

# **Gig work in India and the role of trade unions**

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**Gig work seems to have taken root deeply within the economic life of modern society. An economy offering temporary, flexible jobs to independent contractors, freelancers and part-time workers, connected mostly through online platforms, is becoming commonplace. India's gig-labour force is around 8 million currently but is set to grow to almost 24 million in the next three to four years, and it has been estimated that India could produce as many as 90 million opportunities through gig or platform jobs if it reaches its full potential (Augustinraj and Bajaj, 2021). The pandemic has catalysed this transformation. It is a certain departure from the traditional employer-employee relationship which threatens to change the nature of this relationship and shift the balance of power irreversibly towards capital.**

The nature of work is changing and with the onset of 'Industrial Revolution 4.0', as artificial intelligence takes a lead role in the world of work, capital has become more influential than ever before. The internet of things and a vast database allows firms to operate via platforms without actually ever knowing the people who consume their products and services or the people delivering it. Perhaps there is no turning back from here and the nature of work that people get involved in will be changed significantly and forever. Gig work has established itself as a new normal, though it has been criticised vehemently as employers don't recognise the gig workers as their employees and a clear-cut employer-employee relationship is never established. These workers are hence denied all kinds of social security and face the risk of finding no work at times. Under these circumstances, governments across the world have rushed to legislate in a desperate attempt to ensure job security and social security for gig and platform workers. But with the very little understanding of how the gig economy operates because of few to no research studies in the field, and its global nature against the localised impact of national governments, these were bound to fail or attain little success; nonetheless the attempts must be appreciated.

## **Social security code**

India is one of the first countries to bring in legislation for gig workers. The Code on Social Security 2020, recently passed by the Indian government, tries to define gig and platform work and also slightly differentiates between the two. According to the code, 'a gig worker is defined as a person who performs work or participates in a work arrangement and earns from such activities outside of [the] traditional employer-employee relationship' whereas 'platform work is when individuals/organisations use an online platform to access other organisations/individuals to solve specific problems or to provide specific services in exchange for payment'.

Universalisation of social security has been a long standing demand of trade unions in India, and by including gig and platform workers in the social security code, the government has moved a step in this direction. The code envisages a registration mechanism for gig workers and helplines to assist access to social security schemes. It has been proposed that such companies (Uber, Zomato and so

on) contribute 1% to 2% of their annual turnover or 5% of the amount payable to these workers, whichever is lower, to a social security fund established to cover these workers (Financial Express, 2021).

The code has made provision for a social security board with five representatives each from the aggregator's side and the gig-workers' unions' side. But is this enough? The obvious answer is no. The intent of the government might be positive but the real problems start with implementation, as noted earlier. Labour laws have been present in industries for a long time but workers have been exploited incessantly. With trade union representation envisaged in the board, the role of unions in ensuring protection of the rights of gig and platform workers becomes nodal.

## **Role of trade unions**

In these circumstances, the role of trade unions becomes all the more important. What is worth noting is that India, a relatively poorer economy with a smaller share of the labour force in gig work, was one of the first countries to recognise unions of such workers. Some central trade unions such as Bharatiya Mazdoor Sangh (BMS) and the National Federation of Indian Trade Unions (NFITU) have welcomed the provisions of the code, as these unions participated regularly in dialogue with the government, though they have also suggested some changes and improvements. Others, such as Centre of Indian Trade Unions (CITU), All India Trade Union Congress (AITUC), Indian National Trade Union Congress (INTUC) and Hind Mazdoor Sabha (HMS), formed a front which announced that the codes don't elaborate the scope, nature, funding mechanism or minimum goals for gig workers. These staged all India strikes, which were rather unsuccessful if media reports are to be believed, and received little to no support from unions of gig workers. Some unions went on to accuse the front of not informing them about the proposed strikes. As The Wire reported, "Tanveer Pasha, who has formed a union with Ola and Uber drivers since 2016 and is currently the president of the Ola Uber Drivers and Owners Association (OUDO), said "First and foremost there has been no information sent to us regarding this Bharath Bandh, because there are three to four major unions that are sitting in the centre like CITU, AIDYO and AITUC which decided to go on a strike. At least if they told us what the agendas of the strikes were we would have been more informed"" (Seetharaman, 2021). This is a bad omen for the trade union movement and the central trade unions must look to work in close collaboration. In the past we have seen the trade unions forming alliances in support of common issues, despite having ideological differences on other issues, in the broader interest of workers, and the same can be expected in the near future as dialogue between unions increases.

Perhaps the trade unions need to understand that it is not a time for a power competition but for solidarity if this rampant march of capital is to be stopped. The Indian trade unions such as CITU, INTUC, AITUC, and so on, have often, and perhaps fairly, been accused of being political bunnies rather than genuine bodies in the labour movement because of their affiliation with political parties in the country and their chief executives being active and prominent members of the Communist Party of India (Marxist), the Indian National Congress and the Communist Party of India respectively. Perhaps it is time these unions shed these identities. It is also the time for conversations within the unions for them to strategize on and prioritize how unions should organise themselves to stay relevant in the changing world of work. Ways of unionisation need to be improvised to include gig and platform workers in the larger labour movement. The All India Gig Workers Union (AIGWU), which is affiliated to CITU, is one such attempt at the national level which has also adopted new tactics of organisation for app-based workers, especially delivery workers, based on its experiences of the protests of Swiggy workers in different cities in August 2020 (Anand, 2020).

One of the major factors in the world of gig work is that platforms have unlimited access to data

while the workers and unions have no or very limited access. Ways have to be devised and agreements have to be reached for data sharing between firms and unions. This would definitely help the unions in organising themselves better. This needs definite and strong government intervention as the unions today are not in a position to negotiate with these firms. Perhaps in a first in the country, the gig workers' union in Amazon has raised concerns around mandatory insurance for delivery workers.

### **The Need for Solidarity**

It is evident that the gig economy is here to stay and is only going to grow over time in India and across the world and hence it is mandatory that governments as well as international bodies come forward to regulate factors driving the gig economy and legislate accordingly to protect the interests of such workers.

The trade unions have a large role to play in the changing world of work, if they adopt new strategies of unionisation and mobilisation using the online platforms, democratise the internal processes, and ensure access to data by getting the government to curb the free reign these platforms have enjoyed owing to the lack of legal regulations for the sector. The unions operating in this sector must ensure complete solidarity around their larger demands, such as changes in provision of social security, as the sector doesn't need all workers to work at once and strikes are bound to fail if any or multiple unions don't extend solidarity. The onus is on the unions to negotiate among themselves if they ever want to affect these platforms in any way.

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