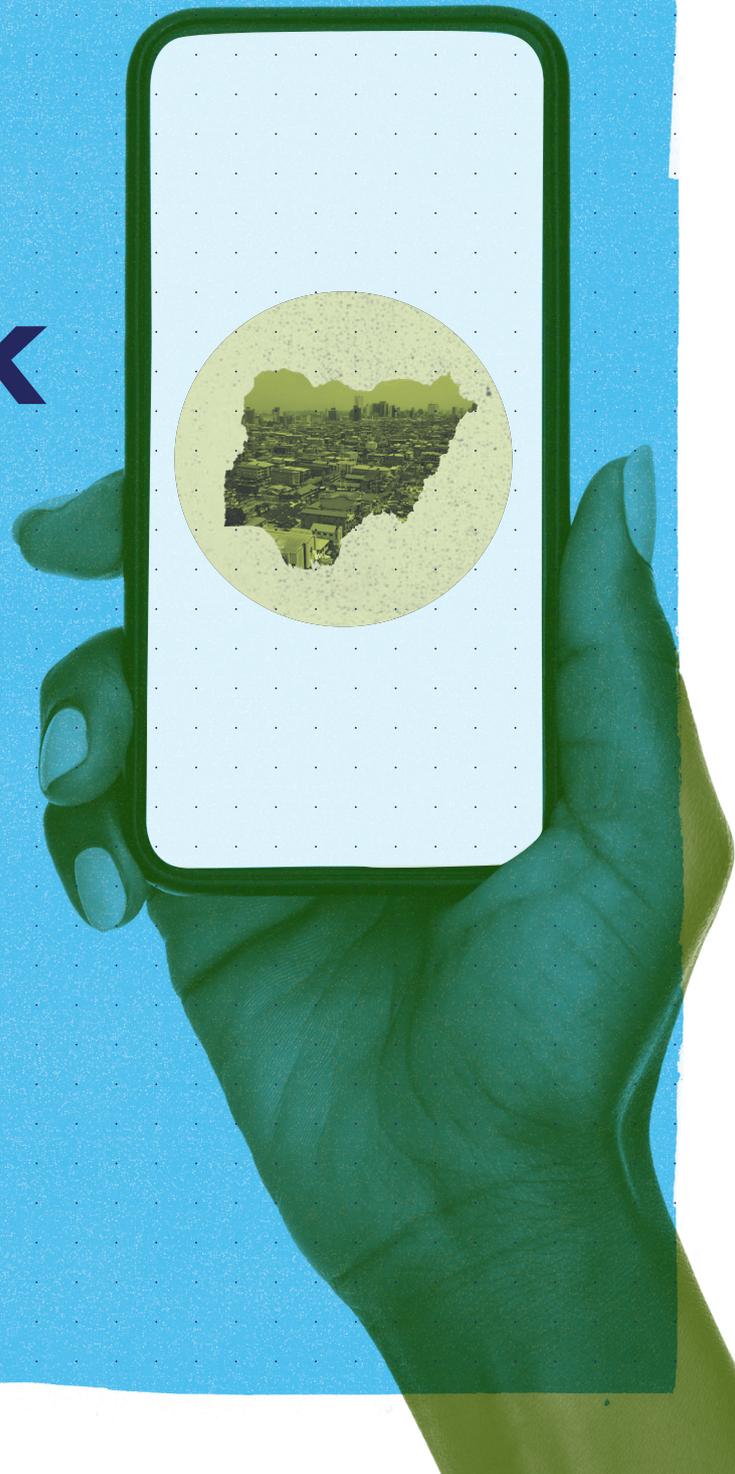


Fairwork

**TOWARDS EQUITABLE WORK
FOR ALL PLATFORM WORKERS**

Fairwork Nigeria Ratings 2022



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Executive Summary

Building on the Fairwork Observatory report on ride-hailing platforms in Nigeria between 2021 and 2022, this year represents the first comprehensive Fairwork Nigeria report, in which we evaluate eight platforms against the Fairwork principles to understand how platform work is experienced in Nigeria. The platforms included are: Bolt, Bolt Foods, Glovo, Gokada, Jumia Foods, Kwik, Lagos Ride (LagRide) and Uber.

With Glovo scoring 4 out of ten, and the remaining platforms scoring 0, there is an urgent need to galvanise stakeholders to lobby relevant institutions towards enacting policies that hold platforms accountable towards the improvement of platform work in Nigeria.

In Nigeria, there is a high level of precarity associated with both the earnings and social benefits of platform workers. While the platform economy offers many people jobs and entrepreneurial opportunities where they might have none—as well as a supplemental income to low-paid jobs—it does not always take them out of poverty. Platform workers, while they often manage to earn the minimum wage, incur high costs, exacerbated by increased inflation and a high cost of living. For example, according to the National Bureau of Statistics (NBS), the cost of petrol increased from N165.77 per litre in December 2021 to N206.19 in December 2022.¹ Another critical factor has been the rising inflation rates since the pandemic. Since the Fairwork Observatory report data collection in late 2021, the inflation rate has increased by 5.7 per cent, i.e., from 15.63 per cent to 21.34 per cent.²

This report highlights the need for equitable representation of disadvantaged groups, such as women, and the need for greater inclusivity in the Nigerian platform economy. In addition, the report reiterates the prevalence of a highly unsafe and insecure working environment for platform workers, based on consistent reports on issues of robbery, assaults, discrimination against women, and loss of life. Platforms need to show a genuine concern for the safety of platform workers as they do for platform users. Platforms could also improve the algorithms behind the rating systems

to preclude possible victimisation of workers by (bad) customers. Generally, there is a need to encourage platforms to treat their workers better, as well as for the national government to do more to protect workers.

PLATFORMS NEED TO SHOW A GENUINE CONCERN FOR THE SAFETY OF PLATFORM WORKERS AS THEY DO FOR PLATFORM USERS.

Key Findings



FAIR PAY

Only one platform (Glovo) of the eight platforms could provide sufficient evidence that their workers earn above the minimum monthly wage of N30,000 (\$65) or the implied hourly minimum hourly wage of N173.08 after work-related costs.³ For the second point, we could not find evidence that workers earned the local living wage after work-related costs.



FAIR CONDITIONS

Interviews we undertook with workers revealed severe grievances related to the safety and security of platform workers, especially drivers. Of the eight platforms we scored, only Glovo had policies in place to effectively protect workers from these risks, including safety training, effective use of SOS buttons, and protective gears such as helmets and raincoats provided for free. In none of the cases did we find evidence that platforms provide income security to their drivers in the case of sickness or inability to work that did not result from an accident while on a trip.



FAIR CONTRACTS

Only one platform (Glovo) could provide sufficient evidence that its terms and conditions are clear and transparent, and subject to Nigerian rather than foreign law.

All the platforms have clauses in their T&C, excluding them from all kinds of liabilities concerning the working relationship, and shifting all of the risks stemming from the relationship onto the workers.



FAIR MANAGEMENT

One of the eight platforms (Glovo) evidenced the provision of due process for decisions affecting platform workers. It also showed effective communication channels and an appeals processes in instances where workers have been deactivated from the platform.

The second point of this principle was not awarded to any platform as we could not find sufficient evidence that platforms are adopting clear anti-discrimination policies, proactive policies that are inclusive of disadvantaged groups, or clarity on how algorithms are used to determine work and remuneration.



FAIR REPRESENTATION

None of the eight platforms provided sufficient evidence to demonstrate that they ensure freedom of association and collective worker voice. In the subsequent point, we could not find sufficient evidence that any of the platforms have formally and publicly recognised an independent collective body of workers or trade union. In addition, we could not sufficiently evidence that platform workers play meaningful roles in contributing to decisions affecting their work; nor are there mechanisms to facilitate collective bargaining.

Towards Equitable Work for All Platform Workers

Nigeria joined the Fairwork team in the first half of 2022, and the team immediately set out to engage platforms, workers and other industry stakeholders at a forum held at Lagos Business School. Issues that emerged from this initial stakeholder forum included the equitable sharing of the value created in the platform economy, the safety and security of workers, the vulnerability of female workers and the lack of a registered union to ensure the voice of the workers is heard.

During the project's data collection phase, insights were gained into these issues from the different parties, and we observed a willingness by some of the platforms to clarify and resolve issues when approached.

Issues arising from the unemployment levels in the country, the perceived superior status of platform customers over platform workers, the entrepreneurial status of independent contractor platform workers, and their limited capacity to build network effects are exacerbating the inequities in the ecosystem, and these need to be addressed with the cooperation of all stakeholders. The customer-centricity of the platforms cannot be over-emphasised, with the lion's share of the worker training focussing on customer service and experience. Based on the customer-centric business model with location-based platform work, there is an implied perception that passengers are more 'affluent' than drivers, which leads to decisions often going the customers way. Hence, the encounter represents a 'master-slave' relationship with platform workers subjected to the whims and caprices of the customer, including the customer giving

a low rating even when they violate service terms and conditions.

THERE IS AN IMPLIED PERCEPTION THAT PASSENGERS ARE MORE 'AFFLUENT' THAN DRIVERS, WHICH LEADS TO DECISIONS OFTEN GOING THE CUSTOMERS WAY. HENCE, THE ENCOUNTER REPRESENTS A 'MASTER-SLAVE' RELATIONSHIP.

Platform workers see themselves as independent contractors to the platforms and frequently multi-app or have other jobs or businesses, meaning that the platform work may not be done full-time or represent their sole source of income. Yet, the platform workers interviewed highlight that they also feel badly treated by the platform because of the lack of social security (health, out-of-work benefits, and other types of

insurance benefits), recourse for grievances (risk of unilateral disengagement), and the terms (unilateral contractual agreements, the level of commission they must pay to the platform). In the future, legal protection for platform workers needs to be incorporated into national policy to enhance equity in platform work. The recent approval of first platform union in Nigeria, the Amalgamated Union of App-Based Transport Workers of Nigeria (AUATWON) for platform workers, discussed later in the report, is a step in the right direction by the government.⁴ This will facilitate strategies for platform workers to lobby the government to introduce policies that hold platforms accountable. Some of these can be achieved through regular awareness and strategic engagement with relevant stakeholders to demand for basic standards of labour. For example, given the extremely low minimum wage in Nigeria, platforms should instead work towards their workers earning as close to a *living wage* as possible, because the current minimum wage in Nigeria does not reflect the realities on the ground.

LEGAL PROTECTION FOR PLATFORM WORKERS NEEDS TO BE INCORPORATED INTO NATIONAL POLICY TO ENHANCE EQUITY IN PLATFORM WORK.

Based on these realities in the platform economy, the Fairwork team in Nigeria will continue to evaluate the working conditions of platforms and contribute to providing awareness through our reports, policy briefs, worker engagement, stakeholder workshops, and other proactive strategies to help improve the working conditions of platform workers.

FAIRWORK NIGERIA TEAM

Yinka David-West, Kemi Ogunyemi, Chinyere Emeshie, Amaka Anozie, Daniel Arubayi, Mark Graham



Amaka Anozie 1

Towards Decent Labour Standards in the Platform Economy

Fairwork evaluates and ranks the working conditions of digital platforms. Our ratings are based on five principles that digital labour platforms should ensure in order to be considered to be offering basic minimum standards of fairness.

Fairwork evaluates and ranks the working conditions of digital platforms. Our ratings are based on five principles that digital labour platforms should ensure to be considered to be offering basic minimum standards of fairness. We evaluate platforms annually against these principles to show not only what the platform economy is today, but also what it could be. The Fairwork ratings provide an independent perspective on labour conditions of platform work for policymakers, platform companies, workers, and consumers. Our goal is to show that better, and fairer, jobs are possible in the platform economy.

The Fairwork project is coordinated from the Oxford Internet Institute and the WZB Berlin Social Science Centre. Our growing network of researchers currently rates platforms in 38 countries across 5 continents. In every country, Fairwork collaborates closely with workers, platforms, advocates and policymakers to promote a fairer future of platform work.

Fairwork countries

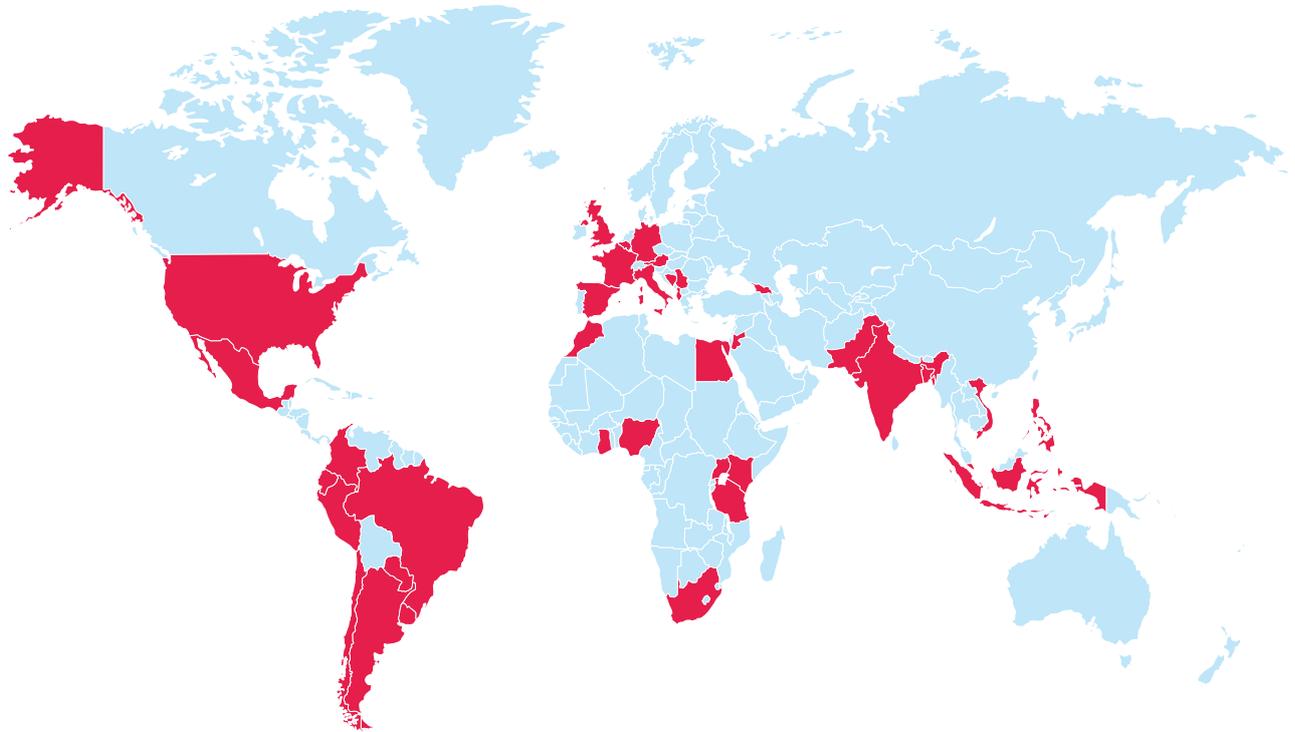


Figure 1: Map of Fairwork countries.

AFRICA

Egypt, Ghana, Kenya, Morocco, Nigeria, South Africa, Tanzania, Uganda

ASIA

Bangladesh, India, Indonesia, Jordan, Lebanon, Pakistan, Philippines, Singapore, Vietnam

EUROPE

Albania, Austria, Belgium, Bosnia and Herzegovina, France, Georgia, Germany, Italy, UK, Serbia, Spain

SOUTH AMERICA

Argentina, Brazil, Chile, Colombia, Ecuador, Paraguay, Peru, Uruguay

NORTH AMERICA

Mexico, USA

The Fairwork Framework

Fairwork evaluates the working conditions of digital labour platforms and ranks them on how well they do. Ultimately, our goal is to show that better, and fairer, jobs are possible in the platform economy.

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To do this, we use five principles that digital labour platforms should ensure to be considered as offering 'fair work'. We evaluate platforms against these principles to show not only what the platform economy is, but also what it can be.

The five Fairwork principles were developed through multiple multi-stakeholder workshops at the International Labour Organisation. To ensure that these global principles are applicable in our partner countries, we have subsequently revised and fine-tuned them in consultation with platform workers, platforms, trade unions, regulators, academics, and labour lawyers.

Further details on the thresholds for each principle, and the criteria used to assess the collected evidence to score platforms can be found in the Appendix.



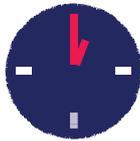
STEP 1

The five principles



Fair Pay

Workers, irrespective of their employment classification, should earn a decent income in their home jurisdiction after taking account of work-related costs. We assess earnings according to the mandated minimum wage in the home jurisdiction, as well as the current living wage.



Fair Conditions

Platforms should have policies in place to protect workers from foundational risks arising from the processes of work, and should take proactive measures to protect and promote the health and safety of workers.



Fair Contracts

Terms and conditions should be accessible, readable and comprehensible. The party contracting with the worker must be subject to local law and must be identified in the contract. Regardless of the 'workers' employment status, the contract is free of clauses which unreasonably exclude liability on the part of the service user and/or the platform.



Fair Management

There should be a documented process through which workers can be heard, can appeal decisions affecting them, and be informed of the reasons behind those decisions. There must be a clear channel of communication to workers involving the ability to appeal management decisions or deactivation. The use of algorithms is transparent and results in equitable outcomes for workers. There should be an identifiable and documented policy that ensures equity in the way workers are managed on a platform (for example, in the hiring, disciplining, or firing of workers).



Fair Representation

Platforms should provide a documented process through which worker voice can be expressed. Irrespective of their employment classification, workers should have the right to organise in collective bodies, and platforms should be prepared to cooperate and negotiate with them.



STEP 2

Methodology Overview

The Fairwork project uses three approaches to measure fairness of working conditions at digital labour platforms: desk research, worker interviews and surveys, and interviews with platform management. Through these three methods, we seek evidence on whether platforms act in accordance with the five Fairwork Principles.

We recognise that not all platforms use a business model that allows them to impose certain contractual terms on service users and/or workers in such a way that meets the thresholds of the Fairwork principles. However, all platforms can influence how users interact on the platform. Therefore, for platforms that do not set the terms on which workers are retained by service users, we look at several other factors including published policies and/or procedures, public statements, and website/app functionality to establish whether the platform has taken appropriate steps to ensure they meet the criteria for a point to be awarded against the relevant principle.

In the case of a location-based work platform, we seek evidence of compliance with our Fairwork principles for location-based or ‘gig’ work platforms, and with a cloudwork platform, our Fairwork principles for cloudwork platforms.

Desk research

Each annual Fairwork ratings cycle starts with desk research to map the range of platforms to be scored, identify points of contact with management, develop suitable interview guides and survey instruments, and design recruitment strategies to access workers. For each platform, we also gather and analyse a wide range of documents including contracts, terms and conditions, published policies and procedures, as well as digital interfaces and website/app functionality. Desk research also flags up any publicly available information that could assist us in scoring different platforms, for instance the provision of particular services to workers, or the existence of past or ongoing disputes.

The desk research is also used to identify points of contact or ways to access workers. Once the list of platforms has been finalised, the team contacts each platform to alert them about their inclusion in the annual ranking study

and to provide them with information about the process. All platforms are asked to assist with evidence collection and with contacting workers for interviews.

Platform interviews

The second method involves approaching platforms for evidence. Platform managers are invited to take part in semi-structured interviews as well as to submit evidence for each of the Fairwork principles. This provides insights into the operation and business model of the platform, while also initiating a dialogue through which the platform could agree to implement changes based on the principles. In cases where platform managers do not agree to interviews, we limit our scoring to evidence obtained through desk research and worker interviews.

Worker interviews

The third method is interviewing platform workers directly. A sample of 6-10 workers are interviewed for each platform. These interviews do not aim to build a representative sample. They instead seek to understand the processes of work and the ways it is carried out and managed. These interviews enable the Fairwork researchers to see copies of the contracts issued to workers and learn about platform policies that pertain to workers. The interviews also allow the team to confirm or refute that policies or practices are really in place on the platform.

Workers are approached using a range of different channels. For our 2022 ratings, this included, in addition to our tried and tested participant recruitment methods, snowballing from prior interviews. In all these strategies informed consent was established, with all interviews conducted in person.

The interviews were semi-structured and made use of a series of questions relating to the 10 Fairwork (sub) principles. To qualify for the interviews, workers had to be over the age of 18 and have worked with the platform for over two months. All interviews were conducted in English.

Putting it all together

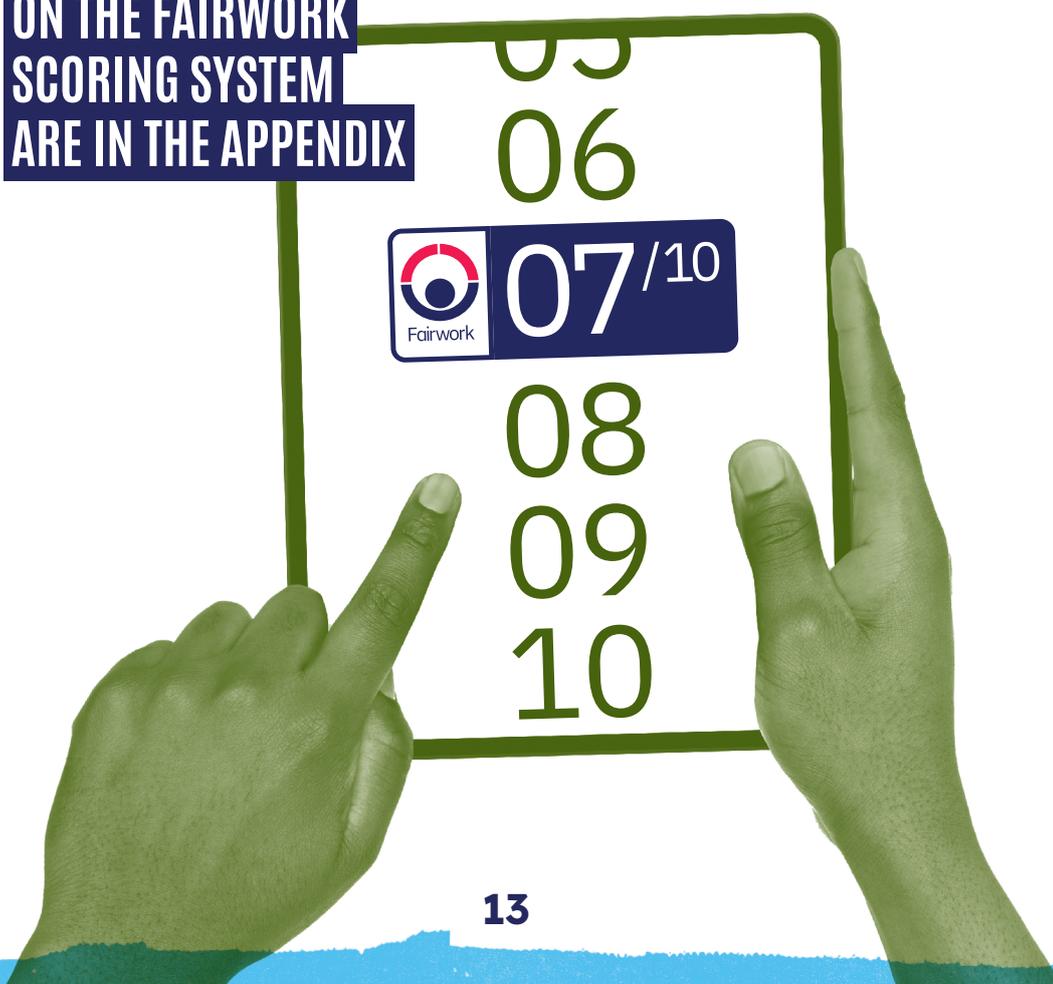
This threefold approach provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect both positive and negative evidence from multiple sources. Final scores are collectively decided by the Fairwork team based on all three forms of evidence. Points are only awarded if clear evidence exists on each threshold.

How we score

Each of the five Fairwork principles is broken down into two points: a first point and a second point that can only be awarded if the basic point has been fulfilled. Every platform receives a score out of 10. Platforms are only given a point when they can satisfactorily demonstrate their implementation of the principles. Failing to achieve a point does not necessarily mean that a platform does not comply with the principle in question. It simply means that we are not – for whatever reason – able to evidence its full compliance.

The scoring involves a series of stages. First, the in-country team collates the evidence and assigns preliminary scores. The collated evidence is then sent to external reviewers for independent scoring. These reviewers are both members of the Fairwork teams in other countries, and members of the central Fairwork team. Once the external reviewers have assigned their scoring, all reviewers meet to discuss the scores and decide final scoring. These scores, as well as the justification for them being awarded or not, are then passed to the platforms for review. Platforms are then given the opportunity to submit further evidence to earn points that they were initially not awarded. These scores then form the final annual scoring that is published in the annual country Fairwork reports.

**FURTHER DETAILS
ON THE FAIRWORK
SCORING SYSTEM
ARE IN THE APPENDIX**



BACKGROUND

Nigeria's Platform Economy

Nigeria, located on Africa's west coast, is the continent's most populous country and largest economy. A former British colony, Nigeria became an independent Federal Republic on October 1, 1960. Nigeria currently boasts a population above 200 million and is projected to be one of the world's largest populations by 2050.

With a median age of 18.1 years, Nigeria boasts a youthful population beset by unemployment—currently about a third. Nigeria's gross domestic product (GDP) is over \$440 billion, with the agriculture, trade and real estate sectors dominating, despite the country's endowment of natural resources, including crude oil. The World Bank categorises Nigeria as a low-middle income country with a per capita GDP of over \$2,000. Nigeria liberalised its telecommunications sector in 1999, and has since witnessed a digital revolution in which 2021 tele-density and internet penetration figures exceeded 100 per cent and 73 per cent, up from 3.4 per cent and 0.6 per cent, respectively, in 2003.

According to Caribou Digital, a research and advisory firm on digital economies, digital Labour platforms can facilitate platform work or sales conducted locally or exported to other international markets such as Nigeria.⁵ As a result, it provides workers with the opportunity to earn livelihoods. Figure 1 shows the various platform livelihood opportunities. Digital labour platforms provide and act as facilitators of labour and work, where platform work is a major source of livelihood for unemployed and underemployed people of Nigeria, especially among the youth.

PLATFORM WORK IS A MAJOR SOURCE OF LIVELIHOOD FOR UNEMPLOYED AND UNDEREMPLOYED PEOPLE OF NIGERIA, ESPECIALLY AMONG THE YOUTH.

This report is focused on location-based work in the ride-hailing, delivery/logistic services, and other platforms operating in Lagos State. With 'geographically-tethered' or 'location-based' platforms, the work is done in a particular location (e.g., delivering food from a restaurant to an apartment, or driving a person from one part of town to another).

Ride-hailing Platforms

The entry of ride-hailing platforms into the transportation ecosystem was a much-needed addition to commuters, with their security, car quality and driver safety offering a superior proposition to the improvement of taxi services. Lagos State boasts 22 million residents, of whom seven million commute daily on a 9900 km road network, with six million using the Lagos Island–Mainland axis, according to statistics from 2017.⁶ These platform companies not only facilitated rider and driver interactions, but embedded driver onboarding standards like background and reference checks, Highway Code and safety training, navigating techniques using Google maps, and speed limiters on motorbikes. The common feature of ride-hailing platforms is the ability for users to access rides in shorter times at the touch of a button.⁷ The labour process is managed by algorithms which facilitate trip assignments, performance evaluations using metrics (e.g., ratings, and cancellation and acceptance rates), monitoring trip assignments, administering payments and bonuses, and implementing sanctions and bans for defaulting drivers.⁸

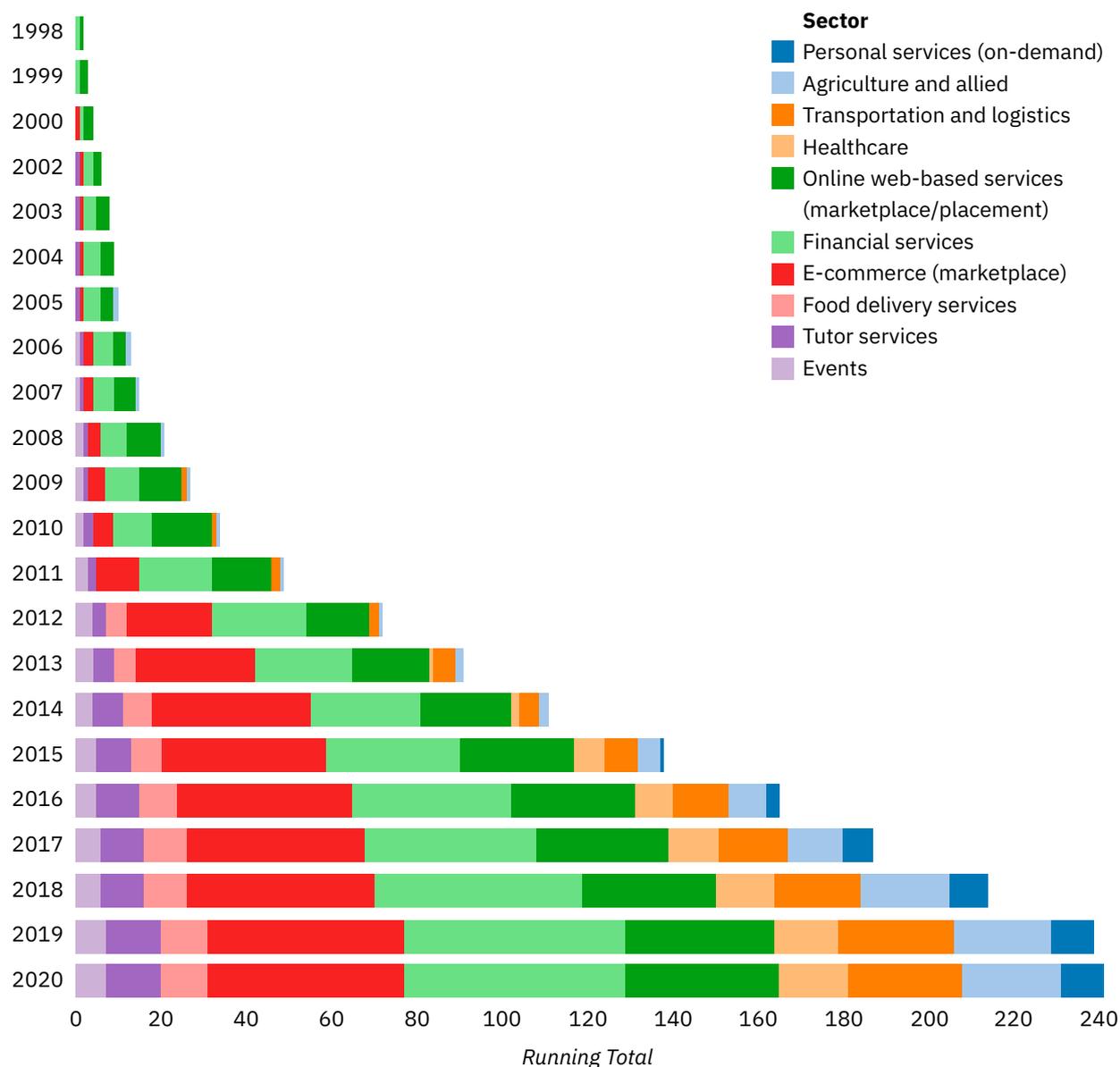


Figure 2: Number of digital labour platforms operating in Nigeria by sector (source: compiled by Olayinka David-West)

THE LABOUR PROCESS IS MANAGED BY ALGORITHMS WHICH FACILITATE TRIP ASSIGNMENTS, PERFORMANCE EVALUATIONS USING METRICS (E.G., RATINGS, AND CANCELLATION AND ACCEPTANCE RATES), MONITORING TRIP ASSIGNMENTS, ADMINISTERING PAYMENTS AND BONUSES, AND IMPLEMENTING SANCTIONS AND BANS FOR DEFAULTING DRIVERS.

Indeed, it was the shortcomings in the taxi industry such as the difficulty in accessing taxis and its rickety nature, that created the entry point for Uber in 2014.⁹ But more importantly, increasing levels of unemployment in Nigeria from 3.7% in 2013 to 4.5% in 2014 made Uber’s business model look appealing, with drivers recognised as “partners”.¹⁰ Uber’s tagline “be your own boss” became a strategy to lure even white-collar workers and other potential drivers from the confines of a traditional working environment to become full-time or part-time Uber drivers with an increased possibility of making more income.¹¹ Uber paved the way for other global platforms to enter the Nigerian market, including Bolt in 2016 and InDriver in 2019. The Bolt platform emerged at the beginning of the recession in 2016 – when the overall unemployment



rate stood at 7.1% and youth unemployment at 12.4%.¹² As highlighted in the Nigeria Fairwork Observatory report from 2022,¹³ the digitised labour management aspects of ride-hailing platforms were expected to enhance user safety and security, and improve the overall transparency of the taxi sector in Nigeria.¹⁴ However, as this report highlights later, drivers are experiencing unfair working conditions with frequent assaults, vehicle hijacking and so forth, with little or no support from platforms.

Delivery and logistics platforms

For delivery and logistics platforms, this report looked at Gokada, Glovo, Kwik, Jumia Food, and Bolt Food. These platforms still require the use of an app as an intermediary between demand and supply. While ride-hailing platforms still possess the lion's share in Nigeria, delivery and logistics platforms are gradually catching up. While there are risks in the delivery/logistics platform sector, it is less severe than ride-hailing platforms. This is because delivery platform workers mainly deliver food, groceries, parcels and other items, without carrying total strangers, which is an inherent risk factor with ride-hailing platforms.

Gokada which had a bike-hailing component, launched its delivery service in 2021. Besides Jumia Food as a subsidiary of Jumia which existed since 2013 and Kwik which launched in 2018, Glovo, Bolt Food, and the delivery component for Gokada, launched following the pandemic in 2021. This was accelerated due to lockdown measures such as social distancing and also the ban of motorcycles for transporting people.¹⁵ Before this, Gokada and Max.ng (now an asset-financing business), possessed a bike-hailing component accessed by the app similar to the functions of ride-hailing platforms like Uber. These platforms facilitated and provided jobs for unemployed and underemployed youths who

suffered from financial instability during the pandemic.¹⁶ Like ride-hailing platforms, these riders as we found in our study, still experience issues of robberies, assault, vehicle hijacking, with minimal support as is highlighted later in this report.

LIKE RIDE-HAILING PLATFORMS, THESE RIDERS AS WE FOUND IN OUR STUDY, STILL EXPERIENCE ISSUES OF ROBBERIES, ASSAULT, VEHICLE HIJACKING, WITH MINIMAL SUPPORT AS IS HIGHLIGHTED LATER IN THIS REPORT.

Platform workers in Nigeria in the ride-hailing and delivery/logistics sector still lack the basic standards of labour. With the need to earn a livelihood and few alternatives in the local labour market, there is still a lot of work to be done to ensure that the working conditions of all platform workers are met.

The Forward March of Labour Stunted

Ride-hailing drivers in Nigeria, as in most countries, are legally classified as independent contractors, meaning that the working relationship between drivers and platforms is not explicitly covered by employment law.¹⁷ This means that the existing labour laws that should protect workers against unfair working conditions do not apply, including the rights of workers to challenge arbitrary dismissal, earn a minimum wage, and receive social security.

According to Section 91 (1) of the Nigerian Labour Act, 2004, a worker “is any person who has entered into or works under a contract with an employer, whether the contract is for manual labour or clerical work or is expressed or implied or oral or written, and whether it is a contract of service or a

contract personally to execute any work or labour”.¹⁸

The Nigerian Labour Act’s classification of workers does not define platform work or independent contractors, nor does it capture the nuances of platform work or the realities of



platform workers, including disability or death relating to their work.¹⁹

For many platform workers in Nigeria, there are advantages to working for digital labour platforms, including the potential to make additional income and the ability to determine working schedules. However, evidence from this study shows that platform workers are increasingly experiencing unfair working conditions based on the misclassification of their working status. With no clear legislation to guarantee that platform workers are entitled to protections, dismissive or unfair treatment of these workers by platform companies is facilitated. Without an extant law applying to the labour process, workers embody more risks by working long hours, and are subject to opaque contracts or terms and conditions and arbitrary deactivations without recourse.²⁰ For instance, in Nigeria if a platform driver is blocked unfairly by an app, there is no recognised appeals process or option for legal redress because of the restrictive clauses in their contracts or the platform being governed by laws from a different jurisdiction. Reports of platform workers, especially ride-hailing drivers being blocked for bad ratings, high cancellation rates or other non-transparent reasons were recurrent in this study, and in all the cases we heard about from workers they simply had to wait till the ban was removed. On top of this, according to worker interviews, platforms take core decisions such as fare reductions without consulting with drivers.

Throughout the Global South, platform workers are gradually starting to challenge the lack of adequate platform labour

law, and to demand a reclassification of their employment status, better pay, and better working conditions overall. For example, in Kenya, 34 drivers filed a suit against Uber Kenya Limited in 2016, claiming that Uber breached its minimum fare contract as signed by drivers, which affected their earnings.²¹ This problem stemmed from Uber not being subject to the law of Kenya. While it remains unclear if workers were successful, the high court established that Uber BV (Netherlands) and Uber Kenya Limited are connected to each other. The lack of a clear classification for workers, makes it difficult to effectively challenge such unilateral decisions.

While there are efforts to regulate the affairs of platforms in Nigeria, such as the current licensing fees imposed by the government,²² there is still a long way to go. In 2017, two platform workers, representing all Uber and Bolt drivers, filed a class action suit at the Industrial Court in Lagos against Uber and Bolt,²³ calling for them to recognise drivers as employees under the Labour Act Section 91 (1).²⁴ While this was ultimately unsuccessful because of insufficient evidence of an employer–employee relationship presented by the drivers, this class action, with knowledge of victories from other countries, has paved the way for platform workers in Nigeria to continue to demand fair practices and decent work standards in the platform economy.

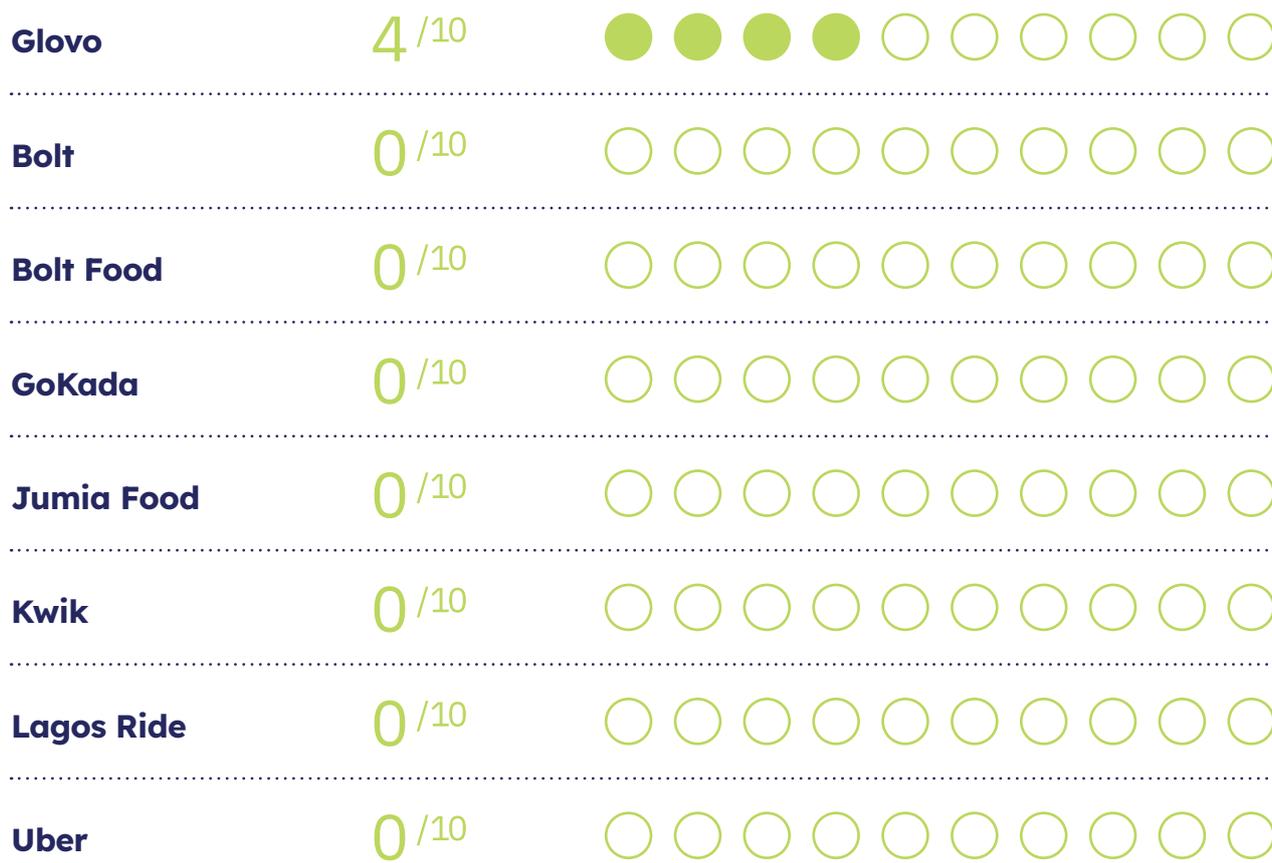


Amaka Anozie

Fairwork Nigeria Scores

2022

Minimum standards of fair work



THE BREAKDOWN OF SCORES
FOR INDIVIDUAL PLATFORMS
IS AVAILABLE AT

[FAIR.WORK/NIGERIA](https://fair.work/nigeria)

Explaining the scores

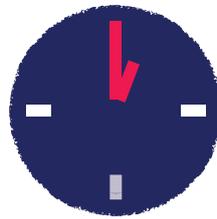


Fair Pay

For platforms to be awarded this principle, the platform should take steps to ensure workers earn at least the local minimum wage after costs.

This year, only Glovo out of eight platforms we could provide sufficient evidence that platform workers earn at least the minimum wage of N30,000 (\$65) per month, and the implied hourly minimum wage per hour of N173.08 after work-related costs.²⁵ When assessing minimum earnings, we considered not only workers' earnings but also their spending, such as the cost of providing task-specific equipment and paying work-related costs out of pocket, including unpaid waiting time, travel costs, vehicles, petrol, mobile phone data and insurance.

For the second threshold, we could not find sufficient evidence that platform workers earned the local living wage after costs. This was also due to the increased cost of living, high levels of multi-apping, increased fuel costs and insufficient evidence provided by platforms.



Fair Conditions

For platforms to achieve points for this principle, platforms should take the necessary steps to ensure that there are practices and policies in place that mitigate task-specific risks while undertaking deliveries, driving, and domestic work. Platforms should also take the necessary steps to ensure that they provide a social safety net for workers.

For this year, we were only able to evidence that one (Glovo) of the eight platforms ensures that practices and policies are in place to mitigate task-specific risks. Glovo provides protective equipment including helmets and raincoats for free, provides safety trainings for couriers, free learning opportunities for alternative skills, and provides an SOS button for emergencies. While we found evidence of Uber and Bolt providing accident insurance for drivers while on trips with passengers, we did not find sufficient evidence that drivers are protected while waiting for trips or driving through the city in search of trips.

We could not find any evidence that the eight platforms provide safety nets to their workers, such as sick pay, maternal and paternal leave, and other proactive policies that provide income security to workers that cannot work for an extended period. Therefore, we could not award points to any of the eight platforms for the second principle threshold.



Fair Contracts

To meet the first point, the platform should take steps to ensure that workers can understand, agree to, and access their work conditions at all times, and that they have legal recourse if the other party breaches those conditions. Only one of the eight platforms (Glovo) provided evidence that their terms and conditions are clear, transparent and are subject to the law of Nigeria.

To meet the second point, platforms should show that there are no unfair clauses in workers' terms and conditions, particularly clauses that exclude platforms from shared liabilities and further prevent workers from seeking redress for grievances arising from the working relationship. We could not find sufficient evidence that any of the eight platforms could be awarded this point. None of the eight platforms was able to show this.

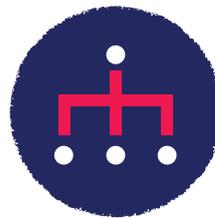


Fair Representation

The right for workers to be listened to, and to organise and collectively express their concerns without being inhibited, is a vital prerequisite for fair working conditions.

For platforms to achieve the first point in this principle, they need evidence that workers are assured of freedom of association and expression. While some platforms allow workers to freely express themselves without inhibition, we found no evidence of a formal policy of willingness to recognise or bargain with a collective body of workers or an official trade union for any of the platforms.

For the second point, platforms need to provide evidence that they support democratic governance. Despite the recognition of the AUATWON union by the government, there was no evidence that any of the platforms meet this point. Therefore, no platform was awarded this point.



Fair Management

With the use of algorithmic management and automated responses, platform management appears to be distant from platform workers. For platforms to meet the first point of this principle, they should take appropriate steps to provide due process for decisions affecting their workers.

Of the eight platforms we scored, only Glovo could provide sufficient evidence of due process for decisions affecting workers. Glovo possesses effective communication channels via emails and live chat, with an average response time of eight minutes, and physical contact hours between Mondays and Fridays. The platform also conducts a monthly survey to understand and provide solutions for worker concerns. Arbitrary termination or deactivation is a big concern for platform workers, who lack the recourse available to formal employees. Based on the evidence provided by Glovo, platform workers are not deactivated or suspended unless pertaining to issues of fraud, as stated in the terms and conditions. Platform workers are contacted more than once before any sanction is considered and can appeal any decision via available communication channels.

To get the second point, platforms should take appropriate steps to ensure equity in the management process by adopting an anti-discrimination policy and other proactive policies that are inclusive of disadvantaged groups such as women and disabled people. We did not find sufficient evidence to award a point to any of the platforms for this second point.

PLATFORM IN FOCUS

Glovo

Glovo, a relatively new player in the Nigerian platform economy, scored 4/10 in the first comprehensive Fairwork league table. Founded in Barcelona in 2015, Glovo has since expanded its operations to 23 countries in Southwest Europe, Eastern Europe and Africa—including Nigeria, Ghana, Kenya, and Morocco.²⁶ The Glovo platform aims to transform how users get what they need, and to make cities more accessible.²⁷

Principle	First point	Second point	Total
 Principle 1: Fair Pay	 Ensures workers earn at least the local minimum wage after costs	 Ensures workers earn at least a local living wage after costs	 1
 Principle 2: Fair Conditions	 Mitigates task-specific risks	 Provides a safety net	 1
 Principle 3: Fair Contracts	 Provides clear and transparent terms and conditions	 Ensures that no unfair contract terms are imposed	 1
 Principle 4: Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	 1
 Principle 5: Fair Representation	 Assures freedom of association and the expression of collective worker voice	 Supports democratic governance	 0

Glovo's total score





Tolu Owoeye/Shutterstock

The move into Nigeria in September 2021 marks the company's presence in its third West African market, and its sixth in Africa.²⁸ Nigeria is now its largest market by population size. The Glovo app works in five categories, with users able to order items from supermarkets, pharmacies, restaurants, as well as order drinks and schedule specific deliveries.²⁹ The package delivery category extends to independent logistics companies to ensure maximum customer satisfaction, where users can request a rider on the platform to send or collect packages, with tracking from the app.³⁰

This year, only Glovo could provide sufficient evidence that all couriers earn above the monthly minimum wage of N30,000 (\$65) or the implied minimum wage of N173.08 after worker-related costs. Glovo was also the only platform to provide sufficient evidence that they mitigate task-specific risks. They conduct training on road safety, traffic rules, parcel handling and so forth. The platform also makes provision for dealing with endangering situations in the course of work, such as through an SOS button and a third-party partner that rescues couriers in such incidents. Glovo issues a comprehensive insurance policy to its riders

which covers personal accidents and third-party liabilities. Glovo ensures that workers contracts are legible and easy to understand, and despite being a multi-national company, the terms and conditions are subject to Nigerian law, meaning that riders can seek legal recourse if there are breaches. Glovo possesses good communication channels through which riders can appeal in the unlikely case of deactivation from the platform. While these are positive steps, the Fairwork ratings are still low at 4/10, which indicates room for improvement, including introduction of more proactive policies, and measures to positively impact the lives of couriers.

Workers' Stories

Odogwu*, ride-hail driver, a 31-year-old full-time driver for Lagos Ride, Bolt and Uber

He joined Uber in 2017, Bolt in 2019, and Lagos Ride at its inception in 2022. He now mainly works for Lagos Ride. A student and father, Odogwu is the sole bread winner of his family. He previously owned a laundry business and an event planning company, but had to give them up due to the financial crisis following the Covid-19 pandemic. He started platform work due to the perceived flexibility, and to make ends meet given the poor economic situation of the country.

Odogwu works between 72 to 78 hours a week across the three platforms. While there is a tendency to earn well on Lagos Ride, he also incurs high costs, and he also has an agreement with the third-party owner of his car. The car's owner takes 60% of Odogwu's earnings, leaving him with 40% at the end of the week.

Odogwu told us that his main concern is for his safety and security—specifically the problem of drivers being kidnapped and his vehicle hijacking. Because the apps do not properly verify customers and often do not reveal the destination when trips are accepted, it is very common to be robbed by car hijackers. Odogwu mostly experienced this in his earlier years using a Toyota Corolla, and this has made him cautious now as carjacking is still rampant in Lagos. In such situations panic buttons are often not functional, or there is a poor response rate from law enforcement agents. Odogwu says that platforms should do more to ensure the safety of drivers on the job. He also urges the platforms he works for to be more transparent about the labour process, and to involve the drivers more in decisions affecting their work.

Odiabo*, delivery rider, has worked full time for Jumia Food through a third-party logistics (3PL) company for the last nine months

He has a National Certificate of Education (NCE) but could not get a white-collar job,³¹ previously working in a supermarket for far less than his current earnings at Jumia Food.

Odiabo likes the job because, as a delivery job, it grants him access to a variety of people and helps him get to know the streets. But he is unhappy that neither the platform nor the 3PL keep to the terms and conditions of the work contract, specifically in relation to delayed payments. Most importantly, he would like to see an improvement in the salary structure, beginning with being paid the agreed amount at the end of the month rather than experiencing unexplained deductions. "From my observation", he says, "I understand that almost all these guys that are working in this company are so committed to their work; the only reason why they are not doing it the way they should is because, at the end of the month, they do not see the money they work for". Odiabo hopes to see fairer working conditions for him and his colleagues.

* Names changed to protect worker identity

Women on Wheels: Insights from Women Workers in Lagos

In Nigeria, driving is often viewed as an inherently male activity. Slow or insecure drivers often receive the comment, “it must be a woman” or “he is driving like a woman”. This discrimination against women is also prevalent in the ride-hailing sector, where male passengers sometimes make discriminatory comments about their abilities as a woman and why they would have preferred a male driver. Some passengers go as far as cancelling a trip simply because a woman is behind the wheel. This becomes even more challenging when platforms do not possess anti-discrimination policies or measures to promote gender equality for women.

For our 2022 analysis, we interviewed over ninety platform workers across eight platforms. Although we were keen to get good representation from women, we were only able to secure interviews with five. This indicates that women are grossly underrepresented in the platform workforce in Nigeria, and reiterates the challenge of high access barriers for women in Nigeria. Another factor preventing women from working is the risky and unsafe nature of working as a platform worker in Lagos, which we cover in the next section.

Of the five women we interviewed, four work for delivery apps, and one works for a ride-hailing app. Our findings indicate that women are more likely to remain on one platform for as long as they are relatively comfortable. Ruona*, one of the five female drivers has worked for Uber for the last five years. The others have worked for platform apps for a period ranging from six months to four years and

want to continue working for their platforms. All five women have a tertiary education. Molaru*, for example, who works full-time for a ride-hailing platform, has a bachelor’s degree. She works six hours a day, and is the sole breadwinner of her family—she is in the job for the pay.

DISCRIMINATION AGAINST WOMEN IS ALSO PREVALENT IN THE RIDE-HAILING SECTOR, WHERE MALE PASSENGERS SOMETIMES MAKE DISCRIMINATORY COMMENTS ABOUT THEIR ABILITIES AS A WOMAN AND WHY THEY WOULD HAVE PREFERRED A MALE DRIVER.

All but one of the women we interviewed consider themselves employees of the platforms, even though workers are classified as independent contractors or are employed through third-party contractors. Being an independent contractor does not provide risk-mitigating policies or social safety nets for women, such as leave pay, sick pay, insurance, maternity leave and so forth. When we asked Chimdi*, who works with a ride-hailing platform, if she could change one thing about the platform, she told us, “If I could change one thing, they should be giving us sick pay”.

Not getting such support from their full-time work undertaken for the platforms, all five women told us that they seek support from worker communities. Phoebe belongs to the Ladies on Wheel Association of Nigeria (LOWAN), a ride-hailing association for women drivers on Uber and Bolt. LOWAN aims to empower women economically through collective representation and provides a support system for

its members. Lowan also wants to build up young women with viable businesses to thrive beyond platform work. They have social media chat groups where members can share their experiences, and they organise social activities for the women to meet and unwind. As of 2022, this association and others mentioned in previous sections did not have legal backing, were not officially recognised, and could not enter into dialogue with platform management or meaningfully contribute to decisions affecting the work of their members. However, with the recent AUATWON union recognition, there are hopes that associations like LOWAN can step up their level of engagement with platforms, especially if they work in unison. However, it remains to be seen how this recent recognition will impact LOWAN and the women in the Nigerian platform economy.

* Names changed to protect worker identity

THEMES IN FOCUS

The Prevalence of Insecurity in The Nigerian Platform Economy

Building on the findings from the Fairwork Nigeria observatory report,³² platform work in Nigeria clearly remains risky. However, platform workers basically have no choice, because of the state of the Nigerian economy, high unemployment, inflation, and increased cost of living. The emergence of digital labour platforms in many cities across the Global South has prompted the idea among platform workers, that technology can improve the safety and security of workers. For instance, in many African countries, including Nigeria, ride-hailing platforms have digital identities i.e., real-time bio-information of users on the app, a rating system for worker/passenger evaluations, working time caps (e.g., on Uber, 12 hours on, 6 hours off), panic buttons, and emergency contact numbers embedded in the app. However, this does not mean that workers necessarily experience fair working conditions; our findings show quite the opposite.

THE PLATFORM WORKERS WE INTERVIEWED FOR THIS STUDY MENTIONED HARASSMENT FROM TOUTS, LAW ENFORCEMENT AGENTS, DEVIANT PASSENGERS, AND THE HIGH RISK OF ROAD ACCIDENTS.

The platform workers we interviewed for this study mentioned harassment from touts, law enforcement agents, deviant passengers, and the high risk of road accidents. More critically, platform workers are exposed to robbery attacks, assaults, and potential loss of life without proper investigation or compensation from platforms. This is also prevalent in other African countries, such as Ghana, Kenya, and South Africa, where ride-hailing platform drivers have protested against the lack of safety and security in their jobs.³³

Ride-hailing platform drivers experience the brunt of such criminal offences. Particularly with ride-hailing platforms where ratings are central to the business model, there is often a low barrier of entry for passengers—including a lack of background checks for passengers when signing up to platforms compared to drivers—which contributes to information asymmetries that might expose drivers to potential harm.³⁴ For example, drivers not knowing the destinations of a passenger before accepting a trip. These were some of the complaints of drivers in this study that have contributed to being robbed or their vehicles being hijacked. Drawing from the Fairwork Nigeria Observatory report,³⁵ Jacob* a ride-hailing platform driver highlighted several experiences of how he had to fight off abusive passengers.³⁶ Jacob's last experience could have led to the loss of his life after being hospitalised for several weeks following a vehicle hijack attempt where he fought off the deviant car hijacker.

Jacob's experience remains relevant and highlights the need to make trip destinations visible, and grant platform workers (especially female drivers), the autonomy to avoid dangerous destinations. However, in challenging scenarios, when drivers feel unsafe on specific trips, the app often favours the customer without proper investigation, due to the platform algorithm automatically taking the side of the customer, even when the driver is not at fault. Drivers are sometimes blocked from the platform due to low ratings and high cancellation rates. On the other hand, customers are barely blocked from the platform when they are at fault, and in cases where they are deactivated, they can re-enter the platform using different details, which may be detrimental to drivers. As is evident in this report, platforms are not doing enough to mitigate the daily risks their workers experience.

PLATFORM DRIVERS IN NIGERIA HAVE BEEN CALLING FOR THE VERIFICATION OF RIDERS THROUGH THE NATIONAL IDENTIFICATION NUMBER (NIN) OR BANK VERIFICATION NUMBER (BVN) TO HELP REDUCE THE RISK OF CRIMINALS ACCESSING DIGITAL LABOUR PLATFORMS.

Platform drivers in Nigeria have been calling for the verification of riders through the National Identification Number (NIN) or Bank Verification Number (BVN) to help reduce the risk of criminals accessing digital labour platforms.³⁷ However, an underlying causal factor for properly identifying passengers is the porous identification infrastructure in Nigeria. No proper centralised identification system unifies the decentralised identification mediums of the NIN, BVN, SIM registration through Telcos, and others. For example, in 2019, the National Identity Management Commission's (NIMC) Director-General highlighted that only 36 million out of approximately 200 million Nigerians possessed a NIN.³⁸ Further compounding this problem is the poor addressing system. The Nigeria Post and Telecommunications Service (NIPOST) reports that only a fifth of the population can receive mail at home.³⁹

Despite these structural issues in Nigeria, digital labour platforms like Uber still possess the power to rectify this information asymmetry by adopting some best practices from similar contexts. One example of such practice is provided by The Black Ride in Ghana, which has implemented strict rider profiling via the app before any trip begins.⁴⁰ In Ghana, the delivery app Glovo helps mitigate risks by restricting orders from dangerous locations with high crime rates. These best practices are evidence that platforms can improve the quality and working conditions of work in the platform economy. This should begin by recognising collective worker groups and regularly bargaining to improve the working conditions, boost safety measures and prevent unexpected loss of life.

MOVING FORWARD

Pathways of change

This is the first complete year of the Fairwork Nigeria ratings. In 2021 and 2022, the Fairwork Observatory report for Nigeria focussed on ride-hailing platforms only.⁴¹ The low ratings in this report are clear evidence of the work that needs to be done to improve the Nigerian platform economy. As Fairwork's reach and visibility increase, we see four avenues for contributing to the continued improvement of the Nigeria platform economy (see Figure 2).

Platforms

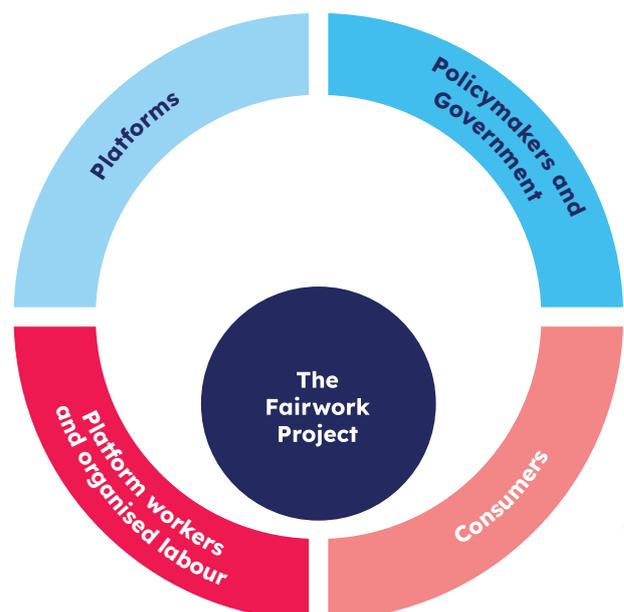
First, in improving the working conditions of digital labour platforms in Nigeria, our first and most direct approach is to engage directly with these platforms, beginning in Lagos, the country's main commercial city. The response from platforms was low in this scoring round, and we engaged successfully with only three of the eight platforms this year—although only one provided evidence within the scoring timeline. As we launch the first annual round of Fairwork ratings for Nigeria, we are optimistic about the potential for increased engagement and collaboration with platforms to drive meaningful change.

Consumers

Secondly, we believe that, given the opportunity to make more informed choices, many consumers will choose the most ethical option when faced with a choice between a poor-scoring platform and a better-scoring one. Through our yearly rating system, consumers can select the highest-scoring platform operating in a sector, which creates pressure on platforms to improve their working conditions and scores. While the scores have generally been low this year, the aim will be to encourage platforms through our engagement and research, leading to better scores and increased consumer

support for platforms in Nigeria. By leveraging consumer solidarity with workers' allies, we aim to advocate for fairer working conditions.

Figure 3: Fairwork's Pathways to Change



Our ratings serve as a reference for institutions and companies that want to ensure they support platforms with fair working conditions. This is also a critical aspect of the Fairwork Pledge, highlighted in the subsequent sections.

Some platforms are already aware of our research and have expressed a willingness to improve their performance following our analysis of worker responses. For instance, two of the three ride-hailing platforms we identified were willing to provide information about their policy changes, and evidence of their positive effects on workers.

Policymakers and Regulators

Thirdly, we work with policymakers and government officials to advocate for appropriate legal protections for all platform workers, regardless of their legal classification. The foremost issue that policymakers should pay attention to is the provision of adequate and meaningful protections for workers irrespective of their employment classification. This should also extend to social protections such as overtime compensation, health insurance, accident insurance, and maternity and paternity benefits. Over the past year, Fairwork has met with members of transport unions, civil servants, and legal practitioners to provide guidance on regulating digital labour platforms in Nigeria.

Policymakers can introduce basic and mandatory social protection benefits that are stipulated in law. In addition, policymakers should ensure that platforms pay workers at least the minimum wage for all their active hours worked, based on implementing policies on pay for platform workers.

Platform Workers and Worker Associations

Fairwork's model places workers and their organisations at the centre of its approach (Figure 3). First, the principles are developed and continuously refined through close consultation with workers and their representatives. Feedback from stakeholder workshops, consultations involving workers, and our fieldwork data inform how we systematically develop the Fairwork principles to remain in line with worker needs.

Second, through continuous engagement with worker representatives and advocates, we aim to support platform workers in asserting their collective rights and the quest for recognition. This ensures that in our evaluation of platforms, we incorporate the perspectives and needs of workers.

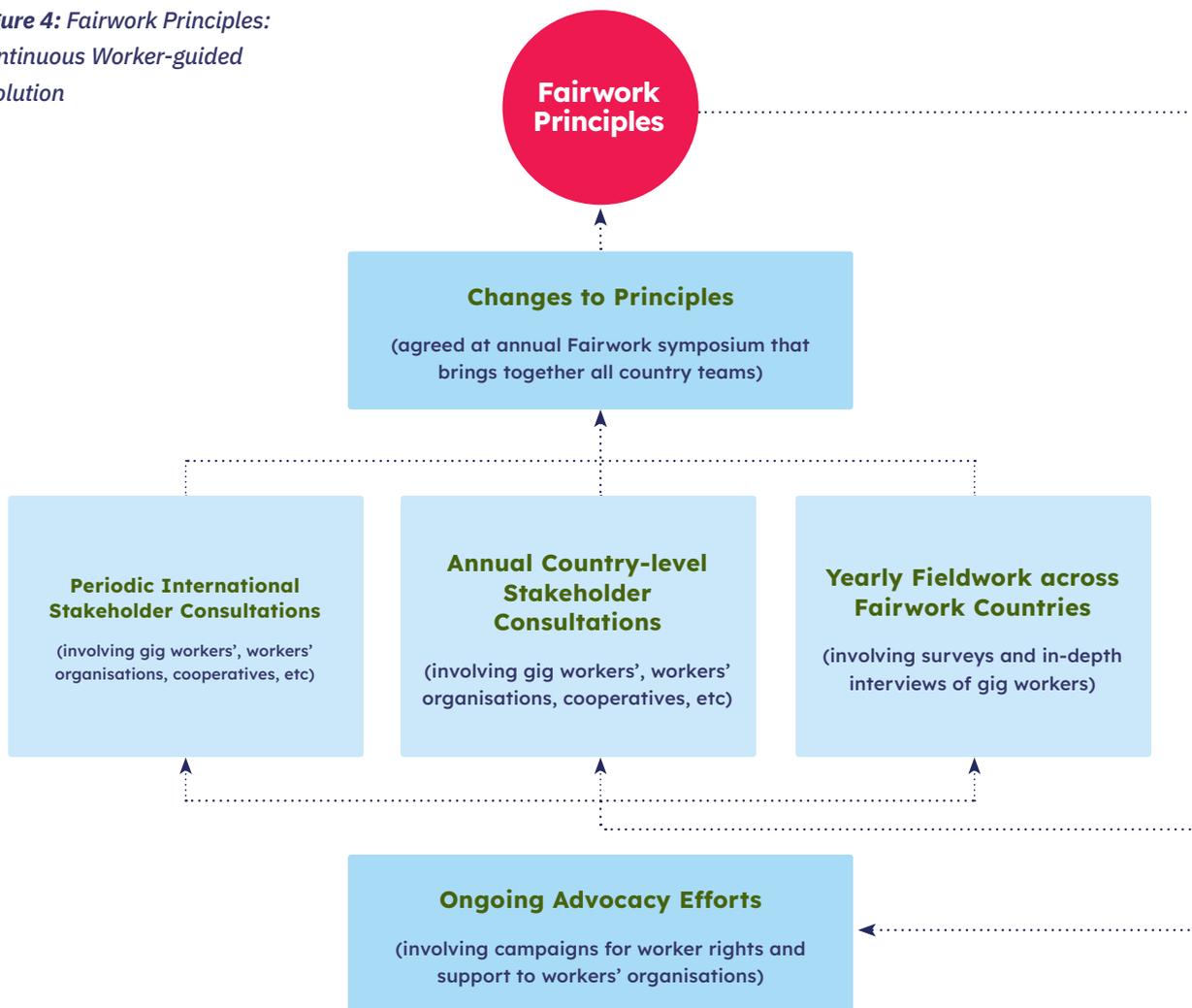
A key challenge in the platform economy is that workers are often isolated, atomised, and placed in competition with one another. Since 2017, it has been a challenge for platform worker associations and other collective groups to form a trade union. Furthermore, regulatory frameworks do not readily support platform workers establishing representative bodies such as trade unions, as they are considered self-employed or independent businesses. As such, the platform work model presents challenges for workers to connect and create solidarity networks. One reason is the technicalities in getting approval from the federal government, especially surrounding a minister's recommendation and government approval. The second challenge is the inability to recognise more than one unit within a particular sector. For example, earlier plans by the National Union of Professional App-based Transport Workers (NUPABW) to form a union were challenged by the regulatory bodies who argued its lack of distinctiveness from the National Union of Road Transport Workers (NURTW) body which has existed since 1978.

In 2023, there was a breakthrough, with the first official trade union for platform workers, known as the Amalgamated Union of App-Based Transport Workers of Nigeria (AUATWON).⁴² The union was formed by well-known associations such as NUPABW, Professional E-hailing Drivers and Private Owners Association of Nigeria (PEDPAN), and the National Coalition of Ride-Sharing Partners (NACORP), which all finally united to achieve one goal of holding all digital labour platforms accountable.

With these associations now coming together to form the AUATWON union, platform workers should be able to develop strategies to lobby regulatory bodies to implement policies that hold platforms to account. While there have not been any immediate public activities, the union is strategically working on initiatives to improve the Nigerian platform economy. One of which is a mentorship programme for new and existing members to develop awareness and boost their solidarity efforts. Our principles can provide a starting point for envisioning a fairer future of work and setting out a pathway to realising that. Principle Five in particular, on the importance of fair representation, is a crucial way in which we aim to support workers to assert their collective agency in Nigeria.

There is nothing inevitable about poor working conditions in the platform economy. Notwithstanding their claims, platforms have substantial control over the nature of the jobs they mediate. Workers who find their jobs through

**Figure 4: Fairwork Principles:
Continuous Worker-guided
Evolution**



platforms are still workers, and there is no basis for denying them the key rights and protections that their counterparts in the formal sector have long enjoyed. Our scores show that the platform economy, as we know it today, already takes many forms, with some platforms displaying greater concern for workers' needs than others. This means that we do not need to accept low pay, poor conditions, inequity, and a lack of agency and voice as the norm. We hope that our work—by highlighting the contours of today's platform economy—paints a picture of what it *could* become.

The Fairwork Pledge

As part of this process of change, we have introduced the Fairwork pledge. This pledge leverages the power of organisations' procurement, investment, and partnership policies to support fairer platform work. Organisations like universities, schools, businesses, and charities who make use of platform labour can make a difference by supporting the best labour practices, guided by our five principles of fair work. Organisations who sign the pledge get to display our badge on company materials.

The pledge constitutes two levels. This first is as an official Fairwork Supporter, which entails publicly showing support for fairer platform work, and making resources available to staff and members to help them in deciding which platforms to engage with. A second level of the pledge entails organisations committing to concrete and meaningful changes in their own practices as official Fairwork Partners, for example by committing to using better-rated platforms where there is a choice.

MORE INFORMATION ON THE PLEDGE, AND HOW TO SIGN UP, IS AVAILABLE AT

FAIR.WORK/PLEDGE



Fairwork Scoring System

Which companies are covered by the Fairwork principles?

The International Labour Organisation (ILO) defines a “digital labour platform” as an enterprise that mediates and facilitates “labour exchange between different users, such as businesses, workers and consumers”.⁴³ That includes digital labour “marketplaces” where “businesses set up the tasks and requirements and the platforms match these to a global pool of workers who can complete the tasks within the specified time”.⁴⁴ Marketplaces that do not facilitate labour exchanges - for example, Airbnb (which matches owners of accommodation with those seeking to rent short term accommodation) and eBay (which matches buyers and sellers of goods) are obviously excluded from the definition. The ‘ILO’s definition of “digital labour platform” is widely accepted and includes many different business models.⁴⁵

Fairwork’s research covers digital labour platforms that fall within this definition that aim to connect individual service providers with consumers of the service through the platform interface. Fairwork’s research does not cover platforms that mediate offers of employment between individuals and employers (whether on a long-term or on a temporary basis).

Fairwork distinguishes between two types of these platforms. The first, is geographically-“tethered” platforms where the work is required to be done in a particular location such as delivering food from a restaurant to an apartment, driving a person from one part of town to another or cleaning. These are often referred to as gig work “platforms”. The second is “cloudwork” platforms where the work can, in theory, be performed from any location via the internet.

The thresholds for meeting each principle are different for location-based and cloudwork platforms because location-based work platforms can be benchmarked against local market factors, risks/harms, and regulations that apply in that country, whereas cloudwork platforms cannot because (by their nature) the work can be performed from

anywhere and so different market factors, risks/harms, and regulations apply depending on where the work is performed.

The platforms covered by Fairwork’s research have different business, revenue and governance models including employment-based, subcontractor, commission-based, franchise, piece-rate, shift-based, subscription models. Some of those models involve the platforms making direct payments to workers (including through sub-contractors).

How does the scoring system work?

The five Principles of Fairwork were developed through an extensive literature review of published research on job quality, stakeholder meetings at UNCTAD and the ILO in Geneva (involving platform operators, policymakers, trade unions, and academics), and in-country meetings with local stakeholders.

Each Fairwork Principle is divided into two *thresholds*. For each Principle, the scoring system allows the first to be awarded corresponding to the first threshold, and an additional second point to be awarded corresponding to the second threshold (see Table 1). The second point under each Principle can only be awarded if the first point for that Principle has been awarded. The thresholds specify the evidence required for a platform to receive a point. Where no verifiable evidence is available that meets the required threshold, the platform is not awarded that point.

Table 1: Fairwork Scoring System

Principles	First point	Second point	Total
 Principle 1: Fair Pay	 Ensures workers earn at least the local minimum wage after costs	 Ensures workers earn at least a local living wage after costs	 2
 Principle 2: Fair Conditions	 Mitigates task-specific risks	 Provides a safety net	 2
 Principle 3: Fair Contracts	 Provides clear and transparent terms and conditions	 Ensures that no unfair contract terms are imposed	 2
 Principle 4: Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	 2
 Principle 5: Fair Representation	 Assures freedom of association and the expression of collective worker voice	 Supports democratic governance	 2

Maximum possible Fairwork Score



Principle 1: Fair Pay

1.1 - Ensures workers earn at least the local minimum wage after costs (one point)

Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance, and maintenance on a vehicle.⁴⁶ Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.⁴⁷ Workers also absorb the costs of extra time commitment, when they spend time waiting or travelling between jobs, or other unpaid activities necessary for their work, which are also considered active hours.⁴⁸ To achieve this point platforms must ensure that work-related costs do not push workers below local minimum wage.

The platform takes appropriate steps to ensure the following:

- Workers earn at least the local minimum wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.⁴⁹

1.2 - Ensures workers earn at least a local living wage after costs (one additional point)

In some places, the minimum wage is not enough to allow workers to afford a basic but decent standard of living. To achieve this point platforms must ensure that work-related costs do not push workers below local living wage.

The platform takes appropriate steps to ensure the following:

- Workers earn at least a local living wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.^{50,51}

Principle 2: Fair Conditions

2.1 - Mitigates task-specific risks (one point)

Platform workers may encounter a number of risks in the course of their work, including accidents and injuries, harmful materials, and crime and violence. To achieve this point platforms must show that they are aware of these risks and take steps to mitigate them.

The platform must satisfy the following:

- There are policies or practices in place that protect workers' health and safety from task-specific risks.⁵²
- Platforms take adequate, responsible and ethical data protection and management measures, laid out in a documented policy.

2.2 - Provides a safety net (one additional point)

Platform workers are vulnerable to the possibility of abruptly losing their income as the result of unexpected or external circumstances, such as sickness or injury. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control. However, platform workers usually don't qualify for protections such as sick pay, because of their independent contractor status. In recognition of the fact that most workers are dependent on income they earn from platform work, platforms can achieve this point by ensuring that workers are compensated for loss of income due to inability to work.

The platform must satisfy BOTH of the following:

- Platforms take meaningful steps to ensure that workers are compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.
- Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.

Principle 3: Fair Contracts

3.1 - Provides clear and transparent terms and conditions (one point)

The terms and conditions governing platform work are not always clear and accessible to workers.⁵³ To achieve this point, the platform must demonstrate that workers are able to understand, agree to, and access the conditions of their work at all times, and that they have legal recourse if the other party breaches those conditions.

The platform must satisfy ALL of the following:

- The party contracting with the worker must be identified in the contract, and subject to the law of the place in which the worker works.

- The contract is communicated in full in clear and comprehensible language that workers could be expected to understand.
- The contract is accessible to workers at all times.
- Every worker is notified of proposed changes in a reasonable timeframe before changes come into effect; and the changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.
- There is a channel for workers to communicate with a human representative of the platform. This channel is documented in a contract and available on the platform interface. Platforms should respond to workers within a reasonable timeframe.
- There is a process for workers to meaningfully appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. This process is documented in a contract and available on the platform interface.⁵⁴

3.2 – Ensures that no unfair contract terms are imposed (one additional point)

In some cases, especially under ‘independent contractor’ classifications, workers carry a disproportionate amount of risk for engaging in a contract with the service user. They may be liable for any damage arising in the course of their work, and they may be prevented by unfair clauses from seeking legal redress for grievances. To achieve this point, platforms must demonstrate that risks and liability of engaging in the work is shared between parties.

Regardless of how the contractual status of the worker is classified, the platform must satisfy BOTH of the following:

- Takes appropriate steps to ensure that the contract does not include clauses which exclude liability for negligence nor unreasonably exempt the service user and/or the platform from liability for working conditions.
- Takes appropriate steps to ensure that the contract does not include clauses which prevent workers from effectively seeking redress for grievances which arise from the working relationship.

Principle 4: Fair Management

4.1 – Provides due process for decisions affecting workers (one point)

Platform workers can experience arbitrary deactivation; being barred from accessing the platform without explanation, and potentially losing their income. Workers may be subject to other penalties or disciplinary decisions without the ability to contact the service user or the platform to challenge or appeal them if they believe they are unfair. To achieve this point, platforms must demonstrate an avenue for workers to meaningfully appeal disciplinary actions.

The platform must satisfy ALL of the following:

- In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.
- Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.

4.2 – Provides equity in the management process (one additional point)

The majority of platforms do not actively discriminate against particular groups of workers. However, they may inadvertently exacerbate already existing inequalities in their design and management. For example, there is a lot of gender segregation between different types of platform work. To achieve this point, platforms must show not only that they have policies against discrimination, but also that they seek to remove barriers for disadvantaged groups, and promote inclusion.

Platforms must satisfy ALL of the following:

- There is a policy which ensures the platform does not discriminate on grounds such as race, social origin, caste, ethnicity, nationality, gender, sex, gender identity and expression, sexual orientation, disability, religion or belief, age or any other status.
- Where persons from a disadvantaged group (such as women) are significantly under-represented among a pool of workers, it seeks to identify and remove barriers to access by persons from that group.
- It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief.
- If algorithms are used to determine access to work or remuneration or the type of work and pay scales available to

workers seeking to use the platform, these are transparent and do not result in inequitable outcomes for workers from historically or currently disadvantaged groups.

- It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.

Principle 5: Fair Representation

5.1 – Assures freedom of association and the expression of worker voice (one point)

Freedom of association is a fundamental right for all workers, and enshrined in the constitution of the International Labour Organisation, and the Universal Declaration of Human Rights. The right for workers to organise, collectively express their wishes – and importantly – be listened to, is an important prerequisite for fair working conditions. However, rates of organisation amongst platform workers remain low. To achieve this point, platforms must ensure that the conditions are in place to encourage the expression of collective worker voice. Whether or not platforms set the terms on which workers are retained by service users, platforms must demonstrate that they have taken appropriate steps to ensure that workers are informed of their rights (and have mechanisms in place to help protect those rights) and that workers are directed to appropriate collective bodies or trade unions.

Platforms must satisfy ALL of the following:

- There is a documented mechanism for the expression of collective worker voice.
- There is a formal policy of willingness to recognise, or bargain with, a collective body of workers or trade union, that is clearly communicated to all workers.⁵⁵
- Freedom of association is not inhibited, and workers are not disadvantaged in any way for communicating their concerns, wishes and demands to the platform.⁵⁶

5.2 – Supports democratic governance (one additional point)

While rates of organisation remain low, platform workers' associations are emerging in many sectors and countries. We are also seeing a growing number of cooperative worker-owned platforms. To realise fair representation, workers must have a say in the conditions of their work. This could be through a democratically governed cooperative model, a formally recognised union, or the ability to undertake

collective bargaining with the platform.

The platform must satisfy at least ONE of the following:

1. Workers play a meaningful role in governing it.
2. It publicly and formally recognises an independent collective body of workers, an elected works council, or trade union.
3. It seeks to implement meaningful mechanisms for collective representation or bargaining.

These conditions should apply whether or not platforms set the terms on which workers are retained by service users.

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45 Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.

46 Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.

47 The ILO defines minimum wage as the “minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract.” Minimum wage laws protect workers from unduly low pay and help them attain a minimum standard of living. The ILO’s Minimum Wage Fixing Convention, 1970 C135 sets the conditions and requirements of establishing minimum wages and calls upon all ratifying countries to act in accordance. Minimum wage laws exist in more than 90 per cent of the ILO member states.

48 In addition to direct working hours where workers are completing tasks, workers also spend time performing unpaid activities necessary for their work, such as waiting for delivery orders at restaurants and travelling between jobs. These indirect working hours are also considered part of active hours as workers are giving this time to the platform. Thus, ‘active hours’ are defined as including both direct and indirect working hours.

49 In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local minimum wage after costs in their active hours; or (b) provide summary statistics of transaction and cost.

50 Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition’s Anker Methodology to estimate one.

51 In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local living wage after costs in their active hours; or (b) provide summary statistics of transaction and cost data evidencing all workers earn a minimum wage after costs.

52 Where the platform directly engages the worker, the starting point is the ILO’s Occupational Safety and Health Convention, 1981 (C155). This stipulates that employers shall be required “so far as is reasonably

practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health”, and that “where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health.”

53 The ILO’s Maritime Labour Convention, 2006 (MLC 2006), Reg. 2.1, and the Domestic Workers Convention, 2011 (C189), Articles 7 and 15, serve as helpful guiding examples of adequate provisions in workers’ terms and conditions, as well as worker access to those terms and conditions.

54 Workers should have the option of escalating grievances that have not been satisfactorily addressed and, in the case of automated decisions, should have the option of escalating it for human mediation.

55 For example, “[the platform] will support any effort by its workers to collectively organise or form a trade union. Collective bargaining through trade unions can often bring about more favourable working conditions.”

56 See the ILO’s Freedom of Association and Protection of the Right to Organise Convention, 1948 (C087), which stipulates that “workers and employers, without distinction, shall have the right to establish and join organisations of their own choosing without previous authorisation” (Article 2); “the public authorities shall refrain from any interference which would restrict the right or impede the lawful exercise thereof” (Article 3) and that “workers’ and employers’ organisations shall not be liable to be dissolved or suspended by administrative authority” (Article 4). Similarly the ILO’s Right to Organise and Collective Bargaining Convention, 1949 (C098) protects the workers against acts of anti-union discrimination in respect of their employment, explaining that not joining a union or relinquishing trade union membership cannot be made a condition of employment or cause for dismissal. Out of the 185 ILO member states, currently 155 ratified C087 and 167 ratified C098.

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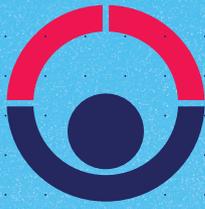
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