.

The need for hypervigilance further amplifies this problem (Athreya, 2021). The women engaged in gig work on platforms like Ola, Uber, and UC explained that due to an excess supply of workers on the apps, they needed to be logged onto the platform and idle, but available, in order to earn a decent living. Women with families are more likely than men to have unpaid care burdens, depriving them of the ability to stay competitive on the platforms. Thus, their inability to stay hypervigilant impacts the quantity and quality of jobs they undertake. An Ola auto driver shared that she cannot even turn the app off during lunch hours so when she gets a booking in the middle of lunch, she calls up the customer and requests them to wait longer. However, she fears that not picking up rides during lunch will exclude her from future bookings.

4.6 Collective Bargaining and Unionization Efforts

There exists a power asymmetry between platforms and workers, and the limited negotiating capacity of the latter results in company policies that are biased, unbalanced, and contrary to basic principles of labor rights (Athreya, 2021). This necessitated the emergence of new workplace-based solidarities which make use of social media and technology for organising and negotiating.

Through ad hoc networks on WhatsApp and Facebook, platform workers often form their own groups. In the interviews conducted, these informal networks, or the lack thereof, emerged as a deciding factor in correcting or perpetuating information asymmetries. While UC workers have robust location/cluster-based WhatsApp networks where women share grievances, company updates, and alerts about problematic customers and managers, workers fear repercussions if

these networks are perceived as working against the interests of the company. However, women gig workers on other platforms do not get opportunities to connect with other women and as a result, they did not report being part of any women-specific networks or safe spaces.

Gig workers from Swiggy and Zomato have previously taken to Twitter, often anonymously, to express their grievances with insecure working conditions and low wages. However, collective bargaining efforts were transformed with the emergence of organisations like the Indian Federation of App-based Transport Workers (IFAT), and the All-India Gig Workers Union (AIGWU). However, it is important to note that in all these acts of organising and collective bargaining, the particular interests of women gig workers have never been considered. This is reinforced by the fact that none of the women gig workers interviewed was aware of formal unionisation efforts. Except for UC, all women expressed feeling isolated and removed from other workers on the platforms. While some attributed this to the platform design, others confessed that male workers from the platforms were reluctant to connect with them. As a result, women gig workers have had little to no say or representation in the negotiation efforts with platforms.

As mentioned earlier, the case of the recent UC protests is a glaring example of the need for women gig workers to organise towards increasing their choices and bargaining power. While the protests have now been called off, the UC beauty workers interviewed were confident that their demands would be met eventually. As one beauty worker from UC who was involved with the protests expressed, "The company is nothing without its girls. How can they not meet our demands?". In the absence of political will, commitment from companies, and inclination of male gig workers to consider women's interests, women gig workers' networks, whether informal or formal, can serve as the building blocks for a more inclusive platform economy.

4.7 Regulations Impacting Women Gig Workers

State regulatory mechanisms to provide social protections to gig workers and prevent exploitation are largely inadequate, if not absent in some cases. In 2020, four Labor Codes pertaining to wages, industrial relations, social security and occupational safety, and working conditions were passed. Among the four, which intend to subsume around 44 central labor laws, it is only the Code on Social Security which makes a mention of platform work. The Code replaces the nine other social security-related legislations such as the Maternity Benefit Act, Employees' Compensation Act and

so on and marks the first legal document in the country to recognise gig workers as a category of occupation. While it defines them as those persons whose work lies "outside of the traditional employer-employee relationship," it recognises platform companies as "aggregators" i.e., digital intermediaries that connect service users to sellers or service providers. Nine categories of aggregators such as ride-sharing services and food and grocery delivery services are set down (Social Security Code, 2020).

The Social Security Code (2020) takes a welfare-based approach towards social security, such that the government is expected to "frame and notify, from time to time, suitable welfare schemes". What this means is that gig workers will still remain outside the purview of statutory provisions like the Provident Fund, the Employees' State Insurance, maternity benefit, and the Employees' Compensation Act, instead being covered only through welfare schemes. However, gig workers' unions have long been advocating for a rights-based approach with universal coverage for all unorganised workers, including gig workers. The Code enumerates social security provisions for different categories of workers, namely gig workers, platform workers, and unorganised workers. Overlapping definitions for each of these categories lends itself to ambiguity in which provision would be applicable to gig workers, potentially leading to challenges at the stage of implementation.

Most importantly, a social security fund for gig workers is envisaged, funded through a combination of contributions from union and state governments, as well as gig platform aggregators. Aggregators are expected to contribute 1 to 2 per cent of their total turnover, while maintaining a register of their gig workers. A lack of prescribed procedure and timeline for contribution, as well as a monitoring mechanism, will allow many platform companies to circumvent these obligations. Ambiguity around the funding structure, when coupled with issues of identification of beneficiaries, also presents opportunities for cronyism and red-tapism.

Benefits for women gig workers should cover not only life, health and accidental insurance, but also maternity benefits, childcare, and safe working conditions. With the numerous implementation challenges presented above, whether the Social Security Code will adequately address issues specific to women gig workers, remains to be seen.

At the same time, labor laws like The Employment Compensation Act, 1923 and the Contract Labour (Regulation and Abolition) Act, 1970, which have the capacity to provide much-needed

safety and welfare standards for gig workers, have failed to address the emerging employer-employee dynamics in the platform economy.

Table: Regulations for women gig workers in India

Regulation/Scheme		Topic	Provisions	Applicability
	The Employment Compensation Act, 1923	Occupational Safety	employer pay compensation for accidents arising out of and in the course of employment	Not applicable yet
	Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act, 2013	Employees	protection against sexual harassment of women at workplace and for the prevention and redressal of complaints	Not applicable due to definition of "employers", "employees" and "workplaces"
	Maternity Benefit Act, 1961	Maternity benefits	maternity benefits during the course of employment	Repealed under the Social Security Code 2020
	The Contract Labour (Regulation and Abolition) Act, 1970	Contract labor	gig workers can be classified as "contractors", imposing obligations on platforms for provision of welfare and health benefits like canteens, first aid	Not applicable due to definition of "contract labor"
e-SHRAM	National Database of Unorganized Workers		details of name, occupation, address, educational qualification, skill types and family details	Applicable upon registering on e-SHRAM portal
	Pradhan Mantri Shram Yogi Maan-Dhan Pension Yojana	Social welfare benefits	Minimum monthly assured pension of Rs.3000 after 60, and 50% monthly pension for spouse on death of beneficiary	
	Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY)		Rs.2 lakh on death due to any cause	
	Pradhan Mantri Suraksha Bima Yojana (PMSBY)		Rs.2 lakh for accidental death and full disability and Rs. 1 lakh for partial disability	
	Atal Pension Yojana		The contributor can attain a pension of 1000-5000 rupees, or can also get an accumulated sum of the pension after his death.	
	Public Distribution System		35 kg of rice or wheat every month, while a household above the poverty line is entitled to 15 kg of food grain on a monthly basis.	
	Pradhan Mantri Kaushal Vikas Yojana (PMKVY)	Employment assistance	Skill training and certification	
	Prime Minister Employment Generation Programme (PMEGP)		Scheme for providing financial assistance to set up new enterprises	
	Code on Social Security 2020	Platform worker benefits	Provision of following to registered gig workers: -Life and disability cover -Accidental insurance -Health and maternity benefits -Old age protection -Creche, and -Any other benefit as may be determined by the Central Government.	Applicable to registered gig workers

In an effort to support the unorganised labor sector in the midst of the pandemic, the Ministry of Labour and Employment launched the e-Shram portal on August 26, 2021, aiming to create a national database of unorganised workers through which various government schemes could be availed by unorganised workers including migrant workers, construction workers, gig and

platform workers (Ministry of Labour and Employment, n.d.). This provides that any worker, aged between 16 and 59, working in the unorganised sector would be eligible to register for an e-Shram card with a unique identification number. However, these registrations are envisaged to be on a voluntary basis, with Aadhaar being a mandatory criterion. In order to avail of a majority of benefits, possession of a valid bank account and phone number is further required, putting the onus on workers to register themselves. While the employers, in this case, platform companies reap the benefits of gig workers' labor, the onus is not placed on them for maintaining a database and providing social security benefits.

While over 7 lakh gig workers have registered on the portal as of December 2, 2021 (The Economic Times, 2021), there is an abject lack of awareness among gig workers of this scheme. Women gig workers interviewed expressed apprehension about these provisions for many other reasons. Firstly, as a result of high information asymmetries among women gig workers, even among those aware of the provisions, most lacked understanding of the benefits, procedures, and process for registration. The e-Shram portal only provides information on the eligibility and benefits of these schemes with no mention of the processes or plans for facilitation. The confusion is further exacerbated when certain schemes are to be availed through the Department of Financial Services through banks (Zoya, 2022). Secondly, the requirement of Aadhaar and a bank account precludes many women who do not have the necessary documentation, or financial independence. Lastly, some highlighted that they did not have the resources to apply online.

Out of the 25 women gig workers interviewed, only one was registered on the portal by her husband, also a gig worker on the same platform. Others were either not aware of the portal, or did not possess the necessary resources to qualify for the registration. Many women believed that given the semi-formal nature of their employment, they would not be eligible for any government schemes. A few women were approached by a civil society organisation to register on the e-Shram platform, but they were not willing to hand over their documentation for the purpose of enrolling on the platform. They thought that this was a scam to get money from them. Predicated heavily on digital literacy and access, documentation, and financial independence, the e-Shram scheme limits women gig workers from availing their labor rights. The government and welfare ecosystem need to address the bottlenecks which impinge on women gig workers' ability to effectively use the e-Shram portal to claim its benefits.

The conspicuous absence of specific provisions for women gig workers in any of the legislations is acutely telling of the questionable regulatory approach to a highly gendered form of work. Protection of female gig and platform workers from workplace sexual harassment is another critical cause for concern. The Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act of 2013 (POSH Act) extends protection to a host of women workers in the country whether in the public or private sector and whether working on a regular, temporary, ad-hoc or daily-wage basis. This includes but is not limited to health, education, government institutions, sports, and any place visited by a worker during her course of employment. Yet, insofar as gig workers are termed "independent contractors" and not "employees," they are simply not covered by the Act. Extending the POSH Act to gig workers may be tricky given that the employer's role is crucial, they must provide resources for prevention and redressal of sexual harassment, and even set up an Internal Committee towards this end. However, as long as platform companies are not considered "employers" but "aggregators", they will be able to circumvent the need for providing social security benefits to gig workers.

5. Conclusions and Recommendations

The gig economy is gendered on several levels. The types of gig work women undertake are different from men evidenced by the higher ratio of men in "masculine" forms of work such as ride-hailing and a higher ratio of women in beauty and other formalised care services. Gig work, by virtue of platform and algorithm design, and inherent biases of the stakeholders involved, has reproduced, if not exacerbated, the structural inequalities women face. This highlights the need for a regulatory and legal ecosystem that alleviates concerns regarding the exploitation of women gig workers and exacerbation of inequalities in the platform economy, as well as the investment of platform companies to adopt gender-responsive policies. Gender-neutral company policies will only continue to further alienate women gig workers, leaving them largely invisible and isolated from the oft-hailed benefits of the digital platform transformation.

Towards this, the following recommendations for the government will contribute to holding platform companies accountable and improving the working conditions of women gig workers:

1. **Expand the scope of terms like "employees", "employers", "workplace", and "Contractual labor"** under legislations like The Employment Compensation Act, 1923, Sexual Harassment of Women at the Workplace (Prevention, Prohibition and Redressal) Act of 2013, Maternity Benefit Act, 1961, and The Contract Labor (Regulation and Abolition) Act, 1970 so that workers can access social security benefits, maternity benefits, and sexual harassment redressal. This can be either achieved through the legislative route by amending the definitions under the Acts or bringing them under the ambit of the Social Security Code 2020; or through a judicial pronouncement. The IFAT PIL pending in the Supreme Court provides some hope.

2. **Implement data protection and surveillance safeguards.** In light of the national database of informal workers envisaged under both the Social Security Code 2020 and e-Shram, workers' right to data privacy is a source of concern, particularly for women workers who are more susceptible to exploitation and harassment. Therefore, the government should pass the Personal Data Protection Bill, 2019 which would regulate the storage and usage of women gig workers' personal data.

3. **Move from a welfare-based approach to a rights-based approach.** Entitlements arising out of the Social Security Code are dependent on the union and state governments to pass

particular schemes. Moving to a rights-based approach through statutory provisions which provide for social security benefits, maternal and childcare benefits, and workplace protection would ensure universal coverage of benefits to all unorganised workers.

4. **Provide procedures and timelines for platforms' contributions under Social Security Code 2020**. The Code currently prescribes that aggregator platforms will be required to contribute to any social security scheme framed by the government. However, the lack of prescribed procedure and timeline for contribution, as well as a monitoring mechanism will allow many platform companies to circumvent these obligations.

5. **Strengthen the e-Shram infrastructure**. As it currently stands, the e-Shram system precludes women gig workers without digital skills, digital resources, documentation, or financial autonomy from registering themselves. In order to ease unorganised women workers' access to welfare benefits, the following changes can be implemented:

   4.1 Working with non-digital infrastructure in the form of welfare boards, fair price shops (FPS), CSC agents, and Civil Society Organisations, to assist women with digital know-how.

   4.2 Grounded awareness campaigns in local languages to increase awareness. Partner with platform companies for effective outreach.

   4.3 Allowing registration through different identification cards, so that women who do not possess Aadhaar cards are also included.

   4.4 Most importantly, shifting the onus on platforms for employee registration. To prevent exclusion errors arising out of self-selection, platform companies must be mandated to register their gig workers as a part of their sign-up process.

While the government has a crucial role to play in protecting the rights of women gig workers, protections and welfare policies arising out of employer-employee relations cannot be overlooked. As platform companies in India promote their contribution to women's empowerment and financial inclusion, the following recommendations urge them to take accountability for improving working conditions for their women workers:

1. Provide clear communication of company policies and terms and conditions of engagement. This would entail organising induction sessions in which gig workers are introduced to the policies on sign up, providing hard copies of the ToU, as well as

prominently placing the text on the apps. This needs to be followed up with consistent communication regarding any changes made to the policy.

2. Include gender-responsive policies for addressing sexual harassment and threats of violence as a part of the companies' ToU.

3. Set up an internal committee consisting of women leaders that can address women-specific grievances.

4. Set up a legal aid committee which can support women gig workers who wish to opt for legal redressal of complaints against clients. This committee would provide all necessary details and documentation required by women to approach law enforcement.

5. Data protection provisions that clearly communicate to the women workers how their data will be used.

6. Implement awareness campaigns in which women gig workers are made aware of the various recourse available to them and the procedure to be followed.

7. Train managerial and customer service executives to handle personal data responsibly and women's concerns sensitively.

8. Provide a direct line of communication with a company executive.

9. Provide communication, grievance redressal, and helpline in various local languages, not limited to the language local to the region.

10. Reorient incentive schemes to take into factors like quality of work, service provision, and punctuality, instead of number of jobs worked.

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Annexure 1: Interview Guide

Participant Consent

Introduction: Hello! I am XXX and I am working on a research project to understand platform and gig work in India, particularly costs and opportunities for women gig workers such as yourself. As a part of the research, it is important that we speak to women gig workers to gather their insights and experiences with this new form of work. Our conversation today will add to our collective understanding of how companies and the government can make gig work beneficial for women workers, thus boosting their participation in the gig economy.

To begin with, let me take you through the informed consent process, your role in the project, and what we will do with your responses.

Consent & Confidentiality: During the interview, you will be asked about your work experience on platforms. If you permit, we will record the conversation only so we can transcribe it later. You have the option to opt out of the recording. You are also free to withdraw this consent at any point before, during, or after the interview, which will mean that any responses given by you will not be used during the analysis phase. You are also free to refuse to answer any questions during the interview.

You will not be personally identified in any reports or recommendations presented publicly or to platforms. Your name, contact information, and interview transcripts will not be shared with anyone outside of the immediate project team. They will not be used for any public purpose unless you specifically consent to their use.

Section 1: Profile

- What is your name?
- What is your age?
- What is your marital status? Who all do you have in your family?
- What is your level of education? What have you studied?
- How much is your household income? How much does your income contribute to the

household income?

- Does your family rely on your income for any crucial activities?
- For how many years have you been working? What was the motivation for you to start working?
- What different kinds of work/jobs have you done before this current work?

Section 2: Gig Work

- Which platform/s do you currently work on? How long have you worked on this platform?
- How would you describe the work you do on xxx platform?
- Have you worked on any other platform before this? If yes, why did you switch?
- How were you introduced to platform work?
- Does anyone else in your family or friend group do similar work?
- On average, how much money do you make in a month?
- What do you do with the money you earn?
- On average, how many hours per week do you spend on your gig work? Does the platform have a minimum requirement and are you able to meet the requirement?
- Would you ideally want to work more or less hours on the platform?

Section 3: Experience with platform design

- Why did you sign up to work on XXX platform?
- What was the recruitment process and what help did you receive from the platform to sign up?
- What criteria did you have to fulfil to enrol on the platform?
- Did you have to make any purchases or investments before starting work? How much did you spend on onboarding before you got the first job on the platform?
- Did the platform train you? What was the training like and how long did it last?
- How do you get jobs on the platform? Do you have the freedom to choose jobs

yourself?

Section 4: Safety and security issues

- Do men also work on the same platform?
- Do you think there is a difference in the kinds of work men and women engage with on the platform? If yes, why?
- Do you feel that men have an easier time taking jobs on the platform?
- What are your biggest safety concerns while engaging in jobs on the platform?
- Were there any situations in which you felt physically unsafe on a job? If yes, what did you do and did you make the platform aware of the situation?
- Were there any situations in which you needed to arrange for additional support during a job?
- Is your family comfortable with the safety concerns that are a part of the job?

Section 5: Privacy and data protection concerns

- What documents and information did the platform collect during the onboarding process? Were you made aware of what this information would be used for?
- Does the app track your location? Do you have any concerns about this?
- Were there any instances where crucial personal data like your contact number or address were shared with customers? Are you concerned that this might happen in the future?
- Are you able to shut off the app during the day or do you have to be "on" all the time? Does this impact the quality or quantity of jobs you receive?

Section 6: Wages and benefits

- How do you get paid for completed jobs? How often are you paid?
- Does the payment mechanism and frequency impact your household budget?
- Do you have to compete with other workers on the platform for jobs?
- How does the rating system on the platform work? What impact do ratings have on your work and income?

- Have you ever felt that you have been rated incorrectly by a customer? What did you do in such a situation?
- Do you get any additional benefits/social security benefits from the platform?
- Do you get any benefits from government welfare/social security schemes?
- Have you undertaken any trainings/courses to help you upskill? Has the platform provided you opportunities for upskilling?

Section 7: Dispute redressal

- If you have a complaint, with a customer or with the platform, is there a process for you to lodge your complaint? Are you aware of the process? How were you made aware of the process? Have you ever used it?
- If there are any changes to the terms and conditions of your engagement with the platform, how do you find out about it?
- Are you aware of the experience of other workers using the complaint mechanism?
- What are the other situations when you have had to interact with the platform/platform executives? Who do you interact with from the platform's side most frequently?
- Do you feel like you have easy access to executives from the platform to air your grievances?
- Would you ever consider taking the legal route to address a dispute or an issue? If yes, how would this affect the quantity and quality of jobs you receive?

Section 8: Collectivising

- Have you interacted with other workers like yourself on XXX platform? Have these meetings been facilitated by the platform or independently?
- Is there a formal group of workers to interact with the platform collectively and put forward any issues/challenges/grievances?
- Is there an informal group of workers, particularly women workers, on the platform that you are a part of? What is this group used for? Has it been helpful to you in any

way?

- Do you interact frequently with male workers on the app? Are they receptive and supportive of your work?
- Have you ever got together with other workers to make demands on the platform?
- Do you think a formalised and recognised union of workers would be able to negotiate for your interests better?

Section 9: Impact of COVID-19

- Did you face any change in work because of the COVID-19 lockdown? Did work increase or decrease as a result?
- What was the platform's response during this time – did you receive any additional assistance from the platform to support you?
- Were there any safety procedures or practices put in place by the platform during the pandemic? How have these impacted your ability to engage in jobs?