

Gender equality and new forms of work

Dr Inga Thiemann, University of Exeter

i.k.thiemann@exeter.ac.uk
@inga_thiemann

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New forms of work, women and the gig economy



Gender equality and new forms of work

Structure of the presentation



- New forms of work that are precarious
- Women in the gig economy
- Women's sections of the gig economy
- New work or old work?
- Other dimensions of new work

New forms of work = precarious forms of work?

Precarious work: work that departs from the model of a full-time, year-round employment relationship with a single employer

- has historically been conducted mostly by women.

In the past few years, however, precarious work has expanded in magnitude, scope, and trendiness for both men and women, professionals and non-professionals.

Women and the gig economy

Majority of discussions about gig economy workers' rights focus on

- chauffeuring services, such as Uber
- food delivery companies, such as Deliveroo, Foodera, Uber Eats, Wolt, etc.
- Gig economy case law such as *Aslan v Uber* (UK)

General concerns about the gig economy

Algorithmic management:
platforms rely on sophisticated rating mechanisms to manage their workforce

- Designed to provide consumers and workers with accurate feedback
- But: ratings had little informational value

Tom Slee:

"[...] a substitute for a company management structure, and a bad one at that. A reputation system is the boss from hell: an erratic, bad-tempered and unaccountable manager that may fire you at any time, on a whim, with no appeal"

Gig economy & algorithmic management

Algorithmic management:

- is used to sanction workers
- platforms are keen to detect and prevent any 'gaming' of their systems by individuals

e.g. Uber:

- drivers are penalized for rejecting lower paid work in favour of higher paid work
- brief deactivation periods of up to 10 minutes as a sanction for a driver's repeated refusal to accept unprofitable rides



Gig economy & algorithmic management

Algorithmic management or the 'algorithm as boss' creates a dramatic increase in control

- **could** be welcome as most employment law use control and/or subordination as a key factor as to whether labour protections apply

However algorithmic management also diffuses responsibility:

- Who should be liable?
 - the employing company / platform provider?
 - the software designers?
 - data providers?



Women and the gig economy

The 'new' economy offers hope for enhancing women's economic equality

Two main reasons:

- At least in some cases, laborers enjoy a greater degree of anonymity - could offset bias, barriers, and discrimination still faced by women in the general workforce
 - may make it easier to negotiate for equal pay
- Often workers in the gig economy enjoy a substantial degree of flexibility in setting their work schedules



Gender pay gap in the gig economy

- Women's average hourly rates average at about 2/3 of men's average rates.
- Gaps in hourly rates persist even after controlling for feedback score, experience, occupational category, hours of work, and educational attainment.
- Hourly rate gap exists in all categories, albeit with significant differences between categories.
- A significant hourly rate gap is reported for categories with a majority of female profiles.



Gender pay gap in the gig economy

Women are also sometimes disadvantaged by the algorithms when it comes to hour allocation

E.g. Uber and Deliveroo have been accused of favouring workers who are available at all hours

- Women who shoulder care responsibilities are then excluded by the algorithm
- Supply and demand mean better rates are often paid during hours women are unable to work

Women and the gig economy

In addition to platform-based work performed by both genders, there are increasing numbers of online platforms for household work, both for cleaning and small maintenance work, but also for childcare in the form of 'babysitting' through platforms such as 'taskrabbit', 'handy', 'housekeep', etc.

New forms of work = old forms of work?

Increasing use of online platforms as employers for workers in the so-called reproductive labour sphere, which happens in private properties.

We have a historic notion of care work and domestic work as 'non-work', in fact historically speaking most labour legislation and labour protections are based upon and reproduce highly gendered norms.



Histories of precarious work

For women working in the private sphere

- Living at their place of work
 - sometimes without much contact to the outside world
- Lack of limitations to their working hours
- Restrictions on other key workers' rights
 - even though they may have been particularly vulnerable

Linked to the idea of private homes as safe havens for women, in which a male guardian protected them from the dangers of the outside world.

Women's paid, underpaid and unpaid work in the private sphere was no concern.



Precarious work today

In current labour law care work and domestic work have exceptions or lack enforceability

- E.g. rest periods and maximum working hours

Some types of care work, such as Au Pairs, are simply not classified as workers, let alone employees, and enjoy no labour protections

- 'Pocket money' instead of salaries
- Not work = no maximum hours



Precarious work today

Care and domestic work has increasing numbers of workers that are platform-based

But they continue to be excluded from debates surrounding the gig economy.

Partially explained by the notion that “women’s work is not real work”.

Overlooking reproductive work *as work* is ongoing in the context of the gig economy.



Gendered precarity

- Lots of attention has been given to gig economy workers in the context of 'real' professions
- The gig economy in private households has received much less attention:
 - Possibly because there has been no uproar from traditional household workers in the same way that there has been e.g. from taxi drivers
 - Nor has there been the same level of public visibility that we have for delivery riders, etc.

Gendered precarity – is the gendered gig economy different?

In the case of domestic and care staff, the app replaces the proprietor of the household as **both the employer** and **the consumer** of the work.

This creates an additional layer of distance,

- can be problematic because it further dehumanizes the worker.

Gendered precarity – is the gendered gig economy different?

With regard to reproductive workers there is a particular intimacy to the relationship

Notions of the worker

- 'being part of the family'
- 'not really an employee'

have been a key factor in preventing workers from articulating their concerns.



Gendered precarity – is the gendered gig economy different?

In the context of such 'over-familiarity' the relative anonymity of the app may also serve as a distancing tool for workers

This could strengthen the bargaining position of app-based reproductive workers – if there are sufficient ways to engage them in collective bargaining.



The gendered gig economy

But there is also another level in which, despite all its similarities, app-based reproductive labour differs from other platform-based work.

In feminized work in private households, within someone's private property, workers suffer from isolation and have often been unable to engage in collective bargaining.



New forms of work, old problems

For these jobs that have always been female-dominated, the gender divide between the public and the private sphere continues to shape what working conditions can be interfered with

This may also explain some of the ongoing reluctance to include them in recent attempts to improve workers' bargaining positions in the context of platform-based work.



New forms of work, old problems

Women in these fields also face additional concerns

- Low pay despite increasing demands
- Other types of precarious contracts, such as zero hours contracts in the UK care sector
- Additional use of algorithms as 'monitors' particularly relevant in the care sector

Are the new barriers new?

- Exclusion from preferable rates
 - Historical active exclusion of women from e.g. night work
- Different pay categories for men and women
 - Historical justification of the 'breadwinner's wage'
- Claims that the market will self-regulate
 - Historical neglect of the different living conditions of women and men

Old barriers revisited

Most significant concerns remain the same :

- How to achieve equality if (unpaid) care work is predominantly performed by women?
- How to legislate to counteract different lived realities of men and women?
- How to challenge the supposed 'neutrality' of hiring processes (and now algorithms)?
- How to demonstrate bias?
- How to challenge the notion of women's work as work unworthy of protection?



Thank you very much for your time!

Questions? Comments? Contact me at

i.k.thiemann@exeter.ac.uk
[@inga_thiemann](https://twitter.com/inga_thiemann)



