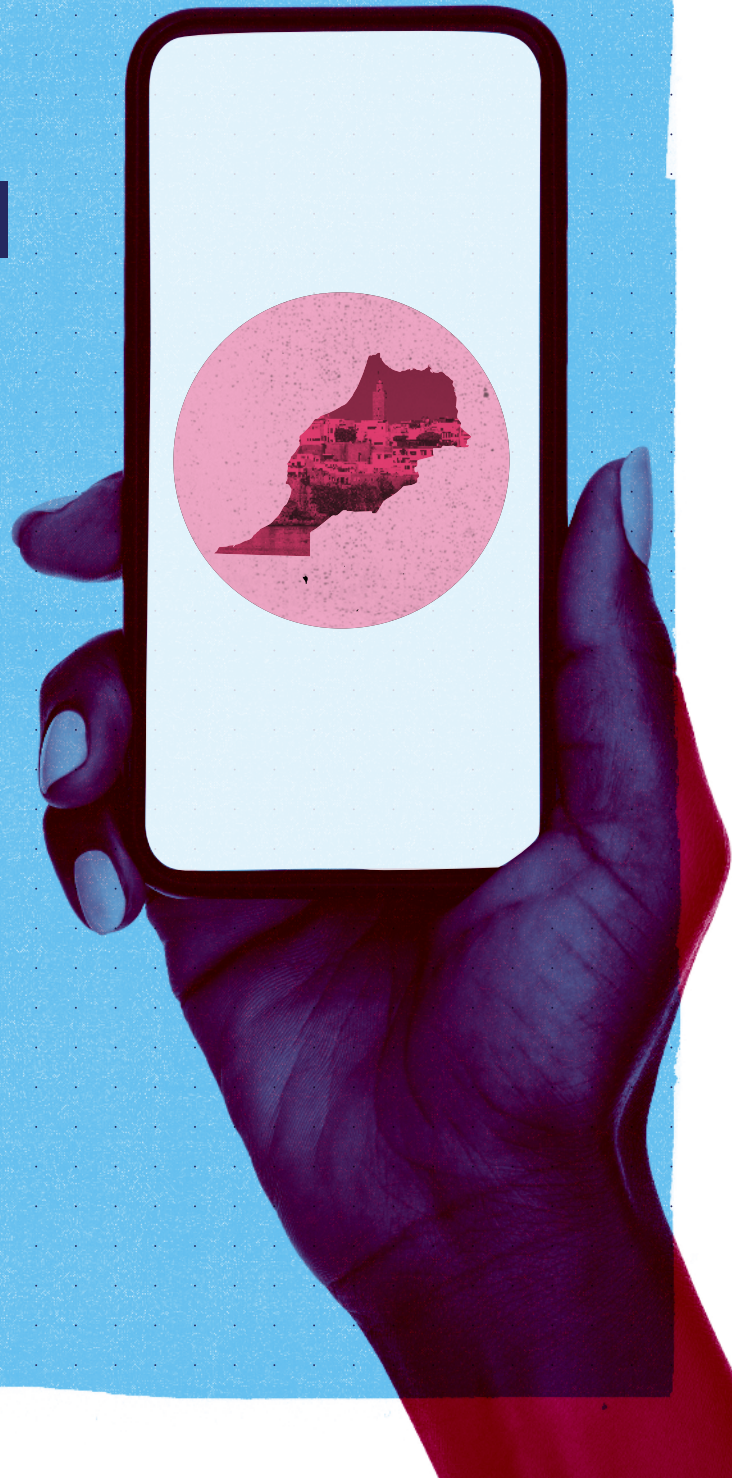


Fairwork

**ASSESSING WORKING
CONDITIONS IN THE
MOROCCAN PLATFORM ECONOMY**

Fairwork Morocco Ratings 2023



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Executive Summary

This report constitutes the first comprehensive overview of the platform economy in Morocco. Nascent, yet fast growing, digital labour platforms make up a significant part of Morocco’s vision of a digitally transformed future, and are often touted as a remedy for the country’s high youth unemployment.

This assessment by the Fairwork Morocco team of five platforms across two sectors (food and grocery delivery, and ride-hailing services) highlights that whilst providing opportunities for the country’s unemployed youth, most workers often fail to make ends meet amidst the rising cost of living. Not only does the pay generally lag behind the country’s inflation figures, which has been on a rising trend following years of drought and a devastating earthquake in 2023, most workers undertake their tasks without receiving any social protections, including sick pay and parental leave options. Furthermore, lack of regulation of platform work leads to poor working conditions, with workers battling busy traffic and handling heavy loads, often having to deal with over-packed, unergonomic bags to make deliveries on their motorcycles. This has led critics to argue that Morocco’s gig workers are “the slaves of the new capitalism”.²

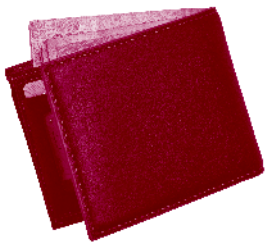
However, platforms do not have to create these conditions which have given rise to comparisons of modern-day slavery. Research by the Fairwork project shows that when regulated, platform economy can provide a fair

future of work. As Morocco makes strides towards a digitally transformed future and invests in a platformised present, the fate of platform workers cannot be left solely to platforms. The poor conditions described in this report make clear that changes to improve workers’ lives will not be made without external pressure. The government must act to protect the very workers seeking employment through digital labour platforms, and in collaboration with trade unions, should seek to ensure that workers receive fair wages, adequate benefits, and safe working conditions.

This report evaluates five of Morocco’s digital labour platforms against five principles of fairness—fair pay, fair conditions, fair contracts, fair management, and fair representation—and gives each a rating out of ten. Our scores show that only two of the platforms, both operating in the delivery sector, are able to obtain points in this year’s rankings. As per our methodology, we give points to platforms only when they are able to provide us with verifiable evidence that they satisfy the principle.



Key Findings



FAIR PAY

Only one platform, Kaalix, could evidence that the delivery charge is high enough to ensure workers' gross pay is at or above the minimum hourly wage of 15.5 Moroccan Dirhams (MAD) after all work-related costs, including motorbike/car rental, insurance and gas, have been accounted for at the time of writing.

No platform could evidence a gross pay that was at or above the living wage (28.5 MAD at the time of writing) after work-related costs were accounted for.



FAIR CONDITIONS

None of the five platforms assessed were able to evidence that they take meaningful measures to mitigate task-specific risks. Whilst some platforms could provide evidence that shows that workers are provided with equipment and gear, these were provided at a cost.

One platform, Glovo, provides its workers with comprehensive social security benefits, which must be highlighted as a best practice.

Glovo also provides an SOS button, and reviews delivery zones to exclude areas that are deemed dangerous (e.g. where workers may face harassment). These should be highlighted as best practices to mitigate risks associated with lone working.



FAIR CONTRACTS

Glovo was the only platform that could evidence that the terms and conditions offered to workers meet basic standards of fairness.

A copy of the terms and conditions is offered in Arabic and French, and the platform also offers in-person help to provide couriers with further information on contractual terms.



FAIR MANAGEMENT

Two platforms, Kaalix and Glovo, could evidence clear and functioning channels of communication between workers and management, with couriers able to reach their supervisors on the phone and via WhatsApp.

In the case of Glovo, evidence indicates that workers are also given an option to visit offices in five major cities in Morocco, and have their queries addressed at a timely manner.



FAIR REPRESENTATION

No platform included in this year's study could evidence the recognition of, or willingness to, negotiate with a worker body or trade union.

Whilst some platforms could evidence conducting focus groups and surveys with their workers, no additional rights were provided for workers to organise, collectively express their wishes, and be listened to.

The Platform Economy in Morocco

Morocco's economy is currently grappling with multifaceted challenges, including a staggering 13.4% unemployment rate in the third quarter of 2023.³ This daunting statistic is compounded by a sizable youth demographic, with approximately 30% of the population falling within this age group.

Alarmingly, youth unemployment reached 38.2% in the third quarter of 2023, painting a stark picture of the difficulties faced by Morocco's young workforce. Further complicating the economic landscape is the pervasive presence of the informal economy, a reality shared by many African nations.

Despite these socio-economic hurdles, Morocco has witnessed a remarkable digital transformation in recent years, particularly over the past decade. Internet usage has surged dramatically, more than tripling from a mere 29% in 2010 to an impressive 88.1% in 2023.⁴ This digital revolution is further underscored by the widespread adoption of mobile phones, with usage reaching 133.3% in 2023. Mobile internet subscriptions account for a significant portion of this growth, reflecting the increasing reliance on digital technologies for communication, information access, and economic activities.

Digital transformation presents significant opportunities to address Morocco's unemployment and informal work challenges. Digital platforms and technologies can create new employment opportunities, enhance skills development, and promote entrepreneurship, particularly among the youth and the underemployed.

Concurrently, digitalisation has led to the emergence of the platform economy in Morocco, encompassing delivery services and ride-hailing.⁵ Global players like Glovo, Careem, and inDrive dominate the market, while local players like Kaalix are gaining traction. However, this growing platform economy faces challenges such as poor working conditions for platform workers, as highlighted by our study.

Fairwork's collaboration with the Rabat Business School/ International University of Rabat to conduct the research that underpins this report took shape amidst this dynamic and evolving landscape. Employing a rigorous methodology that assesses platforms against five principles of fairness, these Fairwork ratings are intended to serve as a transparent benchmark for stakeholders, including businesses, consumers, and policy makers, and to measure and enhance fairness in labour transactions in Morocco.

Morocco's platform economy, while still in its early stages of development, presents a landscape brimming with both opportunities and challenges. Platform work has undoubtedly created new employment avenues and provided flexibility for many individuals. However, the

work for this report has also brought to light issues such as inadequate pay, unsafe working conditions, and limited support in emergencies. These challenges underscore the urgent need for businesses to adopt fair work practices that protect and empower their workforce.

PLATFORM WORKERS FACE A RANGE OF SHARED CHALLENGES, INCLUDING SAFETY CONCERNS, DIFFICULT CLIENTS, FAKE ORDERS, AND ADVERSE WEATHER CONDITIONS.

In-depth worker interviews conducted in Rabat and Casablanca, coupled with desk research and conversations with platforms, have shed light on the shared experiences and dynamics within Morocco's ride-hailing and delivery platform industry. A prevalent lack of understanding among workers of the terms of their contracts, often attributed to language barriers, highlights the importance of clear and accessible communication strategies. Additionally, the diverse educational background of workers, ranging from those with higher education to those who did not finish high school, reflects the industry's varied workforce.

The findings presented in this report also reveal widespread job dissatisfaction and high turnover rates among platform workers, stemming from a desire for better opportunities and working conditions. Motivations for platform work are multifaceted, ranging from a lack of

alternative job opportunities to the desire for autonomy and flexibility. The prevalence of "side hustles" among workers indicates a need for additional income sources.

Platform workers face a range of shared challenges, including safety concerns, difficult clients, fake orders, and adverse weather conditions. These physical and emotional hazards underscore the importance of implementing safety measures and establishing support systems for platform workers. Additionally, financial burdens weigh heavily on workers, particularly the requirement by some platforms to purchase their own equipment. Gender discrimination, a key topic in Morocco, also raises concerns about inclusivity and the potential discouragement of women from pursuing or continuing with platform work.

Disciplinary actions vary across platforms, reflecting differences in management practices. Notably, most workers do not pay taxes or social insurance contributions due to low earnings, highlighting financial challenges such as rising costs of fuel and vehicle maintenance. This non-payment over time leaves workers under-protected and without suitable access to pensions upon retirement. These findings underscore the need for comprehensive social protection schemes that safeguard the well-being of platform workers.

As Morocco advances its digital transformation and inclusion agenda, the Fairwork Morocco team stands ready to engage with all stakeholders, fostering a collaborative approach to ensuring the creation of quality jobs and fair labour standards in this dynamic sector. Together, we can pave the way towards a more equitable and prosperous future of work in the platform economy of Morocco.



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THE FAIRWORK PROJECT

Towards Decent Labour Standards in the Moroccan Platform Economy

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

We evaluate platforms annually against these principles to show not only what the platform economy is today, but also what it could be. The Fairwork ratings provide an independent perspective on labour conditions of platform work for policymakers, platform companies, workers, and consumers. Our goal is to show that better, and fairer, jobs are possible in the platform economy.

The Fairwork project is coordinated from the Oxford Internet Institute and the WZB Berlin Social Science Center. Our growing network of researchers currently rates platforms in 39 countries across 5 continents. In every country, Fairwork collaborates closely with workers, platforms, advocates and policymakers to promote a fairer future of platform work.

Fairwork countries

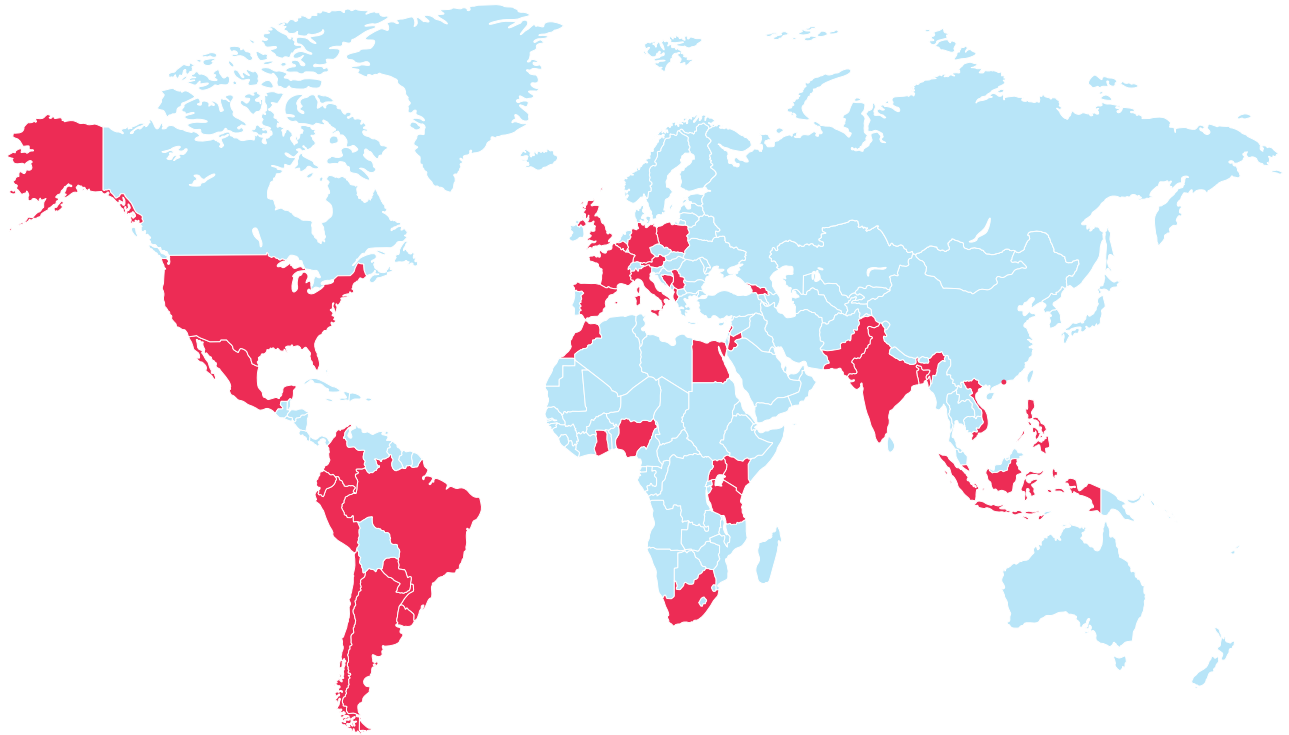


Figure 1. Map of Fairwork countries.

AFRICA

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

ASIA

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

EUROPE

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

SOUTH AMERICA

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

NORTH AMERICA

Mexico, US

The Fairwork Framework

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

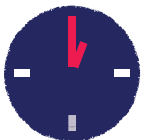
STEP 1

The five principles



Fair Pay

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



Fair Conditions

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



Fair Contracts

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



Fair Management

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



Fair Representation

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

STEP 2

Methodology Overview

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

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

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

Desk research

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

The desk research is also used to identify points of contact or ways to access workers. Once the list of platforms has been finalised, each platform is contacted to alert them about their inclusion in the annual ranking study and to provide them with information about the process. All platforms are asked to assist with evidence collection as well as with contacting workers for interviews.

Platform interviews

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

Worker interviews

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

Workers are approached using a range of different channels. For our 2023 ratings, this included reaching out to them during working hours, and contacting them via the use of apps (ordering services) or whilst they are idling on the streets and waiting for orders. In all these strategies informed consent was established, with interviews conducted in person and on the phone.

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

Putting it all together

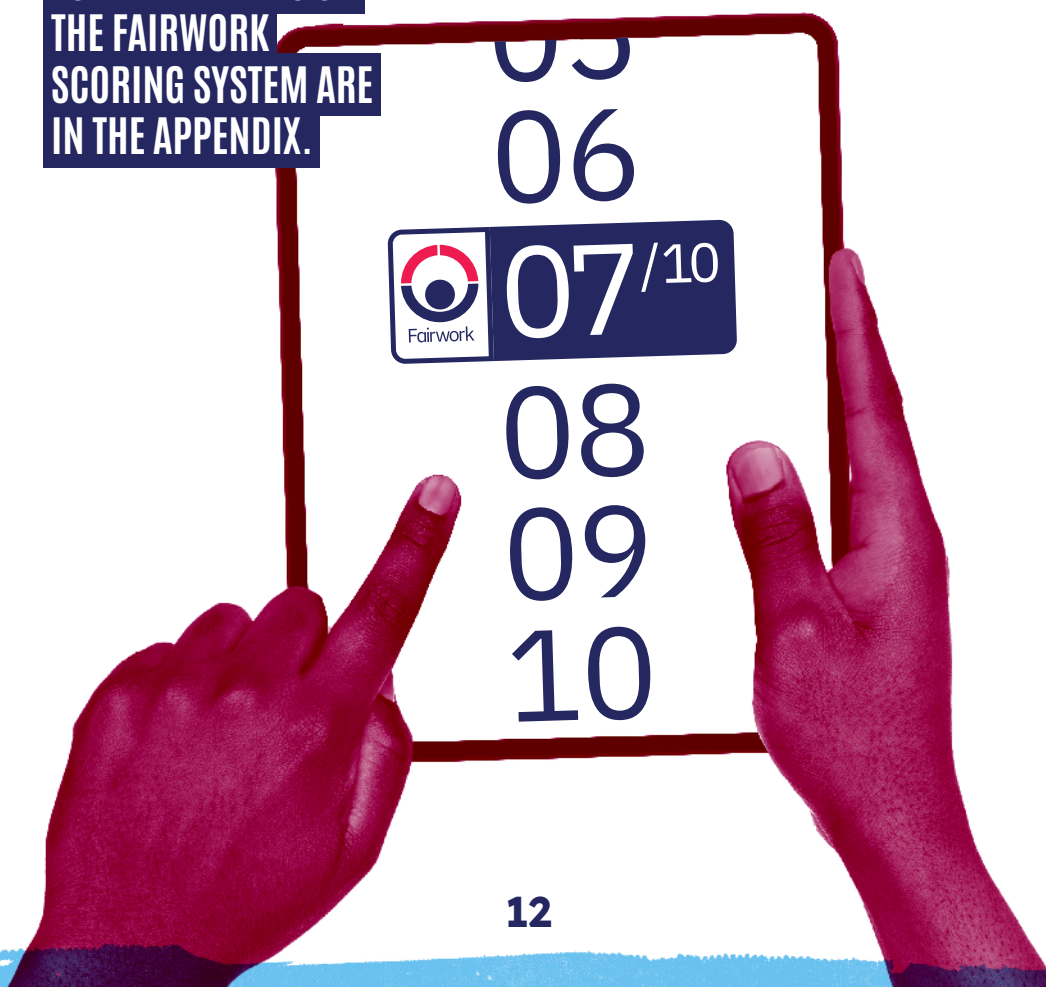
This threefold approach provides a way to cross-check the claims made by platforms, while also providing the opportunity to collect both positive and negative evidence from multiple sources. Final scores are collectively decided by the Fairwork team based on all three forms of evidence. Points are only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

How we score

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

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

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



BACKGROUND

Digital Labour Platforms in Morocco

The beneficiaries of the Morocco's digital potential extend beyond entrepreneurs and investors to include job seekers.

Thus, the Moroccan platform economy, and its workforce, stand at the intersection of tradition and innovation. Understanding the legal and economic dynamics of the platform economy is vital not just for strategic decision-making but also for ensuring the welfare of workers.

In this section, we take a look at the intricacies that define Morocco's platform economy, revealing the threads of legislation and economic vibrancy shaping this dynamic landscape.

Morocco's Economic Climate and the Platform Economy

Morocco aligns with the MENA region's economic approach to the digital economy, aiming to embrace it as a catalyst for accelerated growth and job creation, particularly for the sizable population of unemployed youths. This strategy leverages the country's young and educated workforce to harness the full potential of the digital economy. Consequently, the widespread embracing of digital platforms has empowered Moroccan small and medium enterprises (SMEs) to expand their market reach, as seen in the success of local restaurants thriving on food delivery apps like Glovo and Jumia Foods.

The think tank, Moroccan Institute of Strategic Intelligence (IMIS), plans for the platform economy to become a powerful driver of the country's economic and social development.⁶ The resulting economic climate is yielding a vibrant digital ecosystem that nurtures the platform economy, helping to reduce unemployment by creating flexible opportunities for those seeking full-time jobs,

those who need extra income, and those who can only work part-time. Though enjoyed widely across the sector, this feature of the digital economy is notably appreciated by the drivers of ride-hailing apps such as Careem and inDrive.

At the core of the Country Partnership Framework (CPF) between the World Bank and Morocco for 2019-2024 also lies a focus on the country's digital economy. The primary objective of this partnership is to enhance human capacity, with a specific emphasis on the sizable youth demographic (those below 30 years old), which constitutes 51% of the population but only 44% of the workforce. The expectation is that this will amplify the impact of digital platforms in Morocco and serve as a catalyst for economic inclusivity. By bridging the divide between traditional and emerging digital realms of work, these platforms actively contribute to cultivating a more dynamic and diverse economic ecosystem in the country.

Nonetheless, the nation's platform economy has not been without its economic challenges. It has posed disruptions to traditional business models and labour dynamics, rendering prevailing government and organisational economic strategies less effective in addressing these transformative shifts. The growth of digital platforms in Morocco now necessitates a re-evaluation of labour regulations, wages, compensations, and social welfare schemes to adapt to the new economic realities of the digital era. It is also important to note that Morocco is not alone in being under-regulated or prepared to deal with the disruptive nature of platform work, with almost every country in the world struggling to bring policy into effect

to make platform work sustainable. Despite the evident economic advantages, it is crucial to acknowledge and tackle potential disparities and vulnerabilities within the platform economy. Emphasising the significance of inclusive economic strategies, promoting digital literacy, facilitating streamlined multi-channel remittance, and implementing socio-economic safeguards have therefore become imperative for sustaining the long-term prosperity of all the stakeholders involved.

Legal Framework Governing the Platform Economy in Morocco

Morocco's legal landscape is grappling with the rapidly evolving platform economy. Individuals who work for platforms in Morocco do not readily fit within the established laws that typically govern the conventional employer-employee relationship in the country. This makes it difficult to determine the nature of their employment status. Unofficially, within the current business model, individuals who work in the platform economy are considered self-employed.

This does not suggest a complete absence of regulations and policies concerning the country's platform economy; rather, it indicates that these policies predominantly neglect the status of its workers. To take one example, the Maroc Digital 2020 (Morocco Digital 2020) policy outlines a comprehensive roadmap for digital transformation, encompassing initiatives to bolster digital literacy, expand broadband connectivity, and catalyse the adoption of digital technologies across a number of sectors.⁷ This policy underscores the commitment to regulate and support the digital economy for economic diversification and inclusive development to position Morocco as an emerging regional leader in the digital economy. However, the policy, due to

its emphasis on companies, pays insufficient attention to matters and regulations concerning workers in the platform economy.

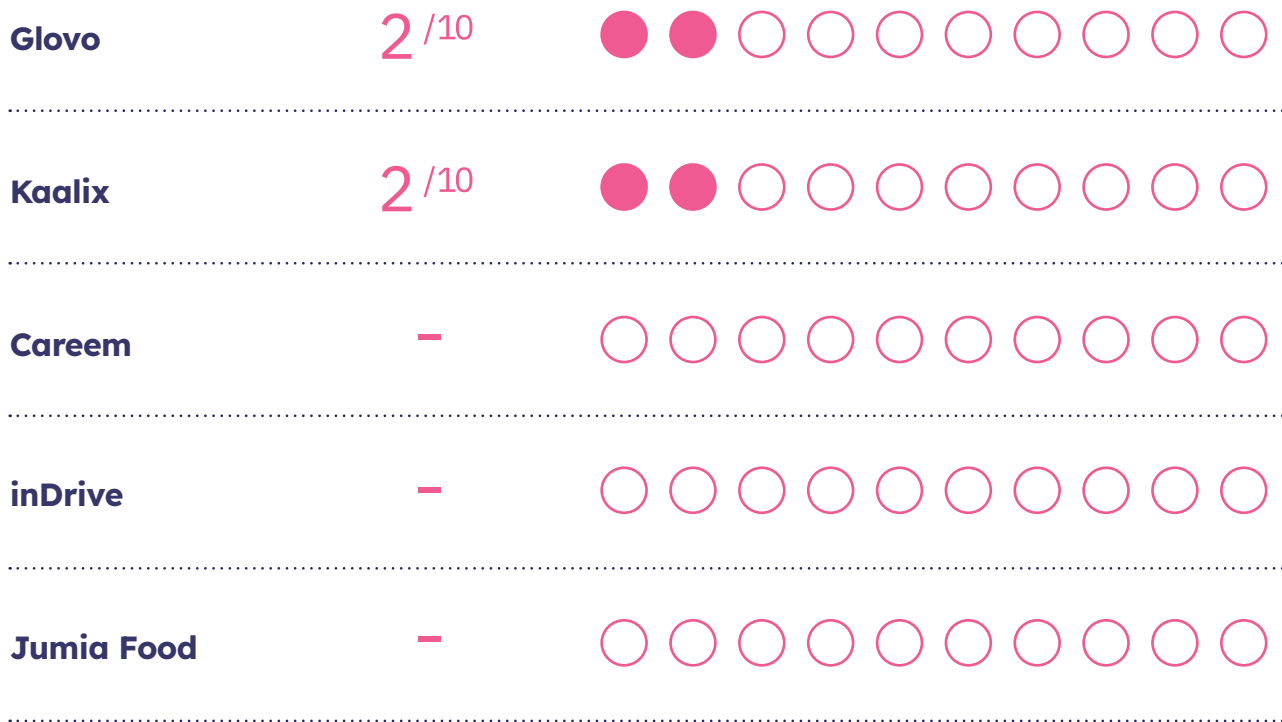
While there are regulations that govern the Moroccan online economy in general such as the Commercial Code and Law 31-08, there are hardly any regulations tailored towards the platform economy in particular. This and related regulatory lapses have undermined the agility of the country's legal framework, giving rise to ongoing challenges around the legitimisation of platforms and protectionism of traditional businesses. A World Bank diagnostic report of 2018 reveals that existing regulations are either restrictive or applied in a way that favours insiders, leading to unequal treatment of companies and weakly enforced competition policies.⁸ The overall effect is that even with the emergence of the platform economy, key industries are still not competitive, and digital platforms face obstacles in terms of entering the industry or growing. Consequently, this hurts job creation, especially the employment prospects for young workers.

SMEs in the digital economy—and also their workers—are also presented with challenges related to regulatory compliance, as it is tedious to navigate the complex legal landscape and administrative requirements. Hence, there is an acknowledged necessity to streamline regulatory processes, enhancing clarity and improving access to legal resources. Due to regulatory ambiguity, platform workers find themselves oscillating between different forms of their profession.⁹ For instance, due to lack of licencing prevalent in ride-hailing platforms, drivers may need to switch between identifying as a taxi driver, professional chauffeur, or peer-to-peer service provider, adapting to whichever aligns better with the elusive regulatory framework.



Fairwork Morocco Scores 2023

Minimum standards of fair work



THE BREAKDOWN OF SCORES FOR INDIVIDUAL PLATFORMS IS AVAILABLE AT

WWW.FAIR.WORK/MOROCCO

Explaining the scores



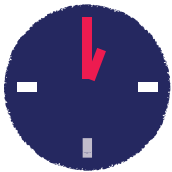
Fair Pay

To achieve this point, evidence collected through worker and platform management interviews should demonstrate that all workers earn above the minimum hourly wage (15.5 Moroccan dirhams) after costs, for time spent logged-in and ready for work.

The majority of the workers we interviewed showed that they risked not making this figure, with some making below the hourly minimum wage after work associated costs were

taken into account. Hourly wages met or exceeded the minimum hourly wage in only one platform included in our sample, Kaalix, where the earnings per delivery well exceed 15.5 dirhams.

None of the workers we interviewed were able to make anywhere near the living wage figure of 28.5 Moroccan dirhams per hour after costs, for time spent logged-in and ready for work.



Fair Conditions

Platforms that can demonstrate that they provide adequate equipment and training to all workers at no additional cost, allocate work with workers' occupational safety and health in mind, and provide a safety net to ensure that no worker suffers costs as a result of accident, injury or illness resulting from work are able to get this point.

Kaalix and Glovo were the only platforms to evidence providing their workers with equipment and training.

In the case of the latter, gear and equipment was provided at a cost that workers had to pay out of pocket.

With the exception of Glovo, which has measures in place to mitigate lone-working risks, none of the platforms could evidence designing processes with occupational safety and health in mind.

Only one platform, Glovo, could evidence a comprehensive social security scheme in place to protect workers from loss of income in cases of accident, injury or illness resulting from work.



Fair Contracts

In order to score a point for this principle, platforms must demonstrate that the contract or terms and conditions are clear and accessible to all workers. Workers must be able to understand, agree to, and access the conditions of their work at all times, and have paths provided for legal recourse.

Glovo was the only platform which could evidence clear and accessible terms and conditions which are provided in Arabic and French. Workers with queries are also able to reach a human representative to seek further elucidation on contractual terms.



Fair Management

To meet this point, platforms need to share evidence demonstrating that workers can reach a human representative of the platform in case of queries or emergencies, and that these are resolved in a timely manner. This channel should allow workers to effectively solve issues, such as low ratings, non-payment/payment issues, deactivations, and other penalties and disciplinary acts, and should be made available to all workers even when they are deactivated from the platform. Workers, moreover, should not be disadvantaged for voicing concerns or appealing against disciplinary actions.

Evidence collected through our research shows that Kaalix couriers are able to reach their supervisors by phone or via

Whatsapp and have their queries addressed at a timely manner.

Glovo couriers have access to live operations agents and coordinators, which are available on the app during working hours and responsive to address work-related queries, including issues with payments, penalties and fines.

Glovo has human representatives in offices in five cities across Morocco, where couriers are able to discuss issues in person. These representatives are available during weekdays. Using these channels, couriers can raise questions even when they are deactivated.



Fair Representation

Morocco has yet to ratify the ILO Convention on Freedom of Association and Protection of the Right to Organise Convention. Though trade unions, such as the Democratic Confederation of Labour (CDT), General Union of Moroccan Workers (UGMT) and Moroccan Workers Union (UMT) exist, there is no union that represents platform workers in the country.

No platform could evidence any form of communication with these unions, or practices which would build towards

meaningful mechanisms for workers to raise their grievances and express their wishes in a collective manner.

Glovo was the only platform which could evidence the implementation of focus groups and surveys with their workers. However, no additional rights were provided for workers to organise, collectively express their wishes and be listened to.























PLATFORM IN FOCUS

Glovo

Four major platforms operate in the food and grocery delivery sector in Morocco: Glovo, Kaalix, Jumia Food, and Yassir. For this year's analysis, the Fairwork Morocco team has focused on the first three.

Glovo is the oldest food delivery platform operating in the country, entering in 2018. Kaalix and Jumia Food entered the market in 2020 and 2021, respectively. In this section, we take a closer look at the overall business model and working conditions in Glovo, one of the main competitors in the food delivery sector.

In 2018, the Spanish firm Glovo started its operations in Morocco in two cities, Casablanca and the capital, Rabat. Since then, it has expanded its services to cover 50 urban hubs, including Marrakesh, Tangier, Fez, and Agadir. To date, Glovo collaborates with over 6500 local businesses, many of them restaurants, to deliver food to customers across the country.

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

Glovo's Total Score



Glovo couriers—which the platform calls “Glovers”—are classified as ‘independent contractors’, meaning that rather than getting a fixed monthly wage, couriers receive a per delivery service fee, which is 6.50 dirhams per order. In practice, this means that on a busy day, and especially during peak hours where couriers often make multiple deliveries, a courier can potentially make over the minimum hourly wage threshold of 15.5 dirhams per hour, if major costs such as motorbike/electric bike rental, gas, and mobile data are not taken into account. In addition, Glovo uses a bonus system called “Delivery Guru” that rewards workers who have made at least 1400 deliveries by providing a lump sum of 830 dirhams. Additional bonuses can be attained for more deliveries.

Evidence provided by the platform and in our interviews with workers suggests that couriers, on average, make two or three deliveries per hour, and receive on average 20 to 30 dirhams for each hour spent at work. On rare occasions, they also receive tips, though worker interviews suggest that tips are not a reliable source of income.

Whilst none of the workers we interviewed mentioned a lack of deliveries, which can be the case for platforms with a smaller market share, the bigger issue underlined was the rising costs of task-related gear and equipment. The rental and insurance of (electric) bikes used for making deliveries often costs upwards of 1500 dirhams per month, which is almost a third of what a Glovo courier who works 44 hours a week would make (the majority of the workers interviewed worked less), and the monthly rental of an unlimited data plan costs upwards of 100 dirhams per month. For those working on non-electric motorcycles, with the rising cost of fuel prices, and the gear rental included (Glovo rents weatherproof jackets, helmets, and other gear used for work at a discount), the monthly costs incurred can equal almost a half of a worker’s monthly earnings, leaving some couriers at risk of meeting or exceeding the minimum wage threshold of 15.5 dirhams per hour.¹⁰

With regards to mitigating task-specific risks, Glovo has a number of measures which can be regarded as best practices in this industry. These include a partnership with the National Road Safety Agency in Morocco, NARSA, resulting in over 600 couriers participating in training programmes to raise awareness on road safety; removal of risky areas from delivery zones (based on feedback from couriers) and implementation of an SOS button on the Glovo courier app for speedy emergency contact; and frequent

reminders of benefits (such as accident insurance) provided to couriers via the newsletter.

It should be noted, once again, that Glovo couriers have to pay for the safety equipment they use for work, including weatherproof jackets and helmets. Though these can be obtained at a discount and supplied with the option to take out a payment plan (of two deductions), workers still have to pay to obtain the equipment, which is essential to their safety on the road, and vital to mitigating lone-working risks.

With regards to social security benefits, Glovo offers its couriers numerous measures that should be highlighted as best practices in the industry—especially for a platform that operates on an independent contractor model. These include parental support (a lump sum of up to 270 Euros) for couriers who have been working with Glovo for at least six months and a monthly average of 30 hours per month, sick pay of up to 10 Euros/day (for couriers who cannot work at least seven consecutive days due to sickness, with payments covering up to 30 days); and an additional 10 Euros per day (for up to five days) to cover costs rising from hospitalisation. Furthermore, Glovo pays up to 140 Euros for urgent expenses (e.g. if a courier gets in a fatal accident or is left in permanent incapacity during working hours)—a practice that most other platforms do not offer. All of these claims can be filed online, and questions can be addressed to human representatives for further support.

Glovo’s Terms and Conditions are provided to all workers in Arabic and French upon signing up. The terms and conditions are presented in full in clear language, and all couriers are given the option to give consent upon signing them. For workers who may have additional questions about the Terms and Conditions, Glovo provides additional support via the app, the Glovo web site, as well as consultation hours at Glovo offices located in five major cities in Morocco.

There is a clear data protection policy that complies with the EU’s General Data Protection Regulation (GDPR), and the terms and conditions are available to all couriers online and also shared via email. Changes to the terms and conditions are communicated at least a month ahead. Whilst these suffice to grant Glovo the first point for Fair Contracts (3.1), the terms and conditions, nonetheless, contains clauses (e.g. 5.5.2 Responsabilité) that exempts Glovo from liability.

As we have already underlined in previous sections, Glovo provides clear channels of communication with human representatives to address workers’ queries. These include

live operations agents and coordinators, and human representatives in offices in five cities, which are available for couriers to contact during weekdays. Using these channels, couriers are provided with channels to reach out to the platform even when they are deactivated.

With regards to algorithmic transparency, Glovo shares with its couriers (via the app) information on key performance indicators against which workers are rated. Our interviews with workers also suggest that couriers are informed about these performance thresholds. These ratings are then operationalised to give preferential treatment in the allocation of work. Workers with higher scores are able to choose the hours they can work—which could mean that the peak hours where earnings can be higher go only to those with higher ratings. This could potentially result in new couriers having to opt for less busy hours, which in turn leads to reduced earnings.

In addition to having an anti-discrimination policy, Glovo takes measures to promote diversity in the workplace. These include employment opportunities for homeless people via an ongoing partnership with JOOD, a Moroccan NGO, information sessions organised in collaboration with the UNHCR where possible career options at Glovo intended for refugees were discussed, and initiatives to support small

businesses through AMAPPE (The Moroccan Association of Support to the Promotion of Small Business). Furthermore, as part of the Glovo Courier's Pledge, the platform offers free course for digital literacy and language training. To date, in Morocco alone, over 240 couriers have completed the courses, and an additional 100 have signed up for language training.¹¹

Finally, like the other four platforms included in this year's study, Glovo could neither evidence a documented mechanism for the expression of collective worker voice, such as an independent worker body that can negotiate with the management on behalf of workers, nor a formal, written statement of willingness to recognise, or bargain with an independent body of workers or a trade union. However, the platform regularly surveys its workforce and organises focus groups (in which all workers are welcomed to attend) to designate issues that cause dissatisfaction amongst workers and works towards addressing them. Recently, for example, Glovo asked its couriers to create a concept note to address an issue frequently brought up by couriers: the backpacks. The need for a more ergonomic backpack was an issue often brought up by the couriers we interviewed for this research. Currently Glovo Morocco is working towards providing workers with better backpacks, which is also a step forward in mitigating work-related risks.



Worker Stories

Since early 2023, Omar* has been working for a delivery platform in Morocco.

The reason why he chose platform work had to do with a bitter encounter with his previous boss. After studying for two years post high school, Omar was able to find an office job. He was content with the job, but he did not get along well with his boss, which led him to quit after a short stint. For some months, Omar was unemployed, which in a country like Morocco with high youth unemployment, is not an uncommon story.

One day, his brother, who was concerned about Omar's prolonged unemployment, asked him to apply to work for a platform where he would deliver groceries. This way, he could bring some additional income and help the family with mitigating the rising cost of living.

There were several options, but the one he opted for was what he considered one of the easiest to get. Other platforms, he heard, had waiting periods for training and processing paperwork. For this one, however, all he needed to do was to buy a motorcycle, and get it registered to use for work. The upfront cost of the motorcycle was a considerable 10,000 dirhams, which required him to get financial assistance from his parents as well as a smaller loan from a bank. He thought that if he worked hard enough, he could eventually pay these off. However, he soon realised that with the income he made, which was anywhere between 2500 to 3500 dirhams a month before costs associated with work, he could barely save any money to repay the loans, let alone the money he borrowed from his parents.

The job was relatively easy, and bosses did not bother him the way they did in his previous job. But he soon

realised that he was not prepared for handling the heat of the Moroccan summer and navigating heavy traffic. The platform provided him no training to mitigate these risks.

But unlike other platforms, his work here did not entail idling on the streets and seeking shade under the trees for restaurant orders to appear on his app. He still had to work long hours, but at least he did not have to deal with task-specific risks, such as fatigue or heatstroke.

There were other issues he did not anticipate, such as dealing with customers who could change their mind and modify the order or cancel it at the very last minute. When that happened, Omar was told to call the platform's support line, and contrary to stories he heard from others working for similar platforms, the support, so far, has been swift in handling his queries. One day, when he was about to park his motorbike to make a delivery to a customer's house, he received a notification saying that the customer had cancelled the order. When he called the support line, he was asked to return the groceries to the supermarket. And to his surprise, he not only got to keep the delivery charge, the management also let him keep the 20 dirhams of bonuses he had accumulated by making this delivery, which he appreciated given the fuel he had to burn to make the delivery.

Omar plans to stick with the platform for the foreseeable future to repay the mortgage on his motorbike, and pay his family the money he borrowed from them. However, he would prefer to work for a better paying alternative, and is actively seeking one.

Since 2022, Ali* has been working for one of the two major ride-hailing platforms operating in Rabat.

The idea of working for this platform came as a result of a string of conversations with his group of friends—some of whom already worked for the platform and claimed to make good money on the side. This, he thought, would be a great opportunity to help him pay his household expenses.

Ali was lucky to already have a car he could use for work. Had he not, the car rental alone would be upwards of 5000 dirhams each month—an amount that is almost double the gross monthly salary in Morocco’s private sector.

Ali remembers the sign-up process for the platform to be fairly unrigorous. All he was asked to provide was his driver’s licence, a photo, name, date of birth, email, and basic information on his vehicle, including brand, licence plate, photo of the vehicle, and certificate of registration. Things such as a certificate of good conduct, which he thought was mandatory to do this line of job, were optional. This did not matter much to him, as he was quite impressed by the flexibility of the work, meaning he could work whenever he felt like it.

The flexibility, however, also meant that the platform did the utter minimum when it came to handling problems at work. One day, during the holy month of Ramadan, Ali picked up two passengers who, a few minutes into the ride, he realised were drunk. He tried to ignore the fact that the couple were noisy, disrespectful, and disturbing, and simply wanted

to take them to their final destination without getting into any trouble. Things did not go according to plan, and one of the passengers ended up vomiting all over the back seat moments before they made it to their destination. They left the car, leaving Ali with all the mess. Ali did not know what to do in this situation, as the platform never informed him of ways of handling unruly passengers. He contacted the support line, hoping to reach a human representative to assist him with the situation. However, it was night-time, and no one picked up the phone. Because he wanted to continue to work, he parked the car and cleaned the back seats. Next day, he contacted the support again, and although he was able to reach a representative, he was told to deal with the situation on his own. As far as Ali knows, the platform did not charge the customers for vomiting during the ride. He certainly was not compensated for cleaning the car, or for being unable to work for hours whilst handling the situation.

Ali continues to work for the platform given that this is one of the few opportunities that he can think of to make some additional income. However, given the challenges at work, and lack of platform support, he is not sure for how long he will continue this type of work. Moreover, the stories of other ride-hailing drivers getting fined due to lack of licensing for ride-hailing platform workers in Morocco, and even beaten by taxi drivers, haunts him. The platform, after all, offers little to no support since it operates without a licence.

***Names changed to protect worker’s identity**



Envisioning a Digitally Transformed Future amidst Challenging Economic and Working Conditions

The platform economy has emerged as a beacon of hope for many Moroccans seeking employment amidst a challenging labour market plagued by high youth unemployment.¹² Digital labour platforms have been touted as a potential solution, offering flexible work opportunities for young people and others facing job losses or underemployment.

For instance, some of our interviewees turned to platform work after losing their jobs during the COVID-19 pandemic. One worker shared his experience of resorting to platform work after losing his job as a clothing seller due to the pandemic's economic impact. If the unemployment situation persists, platform workers may face increased competition as more individuals seek employment opportunities in the digital labour market.

The platform economy, with its promise of flexibility and independence, has lured many Moroccans into its embrace, offering them a chance to earn a livelihood on their own terms. However, despite their promise, the prevailing economic challenges in the country, as well as poor working conditions, continue to impede platform workers' ability to earn a decent living wage, threatening their livelihoods.

Our research has revealed that platform workers in the ride-hailing and delivery sectors are struggling to make ends meet due to the relentless surge in fuel prices and inflationary pressures. This predicament mirrors the experiences of platform workers in other African countries where Fairwork research is conducted, including Egypt, Ghana, and Tanzania, where the erosion of worker earnings due to rising inflation and fuel costs is evident.¹³

Pinned between rising fuel prices and inflation, platform workers in Morocco are struggling to make ends meet. Since the beginning of 2022, the Moroccan dirham has lost over 14% of its value against the US dollar, a key currency for fuel purchases on the international market, effectively increasing fuel expenses for these workers.¹⁴ Simultaneously, inflation has soared from 1.37% in 2021

to about 6.3% in 2023, further exacerbating the financial strain on platform workers. Consequently, many of the platform workers we interviewed find it difficult to cover daily expenses and must work extended hours, often from 9 am to 9 pm, to maintain a basic standard of living. Our data also indicates that many platform workers are forced to juggle multiple platforms and work extra hours just to make ends meet. One worker told us about the detrimental impact of his extensive workload, including prolonged sitting in his car, which poses health risks for himself, as well as for his colleagues. Indeed, our interviews underline that the constant pressure to meet targets and the exposure to health risks create a perpetual state of anxiety and stress. Our findings show that many platform workers are unable to break even after accounting for overhead expenses such as fuel, maintenance, and mobile data. The absence of a clear career path, or other options in the broader Moroccan labour market further exacerbates their sense of economic insecurity and hopelessness.

Despite these challenges, platforms have yet to implement measures to adjust workers' wages to compensate for declining earnings. Behind the façade of flexibility that the platform economy offers to its workers in Morocco lies a harsh reality, one marked by poor working conditions that ultimately undermines the well-being of the workers. Our interviews reveal that platform workers are often treated as expendable labour, stripped of the protections and benefits enjoyed by traditional employees. In stark terms, our findings expose the pervasive absence of healthcare, paid time off, and social security, leaving workers exposed to life's unpredictable hardships. These revelations underscore the mounting public concern over the platform economy's relentless pursuit of efficiency at the expense of worker well-being, reducing work to a mere exchange of labour for money, devoid of social protection and even basic dignity. The following quotes from our interviewees capture the grim reality of their working conditions:

“Working on this platform presents a variety of challenges. For instance, when we're tasked with fulfilling a substantial order (15 items or more), our motorcycle's storage capacity can become quickly overloaded, making it riskier to maintain balance while riding...which unfortunately entails putting our safety on the line.”

“As workers, we encounter numerous challenges...The platform I work for lacks support for its drivers, offering no sick pay, holidays, or any other forms of assistance. Additionally, the unregulated nature of this sector creates a sense of mental discomfort while working.”

Unfortunately, the platforms assessed in this study appear remarkably passive in addressing the dismal working conditions of their workers, a sentiment expressed by one worker we interviewed:

“We are facing challenges with the [platform management], as they seem unresponsive to our concerns. It's disheartening when our voices go unheard.”

While the focus of this section has been on ride-hailing and delivery workers, these insights extend to the broader platform economy in Morocco, emphasising the importance of considering the lived experiences of workers and the contextual factors shaping their work.

Significantly, as Morocco strides towards a digitally transformed future, the fate of platform workers in the country must not be solely entrusted to platforms. In the face of ambiguous legislation governing the platform economy, the government must act decisively to safeguard workers' rights, ensuring they receive fair wages, adequate benefits, and safe working conditions. Platforms must also embrace their responsibility, adopting best practices that prioritise the working conditions and overall well-being of their workforce.

In conclusion, our report highlights that through collaboration and a focus on worker well-being, platforms and the Moroccan government together can shape a platform economy that is both efficient and equitable, empowering workers in the digital age.

MOVING FORWARD

Pathways of Change

Fairwork’s theory of change relies on a humanist belief in the power of empathy and knowledge. If they have the economic means to choose, many consumers will be discerning about the platform services they use.

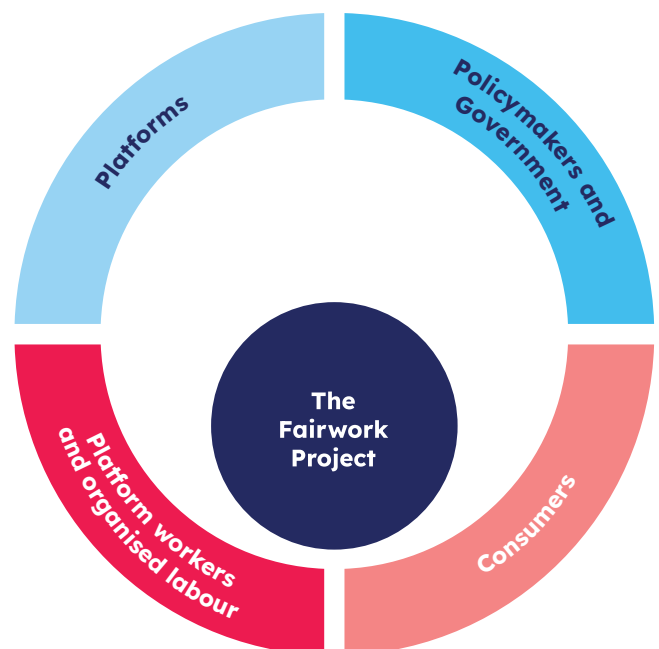
Fairwork’s theory of change relies on a humanist belief in the power of empathy and knowledge. If they have the economic means to choose, many consumers will be discerning about the platform services they use. Our yearly ratings give consumers the ability to choose the highest scoring platform operating in a sector, thus contributing to pressure on platforms to improve their working conditions and their scores. In this way, we leverage consumer solidarity with workers’ allies in the fight for fairer working conditions. Beyond individual consumer choices, our scores can help inform the procurement, investment and partnership policies of large organisations. They can serve as a reference for institutions and companies who want to ensure they are supporting fair labour practices.

This is the first annual round of Fairwork ratings for Morocco, and we are anticipating to see increasing influence and impact (Figure 2). As part of the Glovo Courier’s pledge, which was developed in 2021 in collaboration with Fairwork, we are already seeing positive improvements which include enhanced pay, expanded benefits, and improved communications with human representatives, which we have highlighted in our Platform in Focus.

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

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

Figure 2: Fairwork’s Pathways to Change



The Fairwork Pledge

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

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

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

FAIR.WORK/PLEDGE



APPENDIX

Fairwork Scoring System

Which companies are covered by the Fairwork principles?

The International Labour Organisation (ILO) defines a “digital labour platform” as an enterprise that mediates and facilitates “labour exchange between different users, such as businesses, workers and consumers”.¹⁵ That includes digital labour “marketplaces” where “businesses set up the tasks and requirements and the platforms match these to a global pool of workers who can complete the tasks within the specified time”.¹⁶ Marketplaces that do not facilitate labour exchanges - for example, Airbnb (which matches owners of accommodation with those seeking to rent short term accommodation) and eBay (which matches buyers and sellers of goods) are obviously excluded from the definition. The ILO’s definition of “digital labour platform” is widely accepted and includes many different business models.¹⁷

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

Fairwork distinguishes between two types of these platforms. The first, is ‘location-based’ platforms where the work is required to be done in a particular location such as

delivering food from a restaurant to an apartment, driving a person from one part of town to another or cleaning. These are often referred to as ‘gig work platforms’. The second is ‘cloudwork’ platforms where the work can, in theory, be performed from any location via the internet.

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

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

How does the scoring system work?





















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

Each Fairwork Principle is divided into two thresholds. Accordingly, for each Principle, the scoring system allows the first to be awarded corresponding to the first threshold, and an additional second point to be awarded corresponding to the second threshold (see Table 1).

The second point under each Principle can only be awarded if the first point for that Principle has been awarded. The thresholds specify the evidence required for a platform to receive a given point. Where no verifiable evidence is available that meets a given threshold, the platform is not awarded that point.

A platform can therefore receive a maximum Fairwork score of ten points. Fairwork scores are updated on a yearly basis; the scores presented in this report were derived from data pertaining to the months between November 2022 and November 2023, and are valid until November 2024.

Table 1 Fairwork: Scoring System

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

Maximum possible Fairwork Score



Principle 1: Fair Pay

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

Platform workers often have substantial work-related costs to cover, such as transport between jobs, supplies, or fuel, insurance, and maintenance on a vehicle¹⁸. Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.¹⁹ Workers also absorb the costs of extra time commitment, when they spend time waiting or travelling between jobs, or other unpaid activities necessary for their work, such as mandatory training, which are also considered active hours.²⁰ To achieve this point platforms must ensure that work-related costs do not push workers below local minimum wage.

The platform takes appropriate steps to ensure both of the following:

- Payment must be on time and in-full.
- Workers earn at least the local minimum wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.²¹

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

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

The platform takes appropriate steps to ensure the following:

- Workers earn at least a local living wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.^{22 23}

Principle 2: Fair Conditions

2.1 - Mitigates task-specific risks (one point)

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

The platform must satisfy the following:

- Adequate equipment and training is provided to protect

workers' health and safety from task-specific risks.²⁴ These should be implemented at no additional cost to the worker.

- The platform mitigates the risks of lone working by providing adequate support and designing processes with occupational safety and health in mind.

2.2 - Ensures safe working conditions and a safety net (one additional point)

Platform workers are vulnerable to the possibility of abruptly losing their income as the result of unexpected or external circumstances, such as sickness or injury. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control. However, platform workers usually don't qualify for protections such as sick pay, because of their independent contractor status. In recognition of the fact that most workers are dependent on income they earn from platform work, platforms should ensure that workers are compensated for loss of income due to inability to work. In addition, platforms must minimise the risk of sickness and injury even when all the basic steps have been taken.

The platform must satisfy ALL of the following:

- Platforms take meaningful steps to ensure that workers do not suffer significant costs as a result of accident, injury or disease resulting from work.
- Workers should be compensated for income loss due to inability to work commensurate with the worker's average earnings over the past three months.
- Where workers are unable to work for an extended period due to unexpected circumstances, their standing on the platform is not negatively impacted.
- The platform implements policies or practices that protect workers' safety from task-specific risks.²⁵ In particular, the platform should ensure that pay is not structured in a way that incentivizes workers to take excessive levels of risk.

Principle 3: Fair Contracts

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

The terms and conditions governing platform work are not always clear and accessible to workers.²⁶ To achieve this point, the platform must demonstrate that workers are able

to understand, agree to, and access the conditions of their work at all times, and that they have legal recourse if the other party breaches those conditions.

The platform must satisfy ALL of the following:

- The party contracting with the worker must be identified in the contract, and subject to the law of the place in which the worker works.
- The contract/terms & conditions are presented in full in clear and comprehensible language that all workers could be expected to understand.
- Workers have to sign a contract and/or give informed consent to terms of conditions upon signing up for the platform.
- The contracts/terms and conditions are easily accessible to workers in paper form, or via the app/platform interface at all times.
- Contracts/terms & conditions do not include clauses that revert prevailing legal frameworks in the respective countries.
- Platforms take adequate, responsible and ethical data protection and management measures, laid out in a documented policy.

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

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

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

- Every worker is notified of proposed changes in clear and understandable language within a reasonable timeframe before changes come into effect; and the changes should not reverse existing accrued benefits and reasonable expectations on which workers have relied.
- The contract/terms and conditions neither include clauses which exclude liability for negligence nor unreasonably

exempt the platform from liability for working conditions. The platform takes appropriate steps to ensure that the contract does not include clauses which prevent workers from effectively seeking redress for grievances which arise from the working relationship.

- In case platform labour is mediated by subcontractors: The platform implements a reliable mechanism to monitor and ensure that the subcontractor is living up to the standards expected from the platform itself regarding working conditions.
- In cases where there is dynamic pricing used for services, the data collected and calculations used to allocate payment must be transparent and documented in a form available to workers.

Principle 4: Fair Management

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

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

The platform must satisfy ALL of the following:

- There is an easily accessible channel for workers to communicate with a human representative of the platform and to effectively solve problems. This channel is documented in the contract and available on the platform interface. Platforms should respond to workers within a reasonable timeframe. There is a process for workers to meaningfully and effectively appeal low ratings, non-payment, payment issues, deactivations, and other penalties and disciplinary actions. This process is documented in a contract and available on the platform interface.²⁷
- In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.
- Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.

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

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

Platforms must satisfy ALL of the following:

- The platform has an effective anti-discrimination policy laying out a clear process for reporting, correcting and penalising discrimination of workers on the platform on grounds such as race, social origin, caste, ethnicity, nationality, gender, sex, gender identity and expression, sexual orientation, disability, religion or belief, age or any other status.²⁸
- The platform has measures in place to promote diversity, equality and inclusion on the platform. It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief.
- Where persons from a disadvantaged group (such as women) are significantly under-represented among a pool of workers, it seeks to identify and remove barriers to access by persons from that group.
- If algorithms are used to determine access to work or remuneration or the type of work and pay scales available to workers seeking to use the platform, these are transparent and do not result in inequitable outcomes for workers from historically or currently disadvantaged groups.
- It has mechanisms to reduce the risk of users discriminating against workers from disadvantaged groups in accessing and carrying out work.

Principle 5: Fair Representation

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

Freedom of association is a fundamental right for all workers, and enshrined in the constitution of the

International Labour Organisation, and the Universal Declaration of Human Rights. The right for workers to organise, collectively express their wishes – and importantly – be listened to, is an important prerequisite for fair working conditions. However, rates of organisation amongst platform workers remain low. To achieve this point, platforms must ensure that the conditions are in place to encourage the expression of collective worker voice.

Platforms must satisfy ALL of the following:

- There is a documented mechanism²⁹ for the expression of collective worker voice that allows ALL workers, regardless of employment status, to participate without risks.
- There is a formal, written statement of willingness to recognise, and bargain with, a collective, independent body of workers or trade union, that is clearly communicated to all workers, and available on the platform interface.³⁰
- Freedom of association is not inhibited, and workers are not disadvantaged in any way for communicating their concerns, wishes and demands to the platform, or expressing willingness to form independent collective bodies of representation.³¹

5.2 - Supports democratic governance (one additional point)

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

The platform must satisfy at least ONE of the following:

1. Workers play a meaningful role in governing it.
2. In a written document available at all times on the platform interface, the platform publicly and formally recognises an independent collective body of workers, an elected works council, or trade union. This recognition is not exclusive and, when the legal framework allows, the platform should recognise any significant collective body seeking representation.³²

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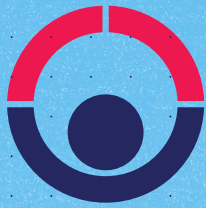
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18. Work-related costs include direct costs the worker may incur in performing the job. This may include, for instance, transport in between jobs, supplies, vehicle repair and maintenance, fuel, road tolls and vehicle insurance. However, it does not include transport to and from the job (unless in-between tasks) nor taxes, social security contributions or health insurance.
19. The ILO defines minimum wage as the "minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract." Minimum wage laws protect workers from unduly low pay and help them attain a minimum standard of living. The ILO's Minimum Wage Fixing Convention, 1970 C135 sets the conditions and requirements of establishing minimum wages and calls upon all ratifying countries to act in accordance. Minimum wage laws exist in more than 90 per cent of the ILO member states.
20. In addition to direct working hours where workers are completing tasks, workers also spend time performing unpaid activities necessary for their work, such as waiting for delivery orders at restaurants and travelling between jobs and undertaking mandatory training (i.e., training activities that must be completed for workers to continue accessing work on the platform). These indirect working hours are also considered part of active hours as workers are giving this time to the platform. Thus, 'active hours' are defined as including both direct and indirect working hours.
21. In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local minimum wage after costs in their active hours; or (b) provide summary statistics of transaction and cost.
22. Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.
23. In order to evidence this, where the platform is responsible for paying workers the platform must either: (a) have a documented policy that ensures the workers receive at least the local living wage after costs in their active hours; or (b) provide summary statistics of transaction and cost data evidencing all workers earn a minimum wage after costs.
24. The ILO recognises health and safety at work as a fundamental right. Where the platform directly engages the worker, the starting point is the ILO's Occupational Safety and Health Convention, 1981 (C155). This stipulates that employers shall be required "so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health", and that "where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health."

25. The ILO recognises health and safety at work as a fundamental right. Where the platform directly engages the worker, the starting point is the ILO's Occupational Safety and Health Convention, 1981 (C155). This stipulates that employers shall be required "so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health", and that "where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health."
26. The ILO's Maritime Labour Convention, 2006 (MLC 2006), Reg. 2.1, and the Domestic Workers Convention, 2011 (C189), Articles 7 and 15, serve as helpful guiding examples of adequate provisions in workers' terms and conditions, as well as worker access to those terms and conditions.
27. Workers should have the option of escalating grievances that have not been satisfactorily addressed and, in the case of automated decisions, should have the option of escalating it for human mediation.
28. In accordance with the ILO Convention No. 111 concerning Discrimination in Respect of Employment and Occupation and applicable national law.
29. A mechanism for the expression of collective worker voice will allow workers to participate in the setting of agendas so as to be able to table issues that most concern them. This mechanism can be in physical or virtual form (e.g. online meetings) and should involve meaningful interaction (e.g. not surveys). It should also allow for ALL workers to participate in regular meetings with the management.
30. For example, "[the platform] will support any effort by its workers to collectively organise or form a trade union. Collective bargaining through trade unions can often bring about more favourable working conditions."
31. See the ILO's Freedom of Association and Protection of the Right to Organise Convention, 1948 (C087), which stipulates that "workers and employers, without distinction, shall have the right to establish and join organisations of their own choosing without previous authorisation" (Article 2); "the public authorities shall refrain from any interference which would restrict the right or impede the lawful exercise thereof" (Article 3) and that "workers' and employers' organisations shall not be liable to be dissolved or suspended by administrative authority" (Article 4). Similarly the ILO's Right to Organise and Collective Bargaining Convention, 1949 (C098) protects the workers against acts of anti-union discrimination in respect of their employment, explaining that not joining a union or relinquishing trade union membership cannot be made a condition of employment or cause for dismissal. Out of the 185 ILO member states, currently 155 ratified C087 and 167 ratified C098.
32. If workers choose to seek representation from an independent collective body of workers or union that is not readily recognized by the platform, the platform should then be open to adopt multiple channels of representation, when the legal framework allows, or seek ways to implement workers' queries to its communication with the existing representative body.



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