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A gender critique of the EU directive on platform work from the perspective of feminised and racialised labour

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ABSTRACT

The Directive on improving working conditions in platform work challenges deeply entrenched inequalities in platform work by regulating some aspects of the labour process that remain unregulated in most EU Member States. The Directive is the outcome of labour struggles and court cases that have taken place during the past years against the misclassification of platform workers as independent self-employed contractors and the non-transparent usage of algorithms in human resources management. Nevertheless, the Directive is gender blind and obscures intersectional aspects of algorithmic management. In the text, there are few references to “gender” or to “women” and important issues like work-life balance, equal pay for equal work, sexual harassment, intersectional gender discrimination, or paid maternity and paternity leaves are mentioned but not considered. Based on the relevant literature, the article explores the gendered challenges that will emerge from its implementation especially regarding reproductive labour and algorithmic biases. More specifically the analysis uses existing research on intersectional gender inequalities from different areas of platform work, mostly crowdwork and

domestic and care work, to explore how it will impact on the platform economy. The paper concludes by arguing that the fact that the Directive obscures the specific forms that gender inequality takes in platforms will further exasperate intersectional gender inequalities and discrimination in platform work.

Keywords: directive on improving working conditions in platform work; gender; care; domestic work; work-life balance.

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SUMMARY: 1. Introduction. – 2. Gendering the employment status of platform workers. – 2.1 Crowdwork and work life-balance. – 2.2 The challenges of platformisation in domestic and care work. – 3. Algorithmic control and the management of the self. – 4. Conclusions.

1. Introduction

This paper explores the recent efforts to regulate platform labour in the European Union (EU) by considering how they silence the diverse experiences of platform workers, especially those of female and LGBTQ+, and presuppose homogeneous labour conditions across all Member States and sectors of the platform economy, including those that have always been informal, precarious, feminised and racialised. In many ways, the outcome of these efforts is a legal framework that reproduces perceptions of platformisation as a novel type of precarisation and perceives platform workers as a unified labour force. Contrary to the gender-neutral perspective that is dominant, the paper argues that platformisation is not a uniform process for all workers and is determined by gender inequalities and prejudices. To understand this argument better we need to turn towards different forms of feminised and racialised precarious affective labour that feminist scholars have studied in relation to new technologies and new forms of labour⁽¹⁾. Platformisation is not a unified and linear process that evolves in the same way in all sectors and all societies, but is diversified in different historical, geographical, and sectoral contexts in response to gender relations, labour struggles and resistances, institutional pressures, and forms of labour organization. As a result, the experiences of platform workers are heterogeneous and vary across platforms, states, and degrees of dependency on platforms⁽²⁾.

The paper focuses on the Directive on improving working conditions in platform work that was issued on the 11th of March 2024 by the EU Ministers of employment and social affairs confirming a provisional agreement between the Council of the EU Presidency and the European Parliament's negotiators on improving the working conditions of platform workers and the regulation of algorithmic management

⁽¹⁾ K. Jarrett, *Through the Reproductive Lens: Labour and Struggle at the Intersection of Culture and Economy*, in D. Chandler, C. Fuchs, (eds.) *Digital Objects, Digital Subjects: Interdisciplinary Perspectives on Capitalism, Labour and Politics in the Age of Big Data*, London: University of Westminster Press, 2019, 103-116.

⁽²⁾ J.B. Schor, W. Attwood-Charles, M. Cansoy, *Dependence and precarity in the platform economy*, *Theory and Society*, 2020, 49, 833-861.

by digital platforms⁽³⁾. The aim of the Directive is to challenge inequalities in platform work by regulating some aspects of the labour process. Its first objective is to regulate the employment status of workers in digital platforms⁽⁴⁾. This objective is the result of labour struggles and court cases against the misclassification of platform workers as independent self-employed contractors, when in reality there is a labour relation of dependency with platforms⁽⁵⁾. Member States, however, did not accept the full proposal of the European Commission (EC) that set common criteria to determine what constitutes a worker status and will be obliged to introduce into their legislation a legal presumption of employment based on facts that take into consideration EU case law, but will be decided separately by national law and collective agreements⁽⁶⁾. The second objective of the Directive is to regulate the usage of algorithms in human resources management by imposing rules that promote transparency in automated decision making, enable the monitoring of algorithms by human experts, and provide the right of workers and labour unions to contest automated decisions based on algorithmic management⁽⁷⁾. The Directive includes provisions to ban monitoring and automated decision making based on the collection and processing of workers' personal data, including biometrical data and data on their emotional, physical, and psychological state⁽⁸⁾. The analysis examines these two aspects of the Directive and shows how gender issues are likely to impact on its implementation by using examples from research conducted in different platforms. As Eurofound argues, «labour law initiatives – in theory – are powerful tools to improve platform workers' employment and working conditions. In practice, their effectiveness is blunted by their restricted scope and enforceability issues» ⁽⁹⁾.

Although the analysis is focused on EU legislation, it is not a legal analysis because it interrogates and problematises the framework of EU law from a gender perspective. It explores how issues are defined not only by what is being written in policy and legal texts but also by what is being omitted from these texts. It questions the ways in which these texts construct what is being conceived as an issue or a problem

⁽³⁾ Council of the European Union, *Press Release: Platform workers: Council confirms agreement on new rules to improve their working conditions*, 2024, <https://www.consilium.europa.eu/en/press/press-releases/2024/03/11/platform-workers-council-confirms-agreement-on-new-rules-to-improve-their-working-conditions/>

⁽⁴⁾ Council of the European Union, *Proposal for the Directive of the European Parliament and of the Council on Improving Working Conditions in Platform Work - Analysis of the final compromise text with a view to agreement*, Brussels, 8 March, 2024 <https://data.consilium.europa.eu/doc/document/ST-7212-2024-ADD-1/en/pdf>

⁽⁵⁾ N. Countouris, V. Di Stefano, *New Trade Union Strategies for New Forms of Employment*, ETUC.

⁽⁶⁾ Council of the European Union, *op. cit.*

⁽⁷⁾ *Ibid.*

⁽⁸⁾ *Ibid.*

⁽⁹⁾ Eurofound, *Initiatives to improve conditions for platform workers: Aims, methods, strengths and weaknesses*, Brussels: Publications Office of the European Union, 2021, 4.

using gendered lenses and emphasising gender inequalities⁽¹⁰⁾. Gender is often to be found in what is silenced and obscured rather than what is being written and highlighted in these texts. In that sense, the analysis problematises the broader gender-neutral framework, which permeates the ways in which platforms are perceived and conceptualised, in EU policy and legal discourse. It explores how gender inequalities and issues that have been studied by researchers of the platform economy are omitted from the official texts, how women, migrants and LGBTQ+ workers' experiences and problems are marginalised and how gendered issues, like the gender pay gap, harassment, or work-life balance, are obscured.

The Directive, however, is not treated as a monolithic document. The analysis starts from the fact that it constitutes a “toned-down version” of the original EC proposal, the product of negotiations amongst different actors and compromises amongst Member States⁽¹¹⁾. The Directive establishes that Member States will have to introduce national legislation, which will determine who is and who is not self-employed even when they have signed an agreement with platforms as independent contractors. This will empower workers designated as self-employed to demand employee status from platforms. However, the Directive does not go far enough towards the direction of a common EU legal and policy framework, as many analysts and labour unionists had anticipated⁽¹²⁾. For its implementation, it will depend on national legislation, which is very unequal amongst Member States. Possibly, it will influence mostly those Member States in which there are judicial precedents and legislative efforts to regulate platform work and fight against the misclassification of platform workers⁽¹³⁾. Labour markets in which the presumption of employment in platforms has not been pursued effectively in courts by labour unions and individual workers in law and in courts are likely to be left untouched. Simultaneously, platforms will navigate through these inequalities amongst Member States to avoid their responsibilities as employers and adapt to the local legislative contexts that suit them best. In France, for example, where the institutional context is much more concrete regarding domestic work and cleaning, Helping adopted

⁽¹⁰⁾ C. Bacchi, *Women, Policy and Politics: The Construction of Policy Problems*, Sage Publications, 1999; C. Bacchi, S. Goodwin, *Poststructural Policy Analysis: A Guide to Practice*, New York: Palgrave Macmillan, 2016.

⁽¹¹⁾ T. Bourgery-Gonse, *At long last, EU countries adopt the platform work directive*, EURACTIV <https://www.euractiv.com/section/economy-jobs/news/at-long-last-eu-countries-adopt-the-platform-work-directive/>

⁽¹²⁾ See for example, A. Aloisi, *Platform work in Europe: Lessons learned, legal developments and challenges ahead*, *European Labour Law Journal*, 2022, 13, 1, 4-29.

⁽¹³⁾ See for example how the rise of the gig economy is connected to the broader deregulation of labour relations where the question of employment is in doubt in the context of the Greek crisis, M. Mexi, C. Kokkinou, *Crisis, deregulation and the rise of the gig economy: Greek industrial relations and social partnership under stress?*, in C. Fernández Rodríguez, M. Martínez Lucio, *Work and Employment Relations in Southern Europe: The Impact of De-regulation, Organizational Change and Social Fragmentation on Worker Representation and Action*, Edward Elgar Publishing, 2023, 93-112.

rules for the protection of platform workers while in other Member States it did not⁽¹⁴⁾. Most importantly, the fragmentation of European legislation will permit platforms to do “regime shopping”, moving their legal headquarters to EU Member States, in which labour law is less demanding with regards to social protection and the legal presumption of employment is more difficult to prove⁽¹⁵⁾.

If we approach the original EC proposal from a gender-neutral perspective, we could argue that these compromises have led to a text that does not fully address the struggles and demands of platform workers. If, however, we approach it from a gender perspective, it becomes apparent that not much has changed from the original. Like its previous versions, the Directive is gender blind. Even though in the explanatory memorandum that sets the context there are few references to the term “gender” or to “women”, the Directive sets important gender equality issues, like work-life balance, equal pay for equal work, sexual harassment at work or paid maternity and paternity leaves as issues that are tied to the employment status⁽¹⁶⁾. The marginalisation of gender in policy debates on the platform economy contrasts with current research -both data collection and reports- from relevant European research institutions, which demonstrate that gender is an important aspect of the platform economy. These studies demonstrate that although platforms may offer easier access to the labour market to people who are excluded because of gender biases and greater flexibility to combine work with care, platform work tends to reproduce inequalities that are common in all labour markets, including horizontal segregation in feminised and masculinised sectors, gender pay gaps, lower work intensity for female workers, and perpetuates the unequal sharing of care responsibilities in households⁽¹⁷⁾. These inequalities are exasperated by legal uncertainties in the employment status of platform workers as a result of which most platform workers and women especially have no or limited access to social protection⁽¹⁸⁾. Uncontrolled and non-transparent algorithmic practices make female platform workers more vulnerable to gender discrimination and unfair treatment. Especially, strong algorithmic control of working schedules and practices reduces the autonomy worsening already existing work-life imbalances and leading to overworking and exhaustion⁽¹⁹⁾. Moreover, initiatives against indecent working conditions in the

⁽¹⁴⁾ N. Koutsimpogiorgos, K. Frenken, A.M. Herrmann, *Platform adaptation to regulation: The case of domestic cleaning in Europe*, *Journal of Industrial Relations*, 2023, 65, 2, 156-184.

⁽¹⁵⁾ A. Zwick, *Welcome to the Gig Economy: Neoliberal industrial relations and the case of Uber*, *GeoJournal*, 2018, 83, 4, 679-69.

⁽¹⁶⁾ See European Commission, *Explanatory Memorandum*, in *Proposal for a Directive of the European Parliament and of the Council on improving working conditions in platform work*, COM(2021) 762 final 2021/0414 (COD), 9.12.2021.

⁽¹⁷⁾ EIGE, *Gender differences in motivation to engage in platform work*, 2023 https://eige.europa.eu/publications-resources/publications/gender-differences-motivation-engage-platform-work?language_content_entity=e

⁽¹⁸⁾ EIGE, *Artificial Intelligence, Platform Work and Gender Equality*, Publications office of the European Union, 2022.

⁽¹⁹⁾ EIGE, *Gender Equality Index 2020 – Digitalisation and the future of work*, Publications Office of the European Union, 2020.

platform economy that mobilize large segments of workers and influence public debates are mainly in “on-location type of platform work”, especially food-delivery and taxi-type services, while online platform work or platform work performed at home receives little attention⁽²⁰⁾.

2. Gendering the employment status of platform workers

The fact that the Directive includes clauses that regulate the employment status of workers in digital platforms is undoubtedly a positive step towards achieving decent working conditions for those, who are falsely categorised as self-employed. Self-employed workers are in general more isolated and have fewer opportunities to organise collectively than employees⁽²¹⁾. Moreover, their demands for fair working conditions are often dismissed because of anti-trust laws, which treat them as independent contractors in competition with each other. To avoid unfair competition, these laws prevent the self-employed from unionising and collectively negotiating with platforms. The context of the Directive is based on the idea that «as a result of the misclassification, they [self-employed platform workers] cannot enjoy the rights and protections to which they are entitled as workers», which include «equal pay between men and women and the right to paid leave»⁽²²⁾. Gender is thus framed as an issue that is determined by the granting of employment status, rather than as a broader issue that concerns also those who will continue to be self-employed.

Platforms produce new spatialities and temporalities of the private and the public that worsen pre-digital gendered divisions of labour, inequalities, and invisibilities⁽²³⁾. These gendered reconfigurations of the private and the public, the visible and the invisible that emerge in the process of platformisation are completely silenced. Although there are differences between feminist authors who have analysed the private/public dichotomy, they all agree that the distinction between public and private is deeply gendered and that it has been used historically in both classical and liberal theories as a legitimisation for assigning women and men to separate spheres of life in ways that are foundational of gender inequalities⁽²⁴⁾. Feminist historians have demonstrated that women in private spaces -especially working class, black and migrant women – have carried out most of the unpaid domestic and care labour, but this was invisible, unappreciated, and non-remunerated because it was conceived in essentialist terms as

⁽²⁰⁾ Eurofound, *op.cit.*, 2021 - Eurofound, *Employment and working conditions of selected types of platform work*, Publications Office of the European Union, 2018.

⁽²¹⁾ H. Heiland, *Workers' Voice in platform labour: An Overview*, WSI Study, 21. Hans-Böckler-Stiftung, Wirtschafts und Sozialwissenschaftliches Institut (WSI), 2020, <https://nbn-resolving.de/urn:nbn:de:101:1-2020102613561185731705>

⁽²²⁾ European Commission, *op.cit.*, 2.

⁽²³⁾ S. Bauriedl, A. Strüver, *Platform Urbanism: Technocapitalist Production of Private and Public Spaces*, *Urban Planning*, 2020, 5(4), 267-276.

⁽²⁴⁾ J. Squires, *Public and private*, in R. Bellamy, A. Mason (eds.), *Political concepts*, Manchester University Press, 2023, 131-144; C. Pateman, *The Sexual Contract*, Cambridge: Polity Press, 1988.

“natural” and “feminine”. Since the 1970s, the feminist movements challenged the gendered spatialities and temporalities of work and the binary conceptions of private/public and masculine/feminine, paid/unpaid⁽²⁵⁾. According to Ursula Huws, the growth of the platform economy in Europe after the financial crisis of 2008 was interconnected with the neoliberal cuts in public care provisions that increased demand for commodified care⁽²⁶⁾. Platforms mediating between providers of care services or services that facilitate the life of carers, such as food delivery or private transport, covered a care gap in the market because they «formalised the informality» of feminised and racialised work⁽²⁷⁾.

The Directive does not take into consideration the complex gendered spatialities and temporalities of the platform economy but reproduces a much more simplistic perspective of platformisation as Uberisation. It follows a broader Uber-centric tendency, which is common in both mainstream research and policy making⁽²⁸⁾. Gender scholars, who have conducted research on the platformisation of the domestic and care work sectors have criticised this tendency arguing that because of the dominance of this model, platform care and domestic workers have become invisible in research and policy making⁽²⁹⁾. This focus is the outcome of the fact that there is greater visibility, more participation in strikes, protests and demonstrations and court cases that have impacted on public debates. Labour struggles, however, do not emerge in the same ways and with the same intensity across sectors. They are more intensified in the taxi and delivery sectors, where labour protest has been more intense, persistent, and visible⁽³⁰⁾. What these sectors have in common is that work is carried out in public spaces, while the relation between workers and clients is mediated by platforms. Although legal disputes may be resolved in a Member State other than the one in which the work is carried out, platform struggles are mostly embedded in urban spaces⁽³¹⁾. Being able to meet and discuss labour politics in physical spaces, such as car ques for drivers or waiting spots in front of restaurants, warehouses or logistical hubs for delivery workers plays an

⁽²⁵⁾ K. Weeks, *The Problem with Work: Feminism, Marxism, Antiwork Politics, and Postwork Imaginaries*, Duke University Press, 2011.

⁽²⁶⁾ U. Huws, *The hassle of housework: Digitalization and the commodification of domestic labour*. *Feminist Review*, 2019, 123, 1, 8-23, 20.

⁽²⁷⁾ Ibid, 20.

⁽²⁸⁾ J.B. Schor, W. Attwood-Charles, M. Cansoy, *Dependence and precarity in the platform economy*, *Theory and Society*, 2020, 49, 833-861.

⁽²⁹⁾ J. Ticona, A. Mateescu, *Trusted strangers: Care platforms' cultural entrepreneurship in the on-demand economy*, *New Media & Society*, 2018, 20, 11, 4384-4404.

⁽³⁰⁾ I. Bessa, S. Joyce, D. Neumann, et al., *A global analysis of worker protest in digital labour platforms*, *ILO Working Paper*, 70, Geneva: International Labour Organization, 2022; S. Joyce, T. Neuman, V. Trappmann & Ch. Umney, *A global struggle: Worker protest in the platform economy*, *ETUI Policy Brief*, 2020; C. Umney, M. Stuart, I. Bessa, S. Joyce, D. Neumann, V. Trappmann, *Platform Labour Unrest in a Global Perspective: How, Where and Why Do Platform Workers Protest?* *Work, Employment and Society*, 2024, 38, 1, 3-26.

⁽³¹⁾ Eurofound, *op. cit.*, 2021.

important role in organisation, mobilisation, and engagement in collective action⁽³²⁾. The space and time continuum between work and protest strengthens political ties amongst platform workers and makes more effective the political pressures on governments and platforms to consent to workers' demands⁽³³⁾. In turn, participation in labour activism becomes a more effective strategy, when workers meet physically in public spaces and move together towards targeted spots to protest and express discontent. They become more visible and heard, especially when they disrupt vital local infrastructures, like roads or delivery networks. Platform workers who are working remotely face multiple obstacles to accessing public spaces and influencing public discourses⁽³⁴⁾.

2.1 Crowdwork and work life-balance

Doing crowdwork, including micro tasking, for platforms, such as web-design, translation, proof reading, graphic design, or secretarial work, is usually done from home. Although crowdworkers face similar problems with workers in delivery and taxis such as low rates, algorithmic control and bogus self-employed, crowdworkers' organisation is less intensified and recognised in political and juridical discourses. On the one hand, this happens because their work is carried out entirely online, they lack opportunities to meet in physical spaces and as a result they do not usually engage in strikes, demonstrations, and protests⁽³⁵⁾. In most cases, their labour struggles focus on developing bottom-up online opposition to unfair payment and algorithmic management through digital networks that disrupt or expose unfair treatment. Although such struggles produce «active resistances»⁽³⁶⁾, they do not put as much pressure on governments because they are not recognised in dominant political discourses as legitimate forms of labour activism. This is manifest in the fact that apart from specialised research, these struggles are routinely ignored in public discourse, including the media and policy making circles. The Directive reproduces the silencing of newly emerging forms of online resistances that use digital means to express labour demands for better payment and working rights. It also reproduces the silencing of the diverse spatial contexts in which different types of platform work are performed. The isolation of crowdworkers and the digital forms of struggle that they engage in makes it difficult for them to prove employment status and impact on political decision making and legal practice as much as workers in platforms in which work is carried out in public spaces.

⁽³²⁾ M. Graham, *Regulate, replicate, and resist – the conjunctural geographies of platform urbanism*, *Urban Geography*, 2020, 41, 3, 453-457.

⁽³³⁾ J. Woodcock and M. Graham, *The gig economy: A critical introduction*, 2020, Cambridge: Polity Press.

⁽³⁴⁾ European Parliament, *Working conditions and precarious employment. European Parliament resolution of 4 July 2017 on working conditions and precarious employment*, 2018, 2016/2221(INI) 2018/C 334/09.

⁽³⁵⁾ I. Bessa et al., *op.cit.*

⁽³⁶⁾ N. Ettliger, *Algorithmic affordances for productive resistance*, *Big Data & Society*, 2018, 5, 1, n.p.

On the other hand, the question of how to situate in legal documents the unorthodox labour status of crowdworkers, whose workspaces are their homes raises issues connected to affective labour that have been addressed extensively in gender studies of digital feminised and racialised labour⁽³⁷⁾. When doing crowdwork from home, relations and working conditions become much more complex and difficult to configure than when work is carried out in public spaces. As a result, the boundaries separating those who are self-employed from those who are employees become porous, blurred, and difficult to identify⁽³⁸⁾. From a legal perspective, work performed online and not on location does not fit easily the traditional “control/subordination” based definitions of worker status, even when workers provide work on personal capacity and earn their living through that work⁽³⁹⁾. Also, even if the law changes, crowdwork platforms can avoid scrutiny because violations of labour law are notoriously difficult for labour inspectorates to find when work is performed in private spaces⁽⁴⁰⁾.

Moreover, the gendered aspects of remote crowdwork raise the question of work-life balance; an issue that is at large marginalised in the Directive. By being performed in private spaces, crowdwork intersects with other unpaid forms of feminised work, most notably unpaid care and domestic work⁽⁴¹⁾. For many crowdworkers, especially mothers with young children, working from home is a choice that they make because there are less barriers to entry, but also because this type of work allows them to deal with the time-squeeze that they face when trying to combine work with care⁽⁴²⁾. By offering them the flexibility to work from home, platforms are presented as a viable option especially for mothers with young children to top up their income⁽⁴³⁾. However, the autonomy of workers over work schedules and volume of work is undermined by income insecurity and intensification of work caused by the need to sustain a profile in the platforms. Because unpaid care is not considered as part of crowdwork, workers have no other option but to devise strategies that have a negative

⁽³⁷⁾ K. Jarret, *op. cit.*; K. Jarret, *Feminism, Labour and Digital Media: The Digital Housewife*. London: Routledge, 2016.

⁽³⁸⁾ N. Countouris, V. De Stefano, A. Piasna and S. Rainone (eds), *The future of remote work*, Brussels: ETUI, 2023.

⁽³⁹⁾ A. Aloisi, *op. cit.*

⁽⁴⁰⁾ A. Aloisi, S. Rainone & N. Countouris, *An unfinished task? Matching the Platform Work Directive with the EU and international "social acquis"*, ILO Working Paper, 2023, 101. Geneva: International Labour Office.

⁽⁴¹⁾ Al James, J. Temple, *Newbridge Art Project – ‘Workforce’*. *Feminising the Platform Economy?* 2019, <https://eprints.ncl.ac.uk/256646>

⁽⁴²⁾ M. Wallis, *Digital Labour and Social Reproduction – Crowdwork in Germany and Romania*, *Spheres: Journal of Digital Cultures*, 2021, #6 <https://spheres-journal.org/contribution/digital-labour-and-social-reproduction-crowdwork-in-germany-and-romania/>; M. Altenried, *The platform as factory: Crowdwork and the hidden labour behind artificial intelligence*, *Capital & Class*, 2020, 44, 2, 145-158; J.B. Schor, S.P. Vallas, *The Sharing Economy: Rhetoric and Reality*. *Annual Review of Sociology*, 2021, 47, 369-389.

⁽⁴³⁾ P. Tubaro, M. Coville, C. Le Ludec, A. Casilli, *Hidden inequalities: The gendered labour of women on micro-tasking platforms*, *Internet Policy Review*, 2022, 11, 1, n.p.

impact on their physical and psychological well-being, such as working long and unpredictable hours, taking over gigs that are less demanding and less well paid, and even neglecting childcare to spend more time on crowdwork⁽⁴⁴⁾. This situation is not new, and many women experience it in other types of work as well. The crucial difference with other types of labour relations, in which work-life imbalances also exist, is that in platform work the responsibility for reconciling work with care lies entirely with the workers.

Because of the silencing of gender in the Directive, crowdworkers with care responsibilities will experience more obstacles to be recognised as employees than other platform workers, as the type of paid and unpaid labour that they perform is precarious, invisible, undervalued, and feminised. First, their exhausting labour schedules make it less likely for them than for other platform workers to become engaged in labour disputes that will help them get recognition for their employment status, even if they are entitled to it. The example of crowdwork demonstrates more broadly that the continuum of work with care is a gendered issue that needs to be at the centre of the efforts to establish a legal and policy framework to address the challenges of platformisation. Second, work-life balance issues are interconnected with gender pay gaps that are another important factor that the Directive marginalises⁽⁴⁵⁾. A study of a microtask crowdwork platform in Australia showed that there was an 82% pay gap between women and men, which was caused mostly by the unequal gender distribution of domestic and care responsibilities⁽⁴⁶⁾. This study found that although women and men were on average of similar educational levels and backgrounds, they opted for simpler and less well-paid gigs because they could combine them more easily with child or elderly care. In another study, however, interviews with crowdworkers showed that clients were reluctant to give female platform workers more technical and better paid gigs because sexist biases and as a result women couldn't compete with male platform workers because they were considered as less capable of doing so⁽⁴⁷⁾. These findings were confirmed by an online survey of 1131 crowdworkers based in Germany and the United States performing both macro- and microwork in crowdwork platforms that showed that there are significant inequalities between male and female crowdworkers⁽⁴⁸⁾. Women's earnings from platform work were lower than men's and they were more dependent on the platform work and more at risk of precarity. This was

⁽⁴⁴⁾ Al James, *Platform Work-Lives in the Gig Economy: Recentering Work-Family Research*, *Gender, Work & Organization*, 2024, 513-534.

⁽⁴⁵⁾ E. Foong, N. Vincent, B. Hecht, E.M. Gerber, *Women (Still) Ask for Less: Gender Differences in Hourly Rate in an Online Labor Marketplace*, *Proceedings of the ACM on Human Computer Interaction*, 2018, 2, CSCW, Article 53.

⁽⁴⁶⁾ A. Adams-Prassl, J. Berg, *When Home Affects Pay: An Analysis of the Gender Pay Gap Among Crowdworkers*, SSRN, 2017, <https://ssrn.com/abstract=3048711>.

⁽⁴⁷⁾ A.M. Anwar, *Platforms of inequality: Gender dynamics of digital labour in Africa*, *Gender & Development*, 2022, 30, 3, 747-764.

⁽⁴⁸⁾ C. Gerber, *Gender and precarity in platform work: Old inequalities in the new world of work*, *New Technology, Work and Employment*, 2022, 37, 206-230.

directly linked to the unequal division of domestic and care labour and indirectly to women's more fragmented and precarious careers. The article concluded that «overall, crowdwork can serve as a magnifying glass to study how gender inequalities are reproduced in the digital world of work»⁽⁴⁹⁾.

The Directive was adopted after then pandemic, when questions of care in remote work have come to the centre of public debates about labour⁽⁵⁰⁾. Yet, it seems to ignore the fact that many platform workers are also carers, who will not be able to secure employment status in platforms. The text of the Directive demonstrates that despite these challenges, policy makers continue to take for granted the male Uber driver model as paradigmatic and obscure the diversity of platform workers' experiences and the ways in which they become gendered. As the example of crowdwork indicates, Uber can no longer be used as a paradigm for all types of platform work. From a gender perspective, thus, it is crucial to consider the public/private divide as part of the efforts to introduce legislation on labour in platforms. This includes considering the obstacles that platform workers working remotely from home, or in client's homes and combining work with care are facing. Ignoring the gendered aspects of specific aspects of platform work, as the Directive does, worsens the impact of precarisation on gender inequalities and reinforces social inequalities that hit mostly vulnerable groups, like women and migrants.

2.2 The challenges of platformisation in domestic and care work

During the past years, the interest in domestic and care work platforms is growing⁽⁵¹⁾, but it does not seem to have affected law and policy making. A visit to the German Helping website offers a narrative of the platform economy that differs substantially from Uberisation. Helping, a domestic work platform, gives two options to potential recruits: either to work as self-employed or as full-time employees of the platform. To make work in Helping attractive, the website advertises social protection and decent jobs, rather than simply flexibility and entrepreneurship. Moreover, it includes several quotes and videos from workers, which argue that the platform offers better labour conditions than informal ones and descent jobs with reliable payments,

⁽⁴⁹⁾ Ibid, 226.

⁽⁵⁰⁾ K. Arabadjieva, P. Franklin, *Home-based telework, gender and the public-private divide*, in N. Countouris, V. De Stefano, A. Piasna, S. Rainone (eds.) *The future of remote work*, ETUI, 2023, 61-81.

⁽⁵¹⁾ J. Ticona, A. Mateescu, *op. cit.*; B. Haidinger, B. Saupe, P. Schörpf, *Why the Sectoral Context Matters for Platform Work*, in S. Mezzadra, N. Cuppini, M. Frapporti, M. Pirone (eds.) *Capitalism in the Platform Age*. Springer Studies in Alternative Economics, Springer, 2024; V. Kluzik, *Governing invisibility in the platform economy: Excavating the logics of platform care*, *Internet Policy Review*, Alexander von Humboldt Institute for Internet and Society, Berlin, 2022, 11, 1, 1-21; K. Gruszka, A. Pillinger, S. Gerold, H. Theine, *(De)valuation of household cleaning in the platform economy*, *WU Vienna University of Economics and Business Ecological Economic Papers*, 2022, 44, 1-26; K. Schwiter, J. Steiner, *Geographies of care work: The commodification of care, digital care futures and alternative caring visions*, *Geography Compass*, 2020, 14, 12, n.p.

social protection, and fixed working hours. As one quote amply summarizes, Helping provides protection from the exploitative tactics of private employers who use affective client-worker relations to reduce the costs of labour. The quote is intended to show that both employees and the self-employed who find clients through the platform can improve their lives by working for the platform: «I worked as a part-time cleaner for many years. I was constantly asked whether I could work few hours longer, swap my day off, or take over a shift on the weekend. It got annoying! Since I've been self-employed, I can decide for myself how much and when I want to work. It fits my needs perfectly. I can decide when and where I want to work»⁽⁵²⁾. As this quote illustrates, the platform advertises its support for domestic workers' «transition from an informal to a formal economy»⁽⁵³⁾. The example of Helping's recruitment campaign in Germany illustrates that gender plays an important role in understanding platformisation. Domestic work is feminised and racialised and the challenges it presents are much more complex and multifaceted than it is commonly assumed in Uberisation models. Unlike contemporary platforms in other sectors, platformisation in domestic and care work is a process of renegotiation and reconfiguration of feminised and racialised labour relations⁽⁵⁴⁾.

In this context, the Directive can be criticised not only for avoiding broader questions related to gender equality law in employment, but also for failing to consider the challenges of sectors that have been informal before platformisation. Unlike other types of platform work that are performed in public, but also unlike crowdwork which is performed in workers' private spaces, domestic and care work is performed mostly in customers' private homes or working spaces. This makes labour organising hard but also complicates demands for labour rights because these intersect with affective personal ties⁽⁵⁵⁾. Informality and precarity in domestic and care work are not new phenomena, they pre-date platformisation and are interconnected with the construction of these tasks as “natural for women”. Uncertain working schedules, indeterminate duration of employment, income insecurity and unpaid overworking were common features of this type of work before platformisation. Most domestic and care workers are women and migrants. The unequal relations of gender, race, nation, and class between workers and clients are negotiated within a framework of affective relations, where the personal and the professional often become conflated⁽⁵⁶⁾. Even the limits between work and non-work are porous and undetermined. Platform workers' ability to use the provisions of the Directive to contest their status as self-employed in this sector are, thus, extremely narrow.

⁽⁵²⁾ Helping, “We are looking for you”, 2024, https://www.helping.de/de_en/anmelden/

⁽⁵³⁾ C.E. Weber, M. Okraku, J. Mair, I. Maurer, *Steering the transition from informal to formal service provision: labor platforms in emerging-market countries*, *Socio-Economic Review*, 2021, 19, 4, October, 1315-1344.

⁽⁵⁴⁾ N. Van Doorn, N. *Platform labor: On the gendered and racialized exploitation of low-income service work in the 'on-demand' economy*. *Information, Communication & Society*, 2017, 20, 6, 898-914.

⁽⁵⁵⁾ J. Ticona and A. Mateescu, *op. cit.*

⁽⁵⁶⁾ J. Ticona and A. Mateescu, *op. cit.*; B. Haidinger et al., *op. cit.*; V. Kluzik, *op.cit.*

Even before platformisation efforts to regulate these sectors stumbled upon essentialised gendered and racial biases and inequalities. Recognising the employment status of these workers now will be far more difficult than in other sectors because the limits between the private and the public are porous. For example, in 2018 in Denmark a collective representation and bargaining process began that led to the first collective agreement covering platform workers in Europe between the platform Hilfr.dk and the labour union 3F. The agreement was initially celebrated because it demonstrated that collective bargaining in the platform economy is possible and may in fact take place in sectors in which there were no such agreements prior to platformisation, without necessarily challenging the rights of workers who wish to remain self-employed⁽⁵⁷⁾. The agreement proved, however, that in feminised and racialised sectors, like care and domestic work, platformisation may facilitate labour processes that did not previously exist, including the rights to an hourly minimum wage, payment of unemployment benefits in case of sickness, paid vacation leave, working time protection, protection against dismissal and data protection⁽⁵⁸⁾. The agreement applied to all workers who had completed 100 hours of work on the platform, but those who wanted could opt out and remain freelancers with minimum fees. Nevertheless, in 2020 the agreement was undermined, when the Danish Competition and Consumer authority challenged the minimum fees established as a breach of anti-trust law⁽⁵⁹⁾.

In another example, the Dutch labour union FNV took Helping to court demanding employment status for domestic workers in 2018. After a long legal battle, the platform went bankrupt and seized its operations in the Netherlands. In 2019, the Amsterdam court of appeal ruled that Helping acts unlawfully when it asks domestic workers to pay a fee for the usage of the platform⁽⁶⁰⁾. In response, Helping changed its model, which was based on a fee imposed on workers to use the platform, and imposed a fee on clients who had the option either to pay a one-off fee for a temporary cleaner or a regular fee on a more permanent basis (premium) to hire a professional cleaner from a cleaning agency. Client's response to the imposition of this fee was very negative and many of them left the platform. They could easily find the same services for lower prices in the informal market. Helping could not stand the competition and went bankrupt. In September 2021, FNV took the case to the Court of Appeal Amsterdam

⁽⁵⁷⁾ V. De Stefano, A. Aloisi *European legal framework for digital labour platforms*, Publications Office of the European Union, 2018

⁽⁵⁸⁾ Ibid.

⁽⁵⁹⁾ N. Countouris, V. De Stefano, *Collective-bargaining rights for platform workers*, *Social Europe*, 6th October, 2020, <https://www.socialeurope.eu/collective-bargaining-rights-for-platform-workers>

⁽⁶⁰⁾ Eurofound, *Online platform Helping is not allowed to charge any commission to cleaners*, in *Platform Economy Database*, 2019, <https://apps.eurofound.europa.eu/platformeconomydb/online-platform-helping-is-not-allowed-to-charge-any-commission-to-cleaners-103443>.

asking for a collective labour agreement in Helping, but the ruling found that Helping acted as an agency and therefore a collective labour agreement was not applicable⁽⁶¹⁾.

As these cases point out, there are many potential challenges for labour demands in precarious feminised and racialised sectors of the platform economy that the Directive fails to consider. By ignoring the specificities of these sectors and the central role that the care crisis plays in the development of platforms, it also silences the possible strategies that platform workers may use to enact labour rights where they did not previously exist. Labour unionism in deregulated precarious sectors has its own specificities and requires intersectional strategies that transcend class, ethnic and racial stratification⁽⁶²⁾. Collective organising and labour struggles in domestic and care work take different forms in different platforms. The demands and tactics of domestic and care workers' unions do not usually aim at the recognition of full employment, but rather at practices that enable carers to access social protection in informality. One such example is the National Domestic Workers Alliance (NDWA) in the USA. As many of its members are migrant women, who have been facing precarity, lack of access to social protection and deportability, they have used a mutual benefits platform for employers' contributions that provides "portable benefits" even to workers who have no bank accounts⁽⁶³⁾. Through the usage of such schemes, NDWA members can get paid time off and unemployment coverage. NDWA strategies may be far removed from the Directive as they rely on mutualism, voluntary contributions from members and clients, rather than recognition of labour status. In that sense, they are closer to the cooperatives and organisations of mutual support that provide social protection to their self-employed members⁽⁶⁴⁾. The NDWA example, however, provides a different gendered lens through which to approach platforms, which is more nuanced, attentive, and sensitive to the experiences of male and female migrant workers around the globe, who have no option but to work in informal environments, in which precarity has been the norm historically.

3. Algorithmic control and the management of the self

The Directive also includes provisions against harmful algorithmic management practices that conceal the existence of subordination and control by digital platforms. These provisions apply to both those workers who are employees and those who are self-employed and may be used to target potentially harmful discrimination in

⁽⁶¹⁾ Gigpedia, *The Netherlands - HELPLING / Federatie Nederlandse Vakbeweging (FNV)*, September 2021, <https://gigpedia.org/research/court-cases/september-2021-the-netherlands-helping-federatie-nederlandse-vakbeweging-fnv>

⁽⁶²⁾ V. Pulignano, *Work in deregulated labour markets: A research agenda for precariousness*. ETUI Research Working Paper 2019, 03, Brussels: European Trade Union Institute -

⁽⁶³⁾ National Domestic Workers Alliance, *Benefits for house cleaners*, 2021, <https://www.ndwalabs.org/alia-benefits>

⁽⁶⁴⁾ H. Heiland, *op.cit.*

algorithmic management⁽⁶⁵⁾. According to the text that explains the context of the Directive, «the potential for gender bias and discrimination in algorithmic management could also amplify gender inequalities»⁽⁶⁶⁾. However, it does not provide any specific clauses to deal with potential gender bias. Although platforms present themselves as neutral intermediaries between independent providers and clients, they play a very important role in managing and organising the relationship between clients and workers through the usage of algorithms. More specifically, platforms set the rules, performance indicators and evaluation procedures that assign suitable gigs to workers and rank them. There are two aspects of algorithmic control that should be considered from a gender perspective. First, algorithms reproduce gender biases and second, they organise work in ways that are gendered.

Algorithms reproduce popular stereotypes of normalised masculinity and femininity, as well as conventional perceptions of race, class, ethnicity, and sexuality because they learn from users⁽⁶⁷⁾. By designing gender-neutral algorithms, platforms silence from the start gender biases, sexual harassment, and gender discrimination as factors not worth considering⁽⁶⁸⁾. Moreover, platform workers are closely monitored by platforms, which collect data on their work, behaviour, practices, and habits. As users, workers contribute to algorithmic learning, feeding algorithms with data on labour, which is then used by management to control them⁽⁶⁹⁾. The labour of feeding algorithms is unpaid but obligatory. Clients as users contribute to the development of algorithms too by providing data on consumer preferences and by evaluating platform workers and the services they provide. Data by workers and clients infuses algorithms with biases and reproduces intersectional gender inequalities in platforms. For example, studies show how clients tend to give women systematically lower ratings than men even when they perform the same work, reinforcing the gender pay gap and discrimination against them⁽⁷⁰⁾. Clients' evaluations and ratings often promote racist, sexist as well as homo-, intersex-and transphobic biases that are adopted by platforms without scrutiny and without regard for workers' well-being and rights. Algorithms that grow through machine learning gradually mirror and often magnify gender biases not only of those who designed them but also of the users who feed them with their data. Gender biases

⁽⁶⁵⁾ Council of the European Union, *op. cit.*

⁽⁶⁶⁾ European Commission, *op. cit.*, 2.

⁽⁶⁷⁾ A. Renan Barzilay, *The Technologies of Discrimination: How Platforms Cultivate Gender Inequality*, *The Law & Ethics of Human Rights*, 2019, 13, 2, 2019, 179-202.

⁽⁶⁸⁾ J. Carbone, N. Cahn, N. Levit, *Discrimination by Design?* *Arizona State Law Journal*, 2019, 51, 1, n.p.

⁽⁶⁹⁾ A.J. Wood et al., *op. cit.*; A.J. Wood, N. Martindale, V. Lehdonvirta, *Dynamics of contention in the gig economy: rage against the platform, customer or state?*, *New Technology, Work and Employment*, 2023, 38, 2, 330-350.

⁽⁷⁰⁾ F. Jahanbakhsh, J. Cranshaw, S. Counts, W.S. Lasecki, K. Inkpen, *An experimental study of bias in platform worker ratings: the role of performance quality and gender*, *ACM | CHI Conference on Human Factors in Computing Systems* USB, 2020, 1-13; V. Koh, W. Li, G. Livan, L. Capra, *Offline biases in online platforms: A study of diversity and homophily in Airbnb*, *EPJ Data Science*, 2019, 8, 11.

integrated in algorithms through machine learning influence decisions about the management of workers, which in turn create new inequalities.

In most platforms, platform workers have no means of fighting back against discriminatory reviews and get support as they are not allowed to publish their responses to reviews or if they do, their responses carry less weight than customer reviews⁽⁷¹⁾. The threat of bad reviews acts as a deterrent against platform workers' efforts to fight sexist and anti-gender non-conforming treatment by clients. There is evidence to suggest that in some sectors, platform workers often accept sexual harassment and discrimination because they are under pressure to get good ratings, to perform the gigs that they are asked to and avoid being devalued or even terminated by platforms. One study showed⁽⁷²⁾ that female divers in taxi platforms have experienced incidents of sexual harassment with male clients touching them, talking to them sexually or even requesting sexual favours. Nevertheless, they rarely reported these incidents because they were under pressure to abide to platform rules, keep their high rankings in platforms and increase their income. Instead, they routinely used tactics of deescalating the situation and "brushing off" sexual harassment. They perceived the damage that disclosure would do to their reputation and earnings as far greater than the benefits they would get from it. In some cases, where reports of sexual harassment were made, workers were penalised and even terminated⁽⁷³⁾. In this context, the Directive does not go far enough in providing more transparency and enabling workers to expose sexist, racist, trans, intersex and homophobic biases in algorithmic control. It falls short from specifying the ways in which labour relations can be affected by intersectional gender biases. Transparency in algorithmic management will be undermined by gender-neutral design and rules. To have real results and have an impact on gender equality and the gender pay gap, law makers should consider how algorithms can be designed in gender sensitive ways and how platforms can adopt measures against sexual harassment, gender discrimination and intersectional gender biases⁽⁷⁴⁾.

Another aspect of algorithmic control has to do with the labour that workers put into it. To conform with algorithmic control, platform workers engage in self-curating practices in social media. Their profiles are transformed in ways that conform with the requirements of their sector. Care workers, for example, must spend a significant amount of time working on their image in social media to appear responsible, reliable, caring, loving, and enthusiastic⁽⁷⁵⁾. To do so, they post photographs and stories on social media on their everyday lives, which become part of their professional entrepreneurial identity. These practices often appear naïve and spontaneous, but they are the product of constant algorithmic pressures to sustain one's reviews and ratings, and promote closer relations with clients that, in turn, ensure a good positioning in platforms. The

⁽⁷¹⁾ J. Carbone et al., *op. cit.*

⁽⁷²⁾ F. Jahanbakhsh et al., *op. cit.*

⁽⁷³⁾ Ibid

⁽⁷⁴⁾ J. Carbone et al., *op. cit.*

⁽⁷⁵⁾ J. Ticona, A. Mateescu, *op. cit.*

visibility across social media that is required in platform mediated care work is intertwined algorithmic control. As Vicky Kluzik argues: «Through the processes of and spatial reorganisation, one witnesses the platformisation of work and life. It is productive to understand the platformisation of care as a primary process to witness the unstable categories of production/reproduction, visibility/invisibility, public/private. In this way, one can approach a current diagnosis of crisis (in this case, the care crisis) and its connected techno-fixes without disregarding long existing inequalities»⁽⁷⁶⁾. Because of algorithmic pressures and job insecurity, workers spend hours doing unpaid work that improves their reputation in addition to the work that they do for normal gigs. Crowdworkers bid on gigs and write proposals to ensure that they will survive the fierce global competition at the same time as they work on gigs that they have secured⁽⁷⁷⁾. Private Airbnb hosts spend hours doing unpaid work to avoid bad reviews: they take care of guests at the same time as they manage bookings, decorate their properties and promote images of local authenticity in social media⁽⁷⁸⁾. Care workers spend extra hours making videos and posting them on social media to ensure that they develop relations of trust with their clients, which would boost their reputation on platforms⁽⁷⁹⁾.

Second, algorithms promote work schedules that are typical of the masculine lifestyles of workers without care responsibilities. Platforms evaluate response rates and frequency of gigs completed as well as clients' reviews. Through these engagement metrics they put pressure on workers to abide to unrealistic deadlines, or to work long and inconvenient hours and at unsafe locations. For example, many testimonies by drivers show that to meet client demand taxi platforms put pressure on workers to take targeted rides even if these are at night, in dangerous areas where there are many drunk customers. This makes it harder for female drivers to compete with male ones and forces them to pull out or refuse rides that could have increased their ratings in the platforms and their income. In turn, refusal of rides is penalised in algorithmically managed platforms. Moreover, gender biased ratings and evaluations of workers by customers increase the pressures that algorithmic management imposes on workers and forces them to accept unacceptable behaviours in order to keep their good standing on platforms⁽⁸⁰⁾. Accepting discrimination and overworking to meet the goals set by algorithmic management impacts more on workers with care responsibilities who are both more dependent on platforms and more constrained and unavailable because of

⁽⁷⁶⁾ V. Kluzik, *op. cit.*, 14-15.

⁽⁷⁷⁾ Al. James, *Platform Work-Lives in the Gig Economy: Recentring Work-Family Research*, *Gender, Work & Organization*, 2024, 513-534.

⁽⁷⁸⁾ N. Kambouri, *Affect, Precarity and Feminised Labour in Airbnb in London*, in S.4, N. Cuppini, M. Frapporti, M. Pirone (eds.) *Capitalism in the Platform Age. Emerging Assemblages of Labour and Welfare in Urban Spaces*, 151-166, London: Springer, 2023.

⁽⁷⁹⁾ V. Kluzik, *op. cit.*

⁽⁸⁰⁾ N.F Ma, V.F. Rivera, Z. Yao, D. Yoon, "Brush it Of": *How Women Workers Manage and Cope with Bias and Harassment in Gender-agnostic Gig Platforms*, *CHI Conference on Human Factors in Computing Systems*, April 29-May 5, 2022, New Orleans.

the time they have to spend on care⁽⁸¹⁾. Against corporate rhetoric that presents platform work as an attractive solution for carers one of the most common issues that platform workers face, is their inability to choose when and where to work because of algorithmic management. From a gender perspective, it is important to explore this inability to control autonomously one's working schedules, not only in relation to female platform workers but also in relation to male platform workers and masculinities⁽⁸²⁾. There is evidence to suggest that in most platforms as rates drop and competition increases working long hours and during inconvenient times becomes the only strategy left for workers to secure a decent income. In turn, this type of strategy puts at risk platform workers' ability to care for dependent members and forces them to adopt schedules typical of masculine lifestyles that lead to physical exhaustion and health problems.

This is an important issue that the Directive fails to acknowledge because it lumps all platform workers together and fails to view platforms from an intersectional gender perspective. While data transparency may provide some workers with valuable information that would help them fight against some forms of discrimination and false termination claims, it is not clear if it will impact on gender discrimination especially indirect discrimination linked to work-life balance. In this context, workers who opt for "flexible" schedules because of care issues cannot be treated in the same ways as workers who do so because they have another main paid occupation or source of income. Only if reproductive labour is recognised in legal documents on platform labour, data transparency would be equally beneficial for all workers. The failure of the Directive to include work-life balance and intersectional gender discrimination in algorithmic management undermines the effectiveness of the principles of data transparency especially for workers who are self-employed. In effect, the principle of algorithmic transparency can only be effectively implemented by platforms themselves if it is paralleled with the legal obligation of platforms to integrate in their design the prevention of gender inequalities and gender discrimination⁽⁸³⁾.

4. Conclusions

By marginalising gender issues in platforms, the Directive projects a conceptualisation of the platform economy as a unified space and platform workers as a homogeneous group. Labour relations, in this context, are understood within a male-centric framework that silences the gendered experiences of many platform workers, who do not fit the Uberisation model. The silences of the Directive point out to deeply entrenched gender inequalities in global platforms, which are often silenced also in research and platform labour movements. In this context, it is of critical importance to

⁽⁸¹⁾ C. Benvegnu, N. Kambouri, *Platformization beyond the point of production: Reproductive labour and gender roles in the ride-hailing and food delivery sectors*, *South Atlantic Quarterly*, 2021, 120, 4, 733-747.

⁽⁸²⁾ Ibid

⁽⁸³⁾ J. Carbone et al., *op. cit.*

address established rights that the feminist movements have won, such as work-life balance, including the right of paid maternal and parental leaves for all workers, including the self-employed, but also to go beyond these rights that are usually attached to the employee status and include rights linked to equal pay for equal work and to unfair discrimination based on algorithmic transparency⁽⁸⁴⁾. Moreover, it is possible to introduce measures that ensure that these rights exist even in sectors in which informality was the norm before platformisation, most notably domestic and care work. Platforms that manage feminised and racialised forms of labour -whether they are performed in workers' homes or in clients' homes- reproduce already existing relations of precarity, sexism, gender non-conforming phobias and racism that are widespread and tolerated. To address intersectional inequalities, platform struggles should be understood within the broader framework of feminist and LGBTQ+ movements that have problematised the value of unpaid affective and reproductive labour. Only by giving priority to broader gendered demands -even if these are not articulated explicitly at present by platform workers- can we move beyond a gender-neutral politics of European law and policy making.

⁽⁸⁴⁾ E. Kambouri, *Gendering platform research Theoretical and methodological considerations*, *Work organisation, labour & globalisation*, 2022, 16, 1, 14-33.

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