

Joint civil society declaration on the proposed Convention and Recommendation on Decent Work in the Platform Economy at the International Labor Conference

21 May 2026

The undersigned civil society organisations, non-governmental organisations and unions continue to support the efforts of the International Labour Organisation (ILO) to adopt a Convention supplemented by a Recommendation concerning decent work in the platform economy.¹

Our collective work demonstrates that platform work has weakened workers' rights and protections, illustrating the urgent need to address the challenges brought about by algorithmic management of workers and other features of the platform economy. The adoption of an international instrument would support ongoing efforts to ensure that the rights of all workers in the platform economy are protected, respected and promoted.

A Convention supplemented by a Recommendation must be adopted to ensure existing international labour standards, protections and rights apply to all platform workers, irrespective of their employment status and irrespective of whether they are engaged through third-party intermediaries, and address the new threats and gaps created by the platform economy.

We note with concern that the latest draft presented by the ILO ("the Blue Report") weakens several key protections contained in earlier drafts and risks excluding many platform worker from labour and social protections.²

Ahead of the forthcoming final negotiations and discussions leading up to and during the 2026 International Labour Conference, we strongly encourage representatives of Member States, Workers' and Employers' groups to ensure that the text put forward for

¹ Realizing decent work in the platform economy: Draft Convention and Recommendation, Report V(4), published 2 March 2026 and available here: <https://www.ilo.org/sites/default/files/2026-03/ILC114-Report-V%284%29-%5BWORKQ-260102-001%5D-EN.pdf>

² See: <https://privacyinternational.org/sites/default/files/2025-10/Privacy%20International%20-%20Comments%20on%20Draft%20ILO%20Convention%20on%20Platform%20Work%20%28October%202025%29.pdf>; <https://privacyinternational.org/sites/default/files/2025-11/Joint%20Civil%20Society%20Briefing%20on%20Brown%20Paper%20November%202025.pdf>

voting will provide robust protections for all platform workers, and outline clear obligations for Member States and digital platforms, by strengthening the text in relation to:

Employment classification and relationships: We are concerned that the current draft weakens the treatment of the employment relationship, which is central to addressing misclassification in the platform economy. Several provisions risk limiting key protections only to workers formally recognized as being in an employment relationship, which could exclude large numbers of platform workers from meaningful protection. The Convention should include clear criteria and mechanisms to determine the existence of an employment relationship, considering the realities of algorithmic management, including control over pricing, task allocation, performance monitoring and deactivation. We strongly support the inclusion of a rebuttable presumption of employment to prevent the widespread misclassification of workers as independent contractors. The applicability of labour protections such as fair and living wages (*Articles 9-10 of the Convention and Paragraphs 9-11 of the Recommendation*), equal treatment (*Article 22 of the Convention*), access to social protection (*Article 11 of the Convention, and Paragraph 12 of the Recommendation*), should not be contingent on formal classification, but on the substance of the working relationship. (*Article 8 of the Convention, and Paragraph 18 of the Recommendation*)

Health and safety standards: Platforms' organisation and their working conditions are at the root of many health problems (for instance work-related musculoskeletal disorders, injuries, mental health conditions) and workers are also exposed to various occupational risks and dangers. Platform workers should be covered by existing health and safety standards, with platforms required to adopt measures to prevent dangerous working conditions, minimise occupational risks, offer protections against abuse, violence and harassment, and establish reporting mechanisms. All workers regardless of classification of status in employment should benefit from these protections. Furthermore, it is essential that workers and their representatives be informed about and consulted regarding any processes that endanger their occupational safety and health. (*Articles 4-5 of the Convention, and Paragraph 6 of the Recommendation*).

Guarantee of fair and living wages: Workers in the platform economy are struggling to earn a minimum and living wage. They find themselves submitted to earnings fluctuations, arbitrary pay deductions and opaque earning calculations that fail to properly reflect time spent at work and often rely on unpredictable models of dynamic pricing. The standards should ensure the income of all digital platform workers, regardless of classification of employment relationship, meets minimum and fair standards and recognise the particularities of their working conditions, notably by including wait time, which is still not provided for in the draft text. (*Articles 9-10 of the Convention, and Paragraphs 9-11 of the Recommendation*)

Access to social security: We welcome the recognition of the need to provide access to social security for platform workers given that currently in many countries, platform workers remain excluded from social security systems, leaving them without protection in the face of injury, illness, unemployment, or caregiving responsibilities. However, the current draft ties access to social security employment classification (*Article 11 of the Convention, and Paragraph 12 of the Recommendation*) which would leave the majority of workers without meaningful social security guarantees. In line with agreed international standards including ILO Convention No.102, the Convention and Recommendation should provide for all platform workers to be entitled to comprehensive and adequate social security coverage, including gender-responsive measures.

Transparency and explainability for algorithmic decisions: We welcome the aims of Section X on “Impact of automated systems” and the recognition of the need to address the lack of transparency and explainability afforded to workers. This plays a significant role in the current imbalance of power between platforms and workers. However, we would recommend further obligations on platforms to maintain a public register of automated systems deployed, and to provide workers and their representatives with comprehensive information in accessible language about their purpose, design and functioning (including key inputs and parameters, and how human oversight is managed). This information should be provided in advance of employment and be provided in writing in terms and conditions of employment or engagement, i.e. their contract, as well as be updated if it changes during the course of their employment. (*Article 12 of the Convention as well as Articles 17 and 18*). Platforms must also give workers personalised written explanations for decisions that affect them, and provide workers, their representatives and public interest groups with means to test and assess their algorithms (including technological expertise), as well as provide the right to and process to contest and reverse automated decisions (*Article 14 of the Convention*).

Protect workers’ privacy and data: We welcome the recognition of the need to protect platform workers’ privacy and their personal data. We recommend that the Convention ensure a more comprehensive approach to the protection and respect for workers’ privacy that recognises the porous limit between workers’ private life and their work which creates risks of interference and can affect workers’ autonomy and dignity. Furthermore, this provision needs to be strengthened by not relying only on national laws and regulations. This instrument should clearly require the adoption and enforcement of privacy protections, including data protection standards, which meet internationally recognised standards and principles and comply with international human rights law. (*Article 15 of the Convention*)

Meaningful human intervention: We welcome that the Convention and the Recommendation provide for human intervention. However, we would recommend that platforms be required to provide workers and their representatives with information about the human oversight process. (*Article 14(b) of the Convention and Paragraph 13 of the Recommendation*).

Appropriate mechanisms to challenge adverse decisions and ensure access to effective remedies: Algorithmic management can result in unfair decisions that negatively impact workers, including in relation to suspension and deactivation decisions. Therefore, the standards must require accessible, inclusive, effective, and independent mechanisms for platform workers to challenge decisions and place an obligation on platforms to provide effective remedies when unfair treatment has been demonstrated. (*Article 16 and 20 of the Convention*)

Ahead of the expected vote on the Convention and its recommendation, ILO members still have an opportunity to review the proposed text to ensure that landmark new international instruments effectively protect all platform workers from the well-documented risks of working in the platform economy.

We hope that the ILO will seize the unique opportunity it has to reaffirm their commitment to ensuring decent work for all workers.

Signatories:

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Workers' Observatory

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The Transport Workers Union Kenya

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