

Volume 39

issue 2 / 2020

Contracampo e-ISSN 2238-2577 Niterói (RJ), 39 (2) ago/2020-nov/2020

Contracampo – Brazilian Journal of Communication is a quarterly publication of the Graduate Programme in Communication Studies (PPGCOM) at Fluminense Federal University (UFF). It aims to contribute to critical reflection within the field of Media Studies, being a space for dissemination of research and scientific thought.

COLLECTIVE ORGANIZATION OF WORKERS IN PLATFORM CAPITALISM

RENAN BERNARDI KALIL

Member of the "Contemporary Slave Labor" research group at Federal University do Rio de Janeiro (UFRJ) and also a member of the Public Ministry of Labor.

University of São Paulo (USP) – São Paulo, São Paulo, Brazil. E-mail: renankalil@usp.br. ORCID: 0000-0001-7883-8151.

PPG COM Programa de Pés Graduação UFF

TO REFERENCE THIS ARTICLE, PLEASE USE THE FOLLOWING CITATION:

Kalil, R. B. (2020). Collective organization of workers in platform capitalism. Contracampo - Brazilian Journal of Communication, 39 (2).

Submission on: 11 November 2019, Reviewer A: 12/31/2019, Reviewer B: 01/13/2020, Reviewer A: 01/27/2020, Reviewer B: 02/04/2020, Accepted on 8th March 2020

DOI - http://dx.doi.org/10.22409/contracampo.v39i2.38570





Abstract

This article conducts a literature review to analyze and describe the possibilities of organization and collective action of workers in platform capitalism. The characteristics of on-demand work via apps and crowdwork create difficulties for workers to express their voice and to organize mobilizations, negotiations, and strikes. On the one hand, there are collective action initiatives through traditional structures such as trade unions and cooperatives. On the other, a variety of articulations occur through other instruments, such as online forums, social networks, and instant communication channels. This is an exploratory study intended to systematize relevant possibilities to contribute to future research agenda on this subject.

Keywords

Collective organization; Platform capitalism; Workers.



Introduction

The Organization and collective action of workers were fundamental mechanisms to defend their interests, especially since the 19th century. Trade unions had a central role in the formation of employment and labor law, and its action was essential to the recognition of the economic inequality characteristic of the labor relationship and the need to address legal treatment to this issue in favor of workers. The cooperatives allow workers to create an organization to assist each other for economic purposes.

Generally, workers in platform capitalism are rarely considered entitled to labor rights and experience precarious working conditions. Information and communication technology allow access to labor in scale, reduces costs for the time needed to perform the services requested, and facilitates payment of workers for each activity executed. However, companies outsource their activities without leaving the management of its core business, both because of the workers' economic dependence and due to the reputation system, present on a large scale in the platforms. The expansion of this scenario boosts the deregulation of the labor market, lowering the standards of labor protection and making workers' income unpredictable and uncertain (Cherry, 2016, p. 657-663).

The context of little progress regarding working and socioeconomic conditions in platform capitalism suggests that one of the most effective ways to change this picture would be through collective organization and action. However, there are great challenges. Front the point of view of representation and protection of interests, legislation inhibits and discourages union action, establishing solidarity ties between workers who do not perform activities in a shared workplace is complex, there is a dissemination of an individualistic bias of work considering the entrepreneurship narrative and the platforms refuse to address workers' demands from a collective approach. From the point of view of the workers' improvement and economic development, there is no technical and financial support for workers to create cooperatives, the legislation does not meet the demands of workers in digital platforms and there are challenges in working in certain economic sectors in which few platforms dominate the market.

Due to the peculiarities of work on-demand via apps and crowdwork, and the challenges of organizing and acting collectively through trade unions and cooperatives, workers have started to do it in an alternative way, adopting virtual spaces such as online forums, social networks, and instantaneous communication apps.

The objective of this paper is to analyze and describe the status of the collective organization of workers on platforms, considering the impacts caused by new forms of work. It is an exploratory study which aims to systematize relevant possibilities to contribute to a future research agenda on this subject. To reach this goal, we decided to analyze three possibilities: trade unions, cooperatives, and virtual spaces. The first, because they are the most developed form of collective organization for workers to obtain labor rights. The second, for allowing the workers' economic development in a context in which they take control of the economic activity. The third, because they are the direct mechanism that facilitates contact between workers who perform tasks on the platforms and face mentioned challenges.

We adopt the analytical-descriptive method in which we address the main experiences in each of these areas. To do so, we conducted a literature review based on a search in the Dedalus system of the University of São Paulo, the Hollis system of the Harvard University, and the Digital Library of LTr, in the first semester of 2018, looking for the following terms: "workers", "platforms" and "trade unions"; "workers", "platforms" and "cooperatives"; "workers", "platforms" and "online forums".

Also, to follow the development of the collective organization of workers on platforms, we did a weekly reading of the news on the subject in 2019, considering the largest media outlets covering the subject in Brazil, in the United Kingdom (the European country where there are significant efforts in the trade union action of these workers) and California (the US state where there is the greatest progress in



collective labor action).

The paper is divided into two main parts. The first is the characterization of workers on platforms, conceptualizing platform capitalism, and outlining the new forms of work, which are work on-demand via apps and crowdwork. The second is the analysis and description of the organization and collective action of these workers in unions, cooperatives, and virtual spaces. It concludes that collective organization, regardless of its form, is fundamental for workers to raise their voice in the debate on labor regulation in platform capitalism and to express their aspirations.

Workers in platform capitalism

One of the most visible expressions of technological innovations in the digital world is the development of economic activities in which apps or platforms play a central role in enabling them and facilitating exchanges of a diverse range of products and services between people or between people and companies.

Paul Langley and Andrew Leyshon (2016, p. 14-17) state that platforms are characterized as a generic environment capable to connect potential consumers to anything and anyone, from other individuals to multinational companies, where everyone can become a provider of products and services through the Internet. The most important characteristic of the platforms is the logic of intermediation, where coordination problems in market transactions are solved by shortening distances and facilitating contact between supply and demand. The success in promoting intermediation has led platforms to reach different areas of circulation, such as online trading markets, social media, crowdsourcing, and crowdfunding.

Despite the platforms being disclosed as open, neutral, egalitarian and progressive instruments, Paul Langley and Andrew Leyshon (2016, p. 19-26) point out characteristics in the opposite direction, not just being channels through which there is economic circulation. The authors state that using algorithms (which process relations between data), protocols (which script interactions) and configuring interfaces (through statistics and metadata), platforms induce, produce and program circulation in the digital economy. This whole scenario is part of a process of capitalization and valuation, encouraging the participation platform users, which generate data and information that are part of the platform's infrastructure to enhance the economic revenues of companies.

Nick Srnicek (2017, p. 4-6) defines the new stage of the economy as platform capitalism. The author states that in the digital economy, businesses involving the use of information technology, data, and Internet stand out. It is a transversal sector, with application in several areas, such as industry, services, mining, and telecommunications, becoming essential to the whole economy. Its importance lies in three aspects: (i) it is the most dynamic sector of the modern economy; (ii) it is becoming systematically relevant as it expands its spaces as an infrastructure that enables economic development; (iii) due to its dynamism, it presents itself as an ideal and broadly legitimizes capitalism. The digital economy is becoming a hegemonic model, influencing strongly how cities, businesses, working conditions, and governments are shaped.

Data is one of the main raw materials of capitalism in the 21st century. The platform is the instrument used to organize business in a way that allows the monopolization of this data and, consequently, its extraction, analysis, and use. Technological innovations in the 21st century have made data registration cheaper, simpler, and possible to occur in large quantities. In this sense, new sectors emerge to extract this data and use it to optimize the production process, access consumer preferences, control workers, offer new goods and services, and sell products to advertisers. In this way, the use of data becomes a central resource for the business and performs several functions, such as training and improvement of algorithms, coordination of worker outsourcing and the feasibility of optimization and production process (Srnicek,



2017, p. 39-42).

Platform capitalism is the enhancement of concomitant movements that began in the 1970s: lean production, just-in-time supply chains, and outsourcing. Digital technologies allow platforms to emerge as instruments to lead and control sectors of the economy, having prominence before manufacturing, logistics, and design, since they provide the means for the development of companies. The way businesses operate in this context favors the concentration of ownership, where the largest platforms create large infrastructures and spend significant amounts of money on the purchase of other companies and on the investment to expand their capacities. Platforms are becoming the owners of society's infrastructure, where there are strong tendencies to monopolize economic sectors (Srnicek, 2017, p. 90-92).

The new information and communication technologies, which boost platform capitalism, shape and give new outlines to labor relations. These instruments quantitatively enhance the activities performed by workers, which are demanded at any time and in any place. Work becomes more central and intense in people's daily lives, in a context in which workers on precarious contracts must stay online for a long time to have access to the tasks offered on the platforms, among other situations where technology changes the dynamics of labor relations in which the internet is an essential element (Frayssé & O'Neil, 2015, p. 3-4).

The perspectives on how information and communication technology influences labor relations vary according to the criteria used by researchers. There are a variety of classifications that organize these forms of work. Certain scholars take into account only the works developed in the virtual space, while others also analyze platforms where the activities occur in the virtual and real workplaces (Cherry, 2016, p. 599; Codagnone, Abadi & Biagi, 2016, p. 5; Scholz, 2017, p. 15-94).

Valerio De Stefano (2016, p. 473-475) states that work on-demand via apps and crowdwork are the dimensions of work in platform capitalism. The core of work on-demand via apps is the labor relation in which the platform matches labor supply and demand through software for the execution of an activity nearby or in the place where the service requester is physically based. As a rule, the app, a software that coordinates the processing of information and data for its users, is used mainly in mobile phones and is not the main instrument for performing the activity.

Crowdwork is a form of work performed remotely on digital platforms, generally used by companies whose business model is linked to the Internet and who need access to a multitude of workers on a global scale at specific and sporadic moments (De Stefano, 2016, p. 473-474). It is adopted in the context of crowdsourcing of commercial activities, an expression created by Jeff Howe (2006) to explain new Internet-related business models that were emerging in the second half of the 2000s. According to the author, "crowdsourcing represents the act of a company or institution taking a function once performed by employees and outsourcing it to an undefined (and generally large) network of people in the form of an open call".

Valerio De Stefano (2016, p. 473-475) points out significant differences between the two. The most relevant refers to how activities are performed. In the crowdwork, tasks are performed online, allowing them to run anywhere in the world. In the work on demand via apps, only the combination of supply and demand of the workforce occurs online, while activities performed locally. Yet even these categories are not cohesive or homogeneous. In crowdwork, platforms have different ways of distributing tasks, setting the price of tasks, paying workers, and the nature and complexity of activities can vary considerably. In work on-demand via apps, the main distinction occurs between platforms that offer a diverse range of services from those that specialized in only one activity.

Despite these differences, the author states that there are characteristics in common between these forms of work that suggest we should analyze them together. First, both are made possible by the use of information and communication technology and use the Internet to match labor supply and demand quickly. They enable to reduce transaction costs and market friction. The speed of the combination of



supply and demand of the workforce and the spread of platforms and applications among workers allows contractors to have large groups of people at their disposal to perform activities instantly. In other words, companies that adopt these forms of work share the premises of a business model. Finally, the scale access to labor indicates that these platforms open space for discussing the borders of companies, redefining the concept of employer, and re-analyzing the notion of hierarchy, in the context of enhancing and maximizing outsourcing and fragmentation of work (De Stefano, 2016, p. 475-476).

We adopt the classification proposed by Valerio De Stefano. We reaffirm his arguments that justify the categorization of new forms of work from the use of information and communication technology to work on-demand via apps and crowdwork. Furthermore, we highlight the centrality that platforms have in both forms of work, being the infrastructure that allows the development of both and provides the agglutination of all the common characteristics described by the author.

Work on demand via apps and crowdwork are used to perform activities in several sectors: marketing and logo content development, translation, administrative support, customer service, creative and design tasks, software development, website creation, household tasks, product delivery, object classification, audio transcriptions, content review, text editing, survey response, website comments, image identification, raw data analysis, cleaning, transportation, among others (Codagnone, Abadi & Biagi, 2016).

Collective organization and action of workers

The collective organization and action of workers in platform capitalism are difficult to implement. First of all, workers are classified as independent contractors by companies which makes it difficult for them to recognize their identity as workers, to understand that they experience the same working conditions, and to overcome the individualization of work and looking at others as competitors. The absence of sharing the same workplace contributes to the isolation of workers and challenges building solidarity between them. Moreover, the attachment of the worker to the self-employed poses obstacles in recognizing the company as responsible for working conditions (Moda, 2019).

Another aspect that hinders collective action is the heterogeneity of workers profile because some who are economically dependent on work to obtain income to survive and there are others who perform these activities as an additional source of income (Moda, 2019).

Ruth Berins Collier, Veena Dubal and Christopher Carter (2017, p. 15-17) identify two forms of protests in their analysis of the Uber drivers' movements in the United States. The first is the street demonstration, where workers close avenues or streets to express their dissatisfactions and demand improvements. The second is the attempt to coordinate the disconnection of the app by a large number of workers at times of high demand. These protests usually are organized because of unilateral changes promoted by the platform and which workers perceived as harmful, such as the reduction in the price of the fare. Most of the action taken so far has not brought positive results, due to the difficulty in gathering a significant number of drivers, in spreading information about the protests and in convincing workers to participate.

However, there are workers' initiatives that have succeeded in promoting collective action, especially to defend legislative measures or to question unilateral changes promoted by platforms that have worsened their working conditions. In August 2019, app drivers in California organized demonstrations to pressure senators and manifest support for the AB5 bill, which expanded the possibility of classifying workers as employees. (Epstein, 2019). In the following month, the governor signed the bill and it is expected that employment law will be applied to drivers (Myers, Bhuiyan & Roosevelt, 2019). In September 2019, Deliveroo cyclists were able to promote strikes in 16 cities in the United Kingdom as a result of workers' dismissal, fare reductions, and changes in the rules for receiving work (Cant, 2019).



Natália das Chagas Moura and Márcio Toledo Gonçalves (2017, p. 309-311) point out to the promotion of union actions by Uber drivers in the United States, India, and France and question the fact that Brazil is one of the platform's largest markets but has no initiatives to unionize workers. The hypothesis mentioned, considering interviews with workers and reports presented in newspapers, is that the fear of retaliation by Uber drives the workers away from the union organizations.

In 2019, there were two major demonstrations of workers on demand via apps in São Paulo. In May, joining the movement started in the United States that spread to several countries, including Brazil, Uber drivers organized a strike on the day the company went public on the New York Stock Exchange to demand improvements in working conditions. The Brazilian demonstration focused attention on the fare price and improvements in driver safety (Oliveira, 2019; Moda & Gonçalves, 2019). In September, a public hearing was held in the Legislative Assembly of the State of São Paulo in order to debate driver safety as a result of the May demonstrations. On that occasion, workers presented 13 proposals and politicians, company representatives and members of public institutions also have joined the event (Moda, 2019).

Trade unions

Trade unions promote the collective organization of workers having two main objectives: representation and negotiation. Workers in platform capitalism who opt to form a trade union will have an entity to voice their concerns and needs in shaping the new forms of work in the labor market, to address their demands before other social actors and to negotiate their working conditions and other issues they consider important with the platforms and public authorities.

In 2019 the International Labor Organization launched the "Working for a Brighter Future" report. Increase investment in labor institutions is one of the axes to implement the social contract and have a human-centered agenda. As one of the measures suggested, the report highlighted revitalizing collective representation. The document points out that workers should institute innovative organizing techniques, use digital technology to reach their basis of representation and to design more effective strategies of action (International Labor Organization, 2019).

Hannah Johnston and Chris Land-Kazlauskas state that the unions that organize workers in platform capitalism around the world adopt five main strategies. The first is legal, which opts for judicial litigation to force companies to classify their workers as employees or within intermediate categories in the countries that adopt them into their legal systems. The second is working together with other associations, such as guilds. These entities existed in Europe before the Industrial Revolution and reappeared in some North Atlantic countries with the advance of atypical work. In New York, the Independent Drivers Guild, which is affiliated to the International Association of Machinists and Aerospace Workers, represents 50,000 taxi and platform drivers and has established a channel for dialogue with the local management of Uber (Johnston & Land-Kazlauskas, 2018, p. 5-7).

The third involves pushing for new legislation to improve working conditions, as happened in Seattle, USA, with the passing of a law authorizing transportation platform drivers to organize and negotiate collectively. The fourth is the traditional trade union movement recognition of the need to support the organization of atypical and underrepresented workers and to change the standard model of trade union action, which is based on the standard full-time contract. Finally, the fifth is the creation of trade unions with a focus on representing workers on atypical contracts, such as those of platform capitalism, following the Independent Workers Union of Great Britain example, an organization that works intensively with Uber drivers and Deliveroo deliverers (Johnston & Land-Kazlauskas, 2018, p. 7-12).

Valerio De Stefano, Antonio Aloisi and Six Silberman (2018) explain that the existing trade unions should support the emergence of new organizations that are willing to work only with the platform capitalism workers. The authors affirm that the attempt to impose an external agenda for this group tends



to fragment the union organization, which is negative because it weakens representation from a broader point of view and does not allow for the transmission of experiences acquired with practical knowledge. One of the examples pointed out to illustrate cases where the traditional trade union movement can support these new organizations through the dissemination of information on how to use the instruments on codetermination rights, information and consultation when companies outsource part of their activities using the crowdwork (De Stefano, 2016, p. 502).

There are some initiatives in Brazil to create trade unions to organize platform drivers, as noted in São Paulo (Intercity Ground Transport Applications Workers Union of the State of São Paulo), in Pernambuco (Individual Passenger Private Transportation Drivers via Applications Union), in the Federal District (Autonomous Individual Transportation Drivers via Applications Union), and in Rio de Janeiro (Individual Ground Transportation of Passengers via Applications Drivers' Union of Rio de Janeiro).

Regarding collective bargaining, Hannah Johnston and Chris Land-Kazlauskas (2018, p. 23-24) state that the challenges posed for its development occur because platform capitalism is at an incipient stage, the number of workers is not yet expressive, some platforms offer resistance to dialogue on a collective basis, the collective regulation of working conditions for self-employed workers implies violation of antitrust legislation in some countries and the labor relation is triangular, which could make it complex to assign responsibilities.

Despite these obstacles, Valerio De Stefano (2018, p. 21-24) affirms that collective bargaining has the potential to play a functional role in platform capitalism, especially in three levels: (i) the qualification of workers, providing long-term training reduce the difficulties in the introduction of new machines in companies to keep employees professionally updated; (ii) the regulation of the adoption of new technologies in the workplace, such as artificial intelligence, big data and electronic monitoring of workers' performance, focusing on the fence of information collection that goes beyond the boundaries of the labor relation; (iii) the adaptation of working conditions, since collective bargaining is the quickest and most flexible way to respond to changes that occur in the world of work since it does not await legislative measures that may take time to be approved and the solutions are established by the parties directly involved. For this reason, the author advocates "negotiating the algorithm" as a manner to promote social dialogue and to benefit workers and employers considering the positive aspects that technology can provide.

There are examples of collective bargaining established to protect workers in platform capitalism. In 2017, a Swedish transport platform called Bzzzt joined an industry-wide collective bargaining agreement settled by the Swedish Transport Workers' Union that regulates the drivers' employment contract. The platform workers enjoyed the same conditions as the taxi drivers (Johnston & Land-Kazlauskas, 2018, p. 30).

In 2018, the United Federation of Danish Workers established a collective agreement with the Hilfr. dk, a domestic service platform. The workers who joined the platform were considered as independent contractors. However, those who work more than 100 hours within a year will automatically be reclassified as employees and will receive all labor rights provided for by legislation and the collective agreement. If a worker wants to remain as an independent contractor, he/she has to explicitly show his/her will to the platform. While an independent contractor receives approximately 15.50 euros per hour, an employee receives 19 euros per hour, holiday pay, paid sick leave, and has to receive a notification and a reasonable justification whether the platform decides to exclude him/her from the application. Also, the collective agreement provides data protection, where the platform must have the express consent of employees to disclose their information and it is possible to request the removal of false and offensive content related to the employees (Hale, 2018; De Stefano, 2018).

Hannah Johnston and Chris Land-Kazlauskas (2018, p. 30) point out that the model of collective labor relations in Sweden - and I also add the Danish model - with strong social partners, a high level



of unionization, collective coverage of employment contracts, and a long-term commitment to social dialogue contributes to innovative initiatives in collective bargaining in both countries.

Trade unions are developing initiatives to use algorithms to improve their representation and negotiation activities. By cross-referencing information received from workers, how companies have acted in the past, and data on the labor market, the algorithms can help trade unions elect the best strategies for action. For instance, by identifying the accurate moment that a company achieves positive economic performance, trade unions might be able to start mobilizations to negotiate collective agreements in better terms. On the other hand, by identifying in advance companies with negative economic performance, trade unions could be able to predict the jobs that will be most affected and thus act to minimize losses to workers (Maxwell, 2018).

Finally, there are not many examples of collective organization regulation in platform capitalism. Although the Seattle case is repeatedly mentioned, the Judiciary suspended the application of the law in May 2018, which made it impossible for drivers to organize and to create a trade union in the city (Wheeler, 2018). In 2016, France modified its Labor Code and provided the right to organize workers' unions on platforms (art. L7342-6) and established that the coordination of collective actions to defend their workers' interests does not imply contractual responsibility or reason for exclusion from the platform or the application of penalties (art. L7342-5).

In June 2019, the International Labor Conference adopted the "ILO Centenary Declaration for the Future of Labor" (International Labour Organization, 2019). The document stated that the transformative and profound changes in the world of work must be taken into account and, for the development of its human-centered approach to the future of labor, the ILO must direct its efforts to promote workers' rights, with an emphasis on freedom of association and collective bargaining (item II. A, vi). Also, it has established that effective cooperation in the workplace must respect collective bargaining and do not undermine the role of trade unions (item II, C).

Platform cooperativism

The creation of cooperatives to organize economic activities in platform capitalism is pointed out as a way to overcome the debate on the classification of workers as employees or self-employed and to place them as main actors in creating a company whose main objective would be to promote the economic development of its members.

Hannah Johnston and Chris Land-Kazlauskas (2018, p. 18) state that cooperatives give workers a voice and control as owners and operators of these organizations. Two models that have been adopted in platform capitalism: cooperatives created to share resources and improve access to services and benefits, closer to a services cooperative, and platform cooperativism, where workers constitute companies to operate in the marketplace, resembling a labor cooperative.

Service cooperatives are created to provide better working and living conditions for workers, usually hired as self-employed by the platforms. The authors point, as an example, the Belgian cooperative that operates throughout Europe, SMart. Initially created to assist artists, the organization accepts the affiliation of platform workers and has negotiated with the Deliveroo delivery platform the content of the terms and conditions of use and the payment of a base salary (pro-rated to the number of hours worked) equal to the Belgian minimum wage (Johnston & Land-Kazlauskas, 2018, p. 18).

Regarding platform cooperativism, Trebor Scholz (2017, p. 174-175) is one of the precursors of the idea. According to the author, the concept is divided into three parts. First, it is a question of changing the focus of platform capitalism, keeping the emphasis on technology in economic development, but using it in a model of distinct property model and linked to democratic values. The second address solidarity, in which platforms are owned and managed by groups of people connected for the objective of working for



the common good of the organization's members. The third relates to the restructuring of the notions of innovation and efficiency, which should not be used to benefit a few entrepreneurs who make high profits, but all the workers who contribute to the platform.

Trebor Scholz (2017, p. 175-179) proposes a typology for platform cooperatives based on concrete experiences and ideas for the development of these organizations, warning that this is not an exhaustive list or that it disregards the potential emergence of these organizations in other sectors. The author identifies: (i) cooperatives that own on-demand labor intermediation platforms via applications and online markets, such as Fairmondo from Germany, which places itself as an alternative to Amazon, and Coopify from New York, which acts to place low-income workers on the digital market, eliminating intermediaries and offering support, such as reference systems for work and tax returns; (ii) cooperatives owning platforms controlled by cities, such as Allbnb's proposal, which would operate in the same way as Airbnb, but would distribute the dividend of its profits to the residents of the city in which it operates; (iii) platform cooperatives of "produsuaries", where producers of artistic content, such as films and photographs, would be owners of their own platforms to disseminate and commercialize their creations with other artists and admirers of these works, such as Stocksy, which operates in the photography sector; (iv) platform cooperatives supported by trade unions, such as Union Taxi, created with the support of the local CWA 7777 in the city of Denver, USA; (v) cooperatives as a result of antitrust legislation, where workers would create a platform from the infrastructure of an existing one; (vi) platform as a protocol, where the business model is based on facilitating decentralized trade, as is the case with La Zooz, a ride sharing app from Israel that operates in this way.

Trebor Scholz (2017, p. 180-183) also highlights ten principles of platform cooperativism, developed aiming to make workers committed to the values of this form of organization. The principles are: (i) ownership, which should be shared among cooperative members, by distributing the results obtained by the platform for those who contribute most to its development; (ii) decent payment and income security, guaranteeing minimum levels to cooperative members; (iii) transparency and portability of information and data, both for workers and consumers; (iv) appreciation and recognition, where there is a direct channel of communication between consumers and workers and there is a need to present justifications when some of the rules are not fulfilled, such as punctuality in payment; (v) codetermined work, in which the involvement of workers must occur from the conception of the platform; (vi) protective legal structure, removing all existing barriers in the legislation for the emergence and consolidation of cooperatives; (viii) portable labor benefits and protection, in which changing jobs does not affect workers' rights; (viii) protection against arbitrary behaviors, such as automatic exclusion from the platform; (ix) rejection of excessive surveillance in the workplace, as a way to preserve workers dignity and privacy; and (x) the right to disconnection, in which breaks and rests of cooperative members are respected.

Yochai Benkler (2016, p. 91-94) recognizes that cooperativism has not played a transformative role since its emergence in the 19th century. However, it identifies a favorable conjuncture and four factors that benefit the development of platform cooperativism. The first is disruption, where the incipience of platform capitalism allows the emergence of companies with the potential to impact and redefine market parameters. The second is the existence of a moment that favors cooperation, such as the dissemination of free and open software, the construction of Wikipedia, and citizen journalism, with people engaging in non-profit activities. The third is the experiences that collaborative production based on common resources can offer for the organization of platform cooperatives. Finally, operating through networks can put the economic activity developed by platforms at an advantage over traditional companies.

Despite the favorable scenario for the emergence of platform cooperativism, the author is cautious (2016, p. 95):



At no time in the two centuries since cooperativism first appeared as a conscious alternative model to modern organization of production has it been more feasible. That is feasible, however, does not make it inevitable. As a movement, cooperativism will only succeed by moving fast and decisively, learning from the near past, and sharing our experiments and knowledge quickly and repeatedly in a network of cooperatives.

Virtual spaces

The use of virtual spaces to enable the approximation and exchange of information between platform workers can be an alternative to traditional forms of collective organization of workers, such as trade unions and cooperatives. It is a convenient way for workers who spend most of their days connected to the Internet and do not perform their activities in the same physical space as other co-workers.

Online forums are very widespread among workers on demand via apps and crowdworkers. Regarding the first group, when analyzing the behavior of Uber drivers who use online forums, Alex Rosenblat and Luke Stark outlined the following profile of users: they have difficulties finding information or operating certain application functionality; they have greater tendencies to express their opinions in public spaces; most of their income comes from the platform and they have a greater on their platform work (Rosenblat & Stark, 2016, p. 3706).

Also, on-demand workers via apps also frequently use social networks to exchange information about changes promoted by the platform, places where there is greater demand for services, best practices to obtain more profitable results, marketing of products that help in the execution of tasks and problems they have faced with customers.

In Brazil, workers started to use platforms to organize themselves. The mobilization of application drivers in 2019 for the May strike and the September public hearing involved face-to-face meetings, but most of the articulation happened through groups on WhatsApp and Facebook, and videos on YouTube. These tools enabled to articulate workers who, due to the characteristics of the work, become atomized and find it difficult to interact in the traditional ways of trade union action (Moda, 2019).

Regarding crowdworkers, it is possible to point out that online forums are the main mechanism for communication and mobilization among workers. The most famous is the Turkopticon, developed by Lilly Irani and Six Silberman (2016, p. 525-529), which is focused on Amazon Mechanical Turk and consists of a database application and a browser extension. The first allows workers to evaluate service requesters, which gains importance as certain platforms, such as AMT, do not provide this functionality in their system. The browser extension allows information to be added to the requesters' assessments and then placed on the discussion list of workers participating in the forum. The service requesters are evaluated in 4 aspects: communicability, generosity, honesty, and agility, on a scale from 0 to 5. In January 2016 there were approximately 56,000 users registered on Turkopticon and since its launch in early 2009, more than 290,000 evaluations have been concluded.

The greatest merit of Turkopticon is to reduce the power asymmetry that exists between the platform and its customers and workers, as it makes room for the exchange of information about service requesters in a scenario in which there is no such possibility in AMT. In this way, workers gather more elements to decide whether or not to execute a certain activity available on Amazon Mechanical Turk (Silberman & Irani, 2016, p. 539).

Alex Felstiner (2011, p. 160) identifies these online organization initiatives, such as Turkopticon, in a positive way, because they can be an embryo for the future constitution of an organization, such as a trade union or an association, that defends the interests of the workers, fight for benefits that are reverted to all members, disseminates information on workers' rights and is a center for coordination and collective action strategy.



Final considerations

The creation of a legal branch to address labor relations and the emergence of special legislation that recognized the particular situation of workers in the employment contract and established specific rights is the result of the efforts of workers' organization and collective action. Advances that certain groups obtained from mobilizations, negotiations, and strikes were later disseminated and extended to all workers. In this sense, it can be pointed out that Labor Law is previous and was fundamental for the development of Employment Law.

A significant part of the existing debate on the parameters of protection that should be recognized in platform capitalism is centered on the classification of workers as employees or self-employed, given that models of labor protection depend on the recognition of employment relation. This is an important topic, especially because it is the main and often the only manner of offering some level of protection to workers.

However, workers directly interested in this discussion must become active actors of this process. The organization and collective action of platform workers are essential tools for their demands to be taken into account on the public debate, and to be recognized, both through collective bargaining with the platforms and through legislative innovations.

Furthermore, the discussion on the legal framework for workers is insufficient. Labor and Employment Law were not designed based on the model of labor relations that prevails in platform capitalism and several central aspects in the development of labor activities lacks proper regulation. As an illustration, the case of evaluation systems, which generally play an important role in workers' ability to obtain work and whose rules are set unilaterally by companies in a scenario where there is no legal parameter on the subject.

Therefore, workers' participation in platform capitalism must be enabled collectively, either through trade unions, cooperatives, associations, or other organizational forms that they consider more appropriate. Ensuring the expression of the voice of the most important actors in this discussion is essential to go beyond legal technicalities and take into account the wishes and the need of those who currently have no social protection.

References

Benkler, Y. (2016). The realism of cooperativism. In Scholz, T. & Schneider, N. (Eds.). *Ours to hack and to own: The rise of platform cooperativism, a new vision for the future of work and a fairer internet* (91-95). New York: OR Books.

Cant, C. (2019). Deliveroo workers launch new strike wave. Notes from below. Retrieved from: https://notesfrombelow.org/article/deliveroo-workers-launch-new-strike-wave.

Cherry, M. (2016). Beyond Misclassification: The Digital Transformation of Work. *Comparative Labor Law & Policy Journal*, *37* (3), 577-602.

Codagnone, C., Abadie & F., Biagi, F. (2016). The future of work in the sharing economy: Market efficiency and equitable opportunities or unfair precarization? *JCR Science for policy report*. Seville: Institute for Prospective Technological Studies.

De Stefano, V. (2018). "Negotiating the algorithm": automation, artificial intelligence and labour protection. Geneva: International Labor Organization.

De Stefano, V. (2018). Collective bargaining of platform workers: domestic work leads the way. *Regulating for globalization*, Retrieved from: http://regulatingforglobalization.com/2018/12/10/collective-bargaining-of-platform-workers-domestic-work-leads-the-way.



De Stefano, V. (2016) The rise of the "just-in-time workforce": on-demand work, crowdwork, and labor protection in the "gig-economy". *Comparative Labor Law & Policy Journal*, *37* (3), 471-503.

De Stefano, V., Aloisi, A & Silberman, S. (2018). A manifesto to reform the gig economy. *Pagina 99*. Retrieved from: http://www.pagina99.it/2017/05/29/a-manifesto-to-reform-the-gig-economy.

Epstein, G. (2019). Hundreds of Uber and Lyft drivers to launch a protest caravan across California. *Tech Crunch*. Retrieved from: https://techcrunch.com/2019/08/22/hundreds-of-uber-and-lyft-drivers-to-launch-a-protest-caravan-across-california.

Felstiner, A. (2011). Working the Crowd: Employment and Labor Law in the Crowdsourcing Industry. *Berkeley Journal of Employment and Labor Law, 32* (1), 143-203.

Frayssé, O. & O'Neil, M. (2015). Hacked in the USA: Prosumption and digital labor. In Frayssé, O. & O'Neil, M. (Eds.). *Digital labor and prosumer capitalism: The US matrix*. New York: Palgrave and Macmillan.

Hale, J. (2018). In Demanrk, a historic collective agreement is turning the "bogus self-employed" into "workers with rights". *Equal Times*. Retrieved from: https://www.equaltimes.org/in-denmark-a-historic-collective?lang=en#.W-2SBehKiM8.

Howe, J. (2006). The rise of crowdsourcing. *Wired*. Retrieved from: https://www.wired.com/2006/06/crowds. Accessed 6 June 2017.

International Labor Organization. (2019). ILO century declaration for the future of work. *108th Session of the International Labor Organization*. Retrieved from: https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@relconf/documents/meetingdocument/wcms_711674.pdf.

Johnston, H. & Land-Kazlauskas, C. (2018). *Organizing on-demand*: Representation, voice, and collective bargaining in the gig economy. Geneva: International Labor Organization.

Langley, P. & Leyshon, A. (2017). Platform capitalism: The intermediation and capitalization of digital economic circulation. *Finance and Society*, *3* (1), 11-31.

Maxwell, J. (2018). How a labor union is using an algorithm to predict when to organize. *Vice News*. Retrieved from: https://www.vice.com/en_us/article/nep5wb/how-a-labor-union-is-using-an-algorithm-to-predict-when-to-organize.

Moda, F. (2019). Os uberizados brasileiros voltam à luta. *Outras palavras*. Retrieved from: https://outraspalavras.net/crise-brasileira/os-uberizados-brasileiros-voltam-a-luta.

Moura, N. C. & Gonçalves, M. T. (2017). Atuação sindical transnacional: as redes sindicais internacionais e os acordos macro globais. In Leme, A. C. P., Rodrigues, B. A. & Chaves Júnior, J. E. R. (Eds.) *Tecnologias disruptivas e a exploração do trabalho humano: a intermediação de mão de obra a partir das plataformas eletrônicas e seus efeitos jurídicos e sociais.* São Paulo.

Myers, J., Bhuiyan, J. & Roosevelt, M. (2019). Newsom signs bill rewriting California employment law, limiting use of independent contractors. *Los Angeles Times*. Retrieved from: https://www.latimes.com/california/story/2019-09-18/gavin-newsom-signs-ab5-employees0independent-contractors-california.

Oliveira, F. (2019). Alta da gasolina faz motorista de Uber no Brasil aderir a greve global. *Folha de S. Paulo*. Retrieved from: https://www1.folha.uol.com.br/mercado/2019/05/alta-de-combustivel-e-precoda-corrida-levam-motoristas-de-aplicativos-a-programar-paralisacao.shtml?utm_source=twitter&utm_medium=social&utm_campaign=twfolha.

Organização Internacional do Trabalho. (2019). *Trabalhar para um futuro melhor*. Lisboa: Bureau Internacional do Trabalho.

Rosenblat, A. & Stark, L. (2016). Algorithmic labor and information asymmetries: a case study of Uber's Drivers. *International Journal of Communication*, 10 (1), 3758-3784.



Scholz, T. (2017). *Uberworked and underpaid*: how workers are disrupting the digital economy. Malden: Polity Press.

Silberman, S. & Irani, L. (2016). Operating an Employer Reputation System: Lessons from Turkopticon, 2008-2015. *Comparative Labor Law & Policy Journal*, 37 (3), 505-541.

Srnicek, N. (2017). Platform capitalism. Cambridge: Polity.

Wheeler, R. (2018). Ninth circuit puts the brakes on Uber unionization. *OnLabor*. Retrieved from: https://onlabor.org/ninth-circuit-puts-the-brakes-on-uber-unionization.