

## Gender and the Gig Economy: A Qualitative Study of Gig Platforms for Women Workers

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**ABSTRACT** Despite the unprecedented growth of India’s gig economy and possible benefits to women service providers, little attention has been paid to the hurdles faced by women in pursuing gig work. Indeed, gig work has witnessed similar gendered division as has been evident in traditional work, and has not led to a direct increase in Female Labour Force Participation (FLPR) in India. This brief examines the existing literature on the problems faced by women gig workers and analyses the terms of use and privacy policy for a few platforms in India that cater to women gig workers. By scrutinising the platforms from a gender lens, this brief outlines the gaps that bar women’s inclusion in gig work and provides helpful recommendations.

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## INTRODUCTION: GIG ECONOMY AND GENDER ISSUES

India's gig economy has witnessed an enormous surge in recent years, from the time Flipkart was the only digital platform in the country in 2010.<sup>1</sup> Since then, various digital platforms have flooded the market, catering to services such as housework, cosmetics, and food delivery. The platform economy has particularly attracted female service providers due to the flexibility it offers. However, there remain structural barriers to women's entry into the gig economy. This brief analyses five Indian platforms that cater to "low-skilled"<sup>2</sup> women gig workers. It highlights some of the systemic gender issues that plague the gig economy in India and provides recommendations to address them.

India is the second-largest market of freelance professionals in the world (~15 million), second only to the United States (~53 million).<sup>3</sup> In the 2019 Noble House Report,<sup>4</sup> 81 percent of the major corporations surveyed reported using gig workers<sup>a</sup> for at least one major organisational issue in the past year. The same year, the Indian Ministry of Labour and Employment proposed the Code on Social Security Bill,<sup>5</sup> which recognised gig and platform workers for the first time and made provisions to offer them social security benefits. This was a welcome move, but its implementation has been hindered by the lack of adequate data on gig workers. While countries around the world have already

started investing in collecting data, the measurement tends to be more complicated, since gig work remains only a supplementary source of income for many.

### Inability to Facilitate Women's Inclusion in Workforce

One of the main reasons for women's high attrition rate in the workforce is the burden of simultaneously carrying out unpaid work at home and paid work in their professions, especially after starting families.<sup>6</sup> The flexibility offered by gig platforms allows workers to better manage unpaid care and paid work, by letting workers determine their work hours and reducing their dependence on a static physical space. As the gig economy gained more ground, it was assumed that more women would come into the ambit of the workforce in India, leading to an overall improvement in the workforce participation rate. Statistically, however, little improvement has been seen.<sup>7</sup>

Not only is the work mandated by socio-cultural norms, but the flexibility offered by gig work depends largely on whether it is a primary or supplementary source of income. Gig work as a primary source of income allows for less flexibility, compared to when such work is a source of additional earning. That "platformisation" has not managed to directly increase Female Labour Force Participation Rate (FLPR) in India is indicative of this inequity. For over two decades, the

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a Gig workers are independent contractors, on demand workers, online platform workers and temporary workers, who fall outside the normal 'employer-employee relationship'.

FLPR has seen a steady decline, dropping from over 30 percent in the early 2000s to 26 percent in 2018.<sup>8</sup> In 2017–18, the FLPR was 34 percent for the urban self-employed population and 13 percent for urban casual workers, compared to 42 percent and 14 percent in 2011–12, respectively, implying a fall in participation rate for both categories where gig workers could be included. Studies conducted in the UK show that women are more likely to exit from the gig economy.<sup>9</sup> This could be attributed to their income being of the ‘distressed’ category. Consequently, as soon as conditions improve, women leave the workforce (this phenomenon is widely visible in India’s informal economy as well).<sup>10</sup>

Unequal access to digital technologies is another significant hurdle to women’s participation in gig work. According to the GSMA Mobile Gender Gap Report 2019, only 16 percent of women in India are mobile internet users.<sup>11</sup> Despite government initiatives such as “Digital India,” digital literacy remains a problem amongst women. Women are also less likely to own mobile phones and devices<sup>12</sup> largely due to socio-cultural restrictions.<sup>13</sup> To address this issue, some platforms offer their own devices. However, this is a stop-gap solution; the imperatives are digital education, skills training and the removal of barriers of accessibility.

### **Structural Barriers, Gendered Work and Gender Pay Gap**

In theory, the gig economy’s equal-opportunity nature is one of its strongest assets.<sup>14</sup> However, machine-learning

algorithms are curated by coders who might program some inherent bias into them, and these algorithms also modify their actions by imitating the users. Therefore, algorithms are fully capable of reinforcing biases.<sup>15</sup> Thus, the platform economy can inadvertently promote gendered work.<sup>16</sup> Further, while platformisation allows combining paid work and unpaid care work, it tends to put women under extra work burden,<sup>17</sup> since they still take care of the majority of household work.

In a 2018 study conducted by Observer Research Foundation and World Economic Forum, 35 percent of the women surveyed were disinterested in joining the gig economy due to the lack of job security and uncertain employment status.<sup>18</sup> According to a study by Hunt and Machingura (2016), the rise of on-demand domestic work in India highlights unequal power relations emerging out of discrimination and exploitation against workers who are already more vulnerable in traditional domestic work.<sup>19</sup> The absence of women in central decision-making positions exacerbates these issues. A study on Uber workers in the US exposed a gender pay gap between men and women who performed similar tasks.<sup>20</sup> A similar study was conducted by Team Lease in India, which observed an 8–10 percent difference in monthly salary between male and female delivery executives.<sup>21</sup>

The problem in India is twofold: an inability to facilitate women’s movement into the workforce, and the perpetuation of structural and operational barriers promoting gendered division of gig work. Despite the introduction of the Code on Social

Security Bill of 2019, the Indian platform economy continues to neglect the protection of women's labour.

## PRESENTATION OF STUDY

### Methodology

The study analyses the terms of use (ToU) and privacy policy (PP) for service providers of five platforms that cater to on-demand, low-skilled household services:<sup>b</sup> UrbanClap,<sup>22</sup> QuikrEasy,<sup>23</sup> Helpers4U,<sup>24</sup> Helpr,<sup>25</sup> and BookMyBai.<sup>26</sup> The first two platforms offer services for low-skilled workers, e.g. carpenters, beauticians and plumbers. The next two offer domestic and office help services, but mainly cater to paid care work. The last one offers only domestic help services. Interviews with gig workers and platform operators were also conducted to obtain robust and realistic findings.

The objective was to conduct an analysis on the following themes:

1. Do any specific conditionalities cater to women's inclusion into the gig work?
2. Are there provisions for privacy, safety and security for women gig workers?
3. Are there any social security and employment benefits provided to gig workers?
4. Is there a definitive sexual division of work allotted?

While the first three themes were analysed by studying the ToU and PP (available publicly on the platform websites) and conducting interviews, the last one relied on the gender ratio data. A request was submitted for the provision of data on the gender ratio of work. However, the platforms did not respond, disallowing the author to gauge the gender ratio of the work allotted to the services professionals.

The above-mentioned platforms were chosen in the study as their rapid growth in India's flourishing gig market helped in understanding the immediate concerns of the workers engaged and the sort of security provisions they provided to women workers, in particular.

### Observations and Recommendations

The study highlighted several issues. These are discussed in the following paragraphs, along with relevant recommendations that are aimed at promoting increased participation of women in India's gig economy.

#### 1. Restrictions on Women's Movement

##### *Dispute Redressal System*

The platforms have no specific policies to make it easier for women to enter the workforce. Further, there is an evident lack of any provision for dispute redressal. In

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b The jobs undertaken by women gig workers in these platforms require some basic level of skill. For instance, the work done by cooks, beauty technicians or care workers can be considered "high-skilled work." However, despite the skill level required, these jobs are categorised as low-skilled work and, in turn, have lower pay scales. Thus, the classification does not accurately represent the actual skill level required.

case of a dispute between registered parties, the platforms claim no obligation to become involved and are not liable for any damages or demands. The only provisions offered are either cost-effective, unbiased and quick ways of solving disputes and/or redressal via arbitration or mediation instead of litigation. For feedback resolution, the platforms claim final authority on the action taken, without being obliged to any liability. Corrective actions can range from account termination to content modification or deletion. The lack of a free dispute-resolution system can lead to ambiguity in the process and extra expenses incurred thereby. Moreover, the end decision can still be influenced by the more powerful amongst the parties. Therefore, the threat of retaliation through negative or incorrect feedback might prevent workers from raising legitimate disputes.

The establishment of a transparent in-house dispute resolution system would be quite useful. The disputing parties could then present their cases without the fear of an absolute final call, which they otherwise would not be able to contest. The establishment of a dispute redressal body would be especially profitable for women service providers. Gig workers, in general, shy away from raising disputes not only because of the lengthy processes involved but also the fear of a consequential fall in ratings. For a lot of women workers, gig work is the primary source of income,<sup>27</sup> which they cannot afford to lose. Consequently, they try to avoid raising disputes. The need for dispute redressal especially needs to be seen in the context of restrictions on women's movement. Facilitating the inclusion of

women in gig work necessitates the provision of an online in-house transparent dispute redressal system by the platform, where both parties could complain if there is any problem that emerges during the service.

## 2. Provision of Privacy, Safety and Security

### *Platform of Platforms*

In India, there are no legislations or institutions to comprehensively regulate digital platforms. While the Companies Act, 2013<sup>28</sup> governs the registered companies, it is inadequate for monitoring the actions of such dynamic platforms. Thus, a new and updated set of regulations is required, especially in light of the expansion of the gig economy network. The need of the hour is to establish a body or a "Platform of Platforms" with legislative backing, which would not only establish a standard set of guidelines that the platforms must adhere to but also monitor these platforms. The guidelines could include employee/worker code of conduct, rules for the dispute redressal body and mechanism, and instructions for other areas of governance.

For instance, only one platform amongst the five studied (Urban-Clap) has a clause that mandates recording conversations prior to an agreement on the service. Such data can serve as valuable evidence in case of any dispute and ensure the digital safety of the service providers. This is especially important for women service providers, who are at a greater risk of harassment by potential service users, in the form of verbal abuse, stalking or bullying. A provision mandating



recording service-related conversations can give women gig workers a sense of security. To ensure that the recording is not used as a mode of surveillance against the workers, the ability to record must be the prerogative of the workers, not of the platforms.<sup>29</sup> Self-defence training can also be made compulsory for all gig workers to empower women workers to ensure their safety if they find themselves in unsafe spaces while out for work.

The “Platform of Platforms” will be responsible for monitoring all digital platforms. In the event of any inconsistency, the platform can be held accountable and must face repercussions. This will ensure a safer digital as well as physical workspace for women gig workers.

### *Emergency Button*

The platforms have measures to ensure that both the service provider and service user are genuine, and urge all parties to practise further caution at an individual level. However, in an emergency situation,<sup>30</sup> e.g. one that may arise at the service user’s home, none of the platforms studied has a mechanism to ensure that service professionals can end the service and exit safely.

There is an urgent need to include an emergency button in the applications used by these service professionals, using which will terminate the service and send an SOS message to both the emergency contact of the service professional and the platform. In response, emergency transportation would immediately be dispatched to shift the service

provider to a safe space. Such a mechanism is especially important for women workers, who might find themselves in an unsafe space post the start of the service.

Of the five platforms analysed in this study, only UrbanClap provides a safety procedure for workers who visit the client’s house for their service. The other platforms justify the absence of a safety procedure by arguing that their pre-service cautions are adequate.<sup>31</sup> However, if the service professional feels unsafe during the course of service delivery, there is no recourse to end the service immediately without facing negative consequences. In the backdrop of increasingly violent crimes against women in India, an emergency mechanism becomes extremely important to ensure a safer working environment.

### *Prevention of Workplace Harassment for Gig Workers*

All five platforms specified the need for both the service users and the service providers to exercise caution and take reasonable precautions before engaging in any agreement. Further, background checks<sup>32</sup> are conducted more rigorously for the service providers, than the service users. However, the platforms withdraw the legal liability of any individual involved. For example, in the event of a service provider being harassed by a service user while providing the service, the issue will be termed a “dispute” and must be resolved independently by the two parties. Thus, there is no provision of registering a case of harassment.

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 includes “any place visited by the ‘employee’ during the course of employment including the transportation.”<sup>33</sup> Under this Act, women employees can claim formal accountability against the harasser and a resolution thereby. However, since gig platforms categorise gig workers as “independent contractors,” the Act does not protect them. To protect their workers, digital platforms must not only create a safer network of service providers and users, but also include “workplace harassment” in their dispute categories.

Another way to ensure the safety of service providers is to include them in the 2013 Act by introducing a new section pertaining to gig-economy workers.<sup>34</sup> Women workers who face harassment could report to the specific platform through which they got that gig. The platform would then follow the clauses developed in the new section to reach a decision. Ultimately, any provision that permits women gig workers to depend on their platforms in the case of harassment will ensure a greater sense of security for women.

### **3. Social Security and Employment Benefits**

#### *Social Security and Lack of Data*

The Government of India introduced the Social Security Code Bill in 2019. The draft code frames the role aggregators would play in the social security scheme. According to the proposal, an aggregator is “a digital intermediary or a marketplace for a buyer or

user of a service to connect with the seller or the service provider.”<sup>35</sup>

The Bill intends to set up a national social security board for unorganised workers and makes provisions for the formulation of social welfare schemes for them, such as provident fund, employment injury benefit, housing, educational for children, skill upgrade of workers, funeral assistance and old-age homes. The board will also disseminate information about these provisions to the unorganised sector, and states will set up workers’ facilitation for the same. This is a commendable attempt at creating better working conditions and providing necessary social benefits to gig workers. However, the absence of a proper database for gig workers poses a significant challenge, since it makes the entire process of providing services rather difficult. While the government plans to collect data from various major aggregators,<sup>36</sup> the scope of this will likely be very limited.

According to the Oxford Internet Institute’s “Online Labour Index,” India leads the global gig economy with a 24 percent share of the online labour market,<sup>37</sup> implying an increasing number of people working as gig workers. Additionally, several estimates point to a great potential for growth for gig work in India. For instance, a PayPal report states that the Indian gig economy is expected to reach US\$20-30 billion by 2025.<sup>38</sup>

Thus, gig work must be included in a new category in the NSSO surveys to accurately ascertain the percentage of gig workers in the Indian economy. Data pertaining to the gig economy is essential to recognise the actual

extent of gig work in India as well to understand where the labour force is employed. Moreover, such a database will help the government to better target their social security nets and develop evidence-based policies on the gig economy. It will also help highlight gaps in policy, allowing the government to curate better gender-based policy decisions on both macro and micro levels. Corporates too could use the data to understand the general service patterns, to analyse where the differences lie, and to identify the areas in which they could reskill or upskill their gig workers. Schemes pertaining to gig workers (e.g. the Code on Social Security) can be improved based on the data collected, and new safety and security measures can be added for women gig workers.

### *Employment Contracts*

Gig workers are referred to as “independent contractors,” rendering them unable to obtain any social security benefits that accrue to a regular employee of the company. However, this categorisation is unfair to workers who either devote their entire work time to one specific aggregator or are so essential to the everyday work of the platforms that without them, the platforms would cease to exist. In such cases, the state must provide social security benefits to the worker. More importantly, the gig workers must be categorised in a better position so that they can benefit from the same advantages as an employee of the company, especially when their work and time is analogous to that of an employee.

Legislation in the UK provides a unique solution to this.<sup>39</sup> The UK divides individuals into broadly three categories: self-employed, employees and a middle-category called “worker.” Gig workers can fall into any of these three categories. While the “self-employed” are entitled to almost no benefits and the “employees” have complete employment benefits including parental leave, the “worker” category is entitled to a minimum wage, paid vacation and pension. This division helps classify gig workers according to their working hours, mutuality of obligation, provision of services, devotion to one or more platforms, as well as the control exercised by the company over the worker. However, there is a caveat, wherein companies can choose to place their full-time employees into the “worker” category to withhold the full set of benefits. To prevent this from happening, the UK government provides all workers the right to contest their place in the organisation by taking up their case to HMRC (Her Majesty’s Revenue and Customs) or the Government Pension Regulator.

Indian digital platforms can create a similar set of three categories to provide better benefits to those workers who are unfairly placed in the self-employed category, despite devoting most or all of their time to one aggregator. It would also lead to a better understanding of the percentage of actual gig workers, which will improve the database. To ensure the success of this model, gig workers must be educated on how to ascertain their placement in a company based on various factors. This will allow workers, especially



**Table 1: Platforms Placed Against Suggested Recommendations**

Platforms/ Recommendations	Urban Clap	Quikr Easy	Helpers4U. in	Helpr. in	Bookmybai. com	Impact on Women Gig Workers
Dispute Redressal	X	X	X	X	X	Facilitates raising disputes to ensure ease of work.
Platform of Platforms*	-	-	-	-	-	Guidelines could provide and ensure digital safety.
Inclusion in Workplace Harassment Laws*	-	-	-	-	-	Space to report harassment, ensuring better and safe workplace.
Emergency Button	✓	X	X	X	X	Ensures physical safety and protection against any harm.
Data Collection*	-	-	-	-	-	Leads to better facilitation of social security benefits.
Employment Contracts*	-	-	-	-	-	Helps provide appropriate benefits associated with work and a space to contest.

\*Recommendation needs legislative changes and isn't present on any platform.

those in the low-skilled category, to contest their placements if necessary and benefit from the schemes accordingly. Ultimately, this will also ensure the proper provision of social security benefits as per the 2019 Bill to the maximum number of people.

## CONCLUSION

While the ambit of this brief is limited to low-skilled women gig workers, there is substantial scope for conducting similar, and more exhaustive, studies pertaining to high-


skilled women gig workers. Such studies can focus on websites such as Freelancer and Upwork. It will be useful to look at the kind of barriers that these platforms present to women's movement into gig work or how they put women at a disadvantage as compared to their male counterparts. Other areas of study could include the gender pay gap issue in the Indian platform economy, for both high- and low-skilled workers; the importance of privacy protection with regards to women gig workers; and gender bias in the algorithm-building process.

The gig economy seems to be the perfect way to facilitate the movement of more women into the workforce by making work flexible for them. After all, freelancing jobs and on-demand jobs do not rely on a physical workspace and provide the option of flexible work timings. This offers a much-desired alternative to the traditional setups that overburden working women, who often undertake most of the unpaid care work at home in addition to their full-time professions.<sup>40</sup> With less representation in management, male-centric norms and rules tend to be imposed, rarely incorporating women's necessities.<sup>41</sup>

However, despite these advantages, data shows that the FLPR has gone down over the last two decades. Studies also show that gig work only reinforces the same gendered division of work that afflicts traditional work. Across countries, women working in the gig

economy not only undertake unpaid care work but also spend just as much time on their gig jobs.<sup>42</sup> The study conducted for this brief highlights that while the aggregators have "no-discrimination" clauses in their ToU, they categorically facilitate discrimination by providing ways to filter service professionals based on gender.

Removing these barriers and biases is crucial to facilitating the movement of women workers into the gig economy. The entry of women into the workforce enables their financial independence and solves problems owing to low representation. This brief suggests some changes that will ensure the digital and physical safety of women gig workers, as well as general recommendations concerning employment classification. While the government is currently considering implementing provisions pertaining to social security benefits, much more needs to be done to remove these barriers.

The gig economy is here to stay and offers many ways for women to start and improve their careers. However, hurdles remain that discourage women from participating in gig work in greater numbers. Legislation must pave the way for more women in the workforce, both gig and otherwise. Further, aggregators and platforms must work harder to improve the conditions of work for women.<sup>43</sup> The future will only see more gig work, and the inclusion of women is critical for balanced growth. 

#### ABOUT THE AUTHOR

**Ria Kasliwal** is a Junior Fellow at ORF.

## ENDNOTES

- 1 Flipkart was founded in India in 2007.
- 2 These include jobs such as domestic help, beauticians, cooks and nannies. The jobs may or may not require some basic skill levels.
- 3 “Future of Work In A Digital Era,” ICRIER, 2017, [https://icrier.org/pdf/Online\\_Freelancing%20\\_ICRIER.pdf](https://icrier.org/pdf/Online_Freelancing%20_ICRIER.pdf).
- 4 “Flexibility and Gig Work,” Think Noble House, 2019, <https://thinknoblehouse.com/wp-content/uploads/2019/09/Flexible-Working-Gig-Report-13Sep2019-1.pdf>.
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- 6 Maternity attrition rate is 35 percent of the total female attrition rate. See Rica Bhattacharyya, “Companies’ Gender Diversity Drive Yet to Bear Fruit,” *The Economic Times*, 10 December 2018, <https://economictimes.indiatimes.com/news/company/corporate-trends/companies-gender-diversity-drive-yet-to-bear-fruit/articleshow/67031727.cms>.
- 7 Ibid.
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- 12 Ibid.
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- 29 Any set of guidelines must incorporate data privacy protection for gig workers. To read more the importance of data privacy, see Danica Sergison, “Privacy risks for customers and workers in the gig economy,” Privacy International, 2 September 2018, <https://www.privateinternetaccess.com/blog/2018/09/privacy-risks-for-customers-and-workers-in-the-gig-economy/>; “Case Study: The Gig Economy and Exploitation,” Privacy International, 20 August 2017, <https://privacyinternational.org/case-study/751/case-study-gig-economy-and-exploitation>.
- 30 Any situation that might harm one’s emotional and physical safety, including sexual assault.
- 31 Mainly includes credit background checks and letting both service providers and users exercise their judgement about the other.

- 32 The platforms have algorithms that ensure the parties are not bots and have an authentic national identity and credible credit. However, the background checks are more exhaustive for service providers than for service users.
- 33 “The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013,” Government of India, <http://legislative.gov.in/sites/default/files/A2013-14.pdf>.
- 34 The Act could start with clauses that are relatively more feasible to implement.
- 35 “The Code on Social Security, 2019,” Government of India, [https://labour.gov.in/sites/default/files/375\\_2019\\_LS\\_Eng\\_0.pdf](https://labour.gov.in/sites/default/files/375_2019_LS_Eng_0.pdf).
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- 41 With less representation in management, male-centric norms and rules tend to be imposed, rarely incorporating women’s necessities.
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- 43 Undertaking measures to improve women's inclusion in gig work will benefit the platforms not only by attracting more women workers but also ensuring greater governmental, public and social support.





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