



Fairwork **Egypt** Ratings 2021: Towards Decent Work in a Highly Informal Economy



Executive Summary

This is the first Fairwork report for Egypt. The report covers seven digital labour platforms spanning four different sectors (ride hailing, courier-delivery, tutoring, and home services). In a country dominated by informality, digital labour platforms present unique and flexible opportunities for workers to earn an income in Egypt. Nevertheless, there are issues with the gig work model. The Fairwork report for Egypt examines the working conditions in the platform economy, with the aim to help improve conditions, protections and benefits to workers.

In January 2021, the size of the Egyptian labour market was recorded at 29.3 million¹ people out of a total population of 101.5 million people—the largest population in North Africa.² The conditions of the gig economy in Egypt, therefore, have the potential of impacting millions of lives. There are no official statistics on the size of the gig economy in Egypt, but the number of workers who rely on digital platforms for income has been on the rise in Egypt in recent years. The active number of Uber drivers alone was recorded at 90,000 in 2019.³

The gig economy refers to a labour market comprising freelance and short-term jobs—or ‘gigs’—wherein organisations contract with independent workers on a non-permanent basis, rather than recruiting full-time employees.⁴ In this report, the platforms we rate are “location-based”; in other words, their work must be done in a specific place at a specific time. This is a particular type of work within the broader platform economy.

The report assesses seven of the country’s location-based digital labour platforms against five principles of

fairness—fair pay, fair conditions, fair contracts, fair management, and fair representation—giving each platform a fairness rating out of ten. FilKhedma, a platform offering a variety of home services, leads the 2021 table with five points, while Mrsool (a courier-delivery platform) and Orcas (a tutoring platform) are tied in second place with four out of ten points. Next comes Swvl (a bus hailing platform), scoring three points. Talabat (a delivery platform), Mongez (a courier-delivery platform), and Uber (a ride-hailing platform) scored one point each.

Key Findings

- ▲ **Fair Pay:** Three of the seven platforms featured in this report (FilKhedma, Orcas and Swvl) provided evidence that workers’ gross pay is at or above the minimum wage after costs, which for 2021 was EGP 2,000 (USD 127.31) per month. This corresponds to EGP 333 (USD 21.2) per week for a 6-day work week at 8 hours a day. When assessing minimum wages, the scores took into account not only the amount paid by the platform to the worker for hours worked, but also the cost of providing task-specific equipment and paying work-related costs out of pocket. The scores also factored in waiting times between jobs. Considering in these additional costs—such as unpaid waiting times, travel costs, vehicle maintenance, gas, and traffic fines incurred—meant that the minimum wage point could not be awarded to the other four platforms. When extending this net calculation to consider a living wage, currently assessed as EGP 3500 for 2021 (USD 222.81) per month, or EGP 583 (USD 37.11) per week, only two platforms could evidence this principle of fair pay (Orcas and Swvl).
- ▲ **Fair Conditions:** There are numerous risks gig workers face in the course of their work, ranging from road safety issues to crime and violence. Five of the platforms were able to evidence that they are aware of these risks and that they take some action to protect workers from risks that arise during the course of their jobs. Mongez and Mrsool, both courier-delivery platforms, have adequate policies in place to deal with malicious orders, though road safety is the major risk courier workers face. Mongez provides personal protective equipment (PPE) to

its workers, albeit at a reduced cost to be deducted monthly from their income. Mrsool offers an accident reimbursement system that ensures that workers are compensated for any road accidents and associated recovery costs. FilKhedma, the home-services platform, has a detailed safety manual and offers training on such issues to its workers. Orcas, the tutoring platform, ensures that workers' incomes are secured in case of any cancellations, which is the main risk associated with the job. Uber has policies and procedures in place to protect drivers, including an insurance policy.

▲ Fair Contracts:

Not all platforms have clear and accessible terms and conditions, and only three platforms were awarded the first point for fair contracts (FilKhedma, Orcas and Swvl). For the remaining four platforms that did not score this point, the main reason was that workers were not

notified of proposed changes in a reasonable timeframe before the changes came into effect. All platforms have a clause in their terms and conditions limiting or excluding liability on the part of the platform, and thus none were able to score the second point for fair contract terms (point 3.2).

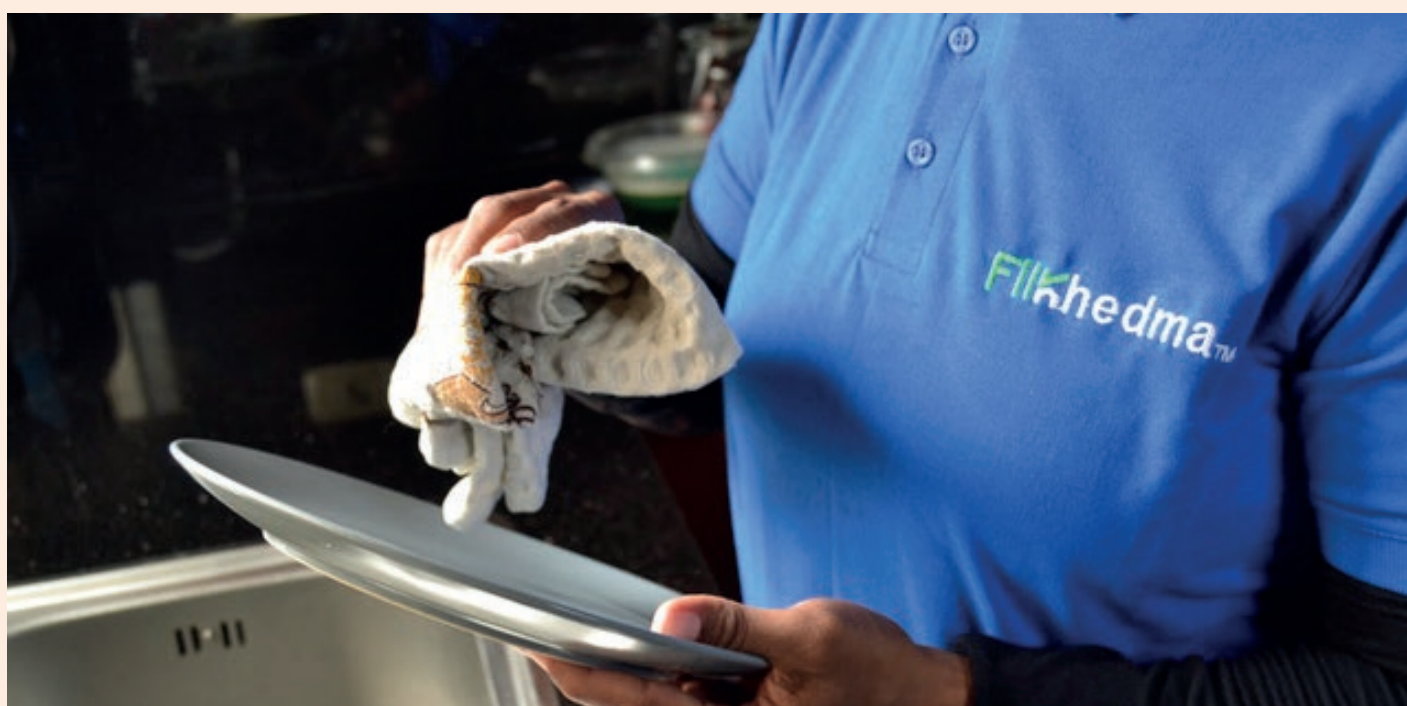
▲ Fair Management:

Three platforms, FilKhedma, Mrsool, and Talabat, presented evidence that they provide due process for decisions affecting their workers, including evidence of an avenue for workers to meaningfully appeal disciplinary action. For the remaining four platforms, the appeals process was inadequate, or workers were disadvantaged for voicing concerns, and thus they were unable to score the first point. In consultation with the Fairwork Egypt team, two platforms (FilKhedma and Orcas) have implemented an anti-discrimination policy. However, only FilKhedma was able to score

a point for ensuring equity in the management process, as it takes meaningful steps to be inclusive of women. Orcas was unable to score the point since there was no evidence presented of steps taken for inclusivity, in addition to lack of an appeals process.

▲ Fair Representation:

Workers' collective action bodies are assessed in the light of the wider Egyptian context. One platform out of seven was awarded the point. Mrsool was the only platform that provided evidence that points to meaningful collective worker voice mechanisms, in the form of regular forums and meetings where workers can organise and present a collective voice. Additionally, the same platform publicly declared that they support government led efforts to establish a courier's trade union and that they would engage in negotiations with it.



Fairwork Egypt 2021 Scores

Score (out of 10)

FilKhedma

5

Mrsool

4

Orcas

4

Swvl

3

Mongez

1

Talabat

1

Uber

1

Editorial:

Global Platforms and Local Start-ups in a Highly Informal Economy

The launch of Uber Egypt in 2014, followed shortly by a local competitor Careem, marked the introduction of location-based digital labour platforms to the Arab world's largest country by population and third largest economy. This came at a time when socio-economic and political grievances remained high in the aftermath of the 2011 uprisings.

Egypt's economy has been characterised by persistent unemployment, especially among young people and the educated, estimated in 2019 at 26.54 percent,⁵ and 22.14 percent,⁶ respectively. This has come in the context of a youth bulge, where 60 percent of the population is under 30 years old.⁷ In addition, Egypt has continued to have a sizeable informal economy, estimated to be over 50 percent of GDP in 2019,⁸ as well as high rates of female unemployment, reaching 21.3 percent in 2019.⁹

The 2011 uprisings were coupled with a marked increase and accelerated pace of digitization and connectivity. Over the past decade internet penetration has more than doubled, from 21.6 percent in 2010 to 57.3 percent in 2019/2020.¹⁰ Mobile phone

penetration reached 95 percent in June 2021,¹¹ with mobile internet subscribers reaching 55 percent of mobile subscriptions.¹²

Against this backdrop, Egypt's local start-up scene has boomed and diversified to include new digital labour platforms in different sectors such as transportation, education, domestic services and courier/delivery services. These platforms have offered new work opportunities that tend to be seen as a better (if not the only) opportunity for the masses of educated and unemployed youth.¹³ In the case of Uber, it was estimated in 2019 that there were 90,000 active drivers operating in about half of Egypt's 27 governorates,¹⁴ reaching a figure of 200,000 in 2020.¹⁵ These platforms have also opened some opportunities for women's work.¹⁶

With the exception of Uber and a few other smaller scale regional players, the platform economy businesses in Egypt are nascent and homegrown. One estimate places gig economy workers (outside Uber) to represent 10 percent of the 100,000 gig workers in 2019.¹⁷ Local entrepreneurs in the platform economy are harnessing opportunities and identifying market needs while overcoming hurdles and navigating cumbersome and outdated legislation. This applies to four of the seven platforms we cover in this report, working in the areas of tutoring, home services, bus hailing, and courier-delivery services. The other three (international) platforms work in the areas of ride hailing and courier-delivery services.

While Egypt's budding platform economy offers new opportunities for

much needed work, documentation and fair standards for work conditions are still modest and only in their preliminary stages of development. While a lack of standards is reflective of the informal sector as a whole, the increasing digitization and impact of the pandemic on the platform economy make this an opportune moment for the Fairwork Project and the Egypt team to engage with stakeholders—including workers, platforms and regulators—to help set fair, inclusive and dignified standards for work in this growing sector and encourage digital platforms to act as model businesses for other informal and formal SMEs alike.

Indeed, we have witnessed genuine interest from some local platforms to engage with the Fairwork principles and to try to work towards them. We have also—understandably, perhaps—faced resentment and concern from others. This process of engaging with platforms has highlighted many of the context-specific obstacles but also opportunities that are presented to workers, platforms and other stakeholders in Egypt's platform economy at large. We hope that the findings in this report will help all the relevant stakeholders work collaboratively to ensure fairer standards, inclusion and sustainability in Egypt's platform economy.

Fairwork Egypt team



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The Fairwork Framework

Fairwork evaluates the working conditions of digital platforms and ranks them on how well they do. Ultimately, our goal is to show that better, and fairer, jobs are possible in the platform economy.

To do this, we use five principles that digital platforms should comply with in order to be considered to be offering 'fair work'. We evaluate platforms against these principles to show not only what the platform economy is, but also what it can be.

The five Fairwork principles were developed at a number of multi-stakeholder workshops at the International Labour Organisation. To ensure that these global principles were applicable in the Egyptian context, we then revised and fine-tuned them in consultation with platforms, regulators, academics, and other stakeholders in Cairo.

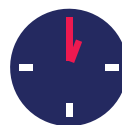
Further details on the thresholds for each principle, and the criteria used to assess the collected evidence to score platforms can be found in the Appendix.

01 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 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.

02 Methodology overview

Scoring platforms according to the Fairwork principles relies on a range of different data sources collected by the in-country research teams. These data include desk research, evidence submitted by the platforms and semi-structured interviews with both workers and management from each platform.

Desk Research

The process starts with desk research to ascertain which platforms are currently operating in the country of study. From this list the largest and most influential platforms are selected to be part of the ranking process. If possible, more than one platform from each sector (ie. e-hailing or food delivery) are included to allow for comparisons within each sector. The platforms included in the ranking process are both large international ones as well as national/regional ones. Desk research also flags up any public information that could be used to score particular platforms (for instance the provision of particular services to workers, 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 finalized, 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 5-10 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.

All interviews were conducted in Cairo. Workers are approached using a range of different channels, including approaching them by ordering a service on the platform on which they operate, and subsequently requesting an interview. Snowball recruitment from prior interviews was also used. Due to the lockdown restrictions arising from the COVID-19 pandemic, all of the interviews were conducted over the telephone.

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 to have worked with the platform for more than two months. Interviews were conducted in Arabic, and translated by the Fairwork Egypt team into English.

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.

03 How we score

Each of the five Fairwork principles is broken down into two points: a basic point and a more advanced point that can only be awarded if the basic 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:

Overview of the Egyptian Gig Economy

Egypt has the largest population in North Africa, recorded at 101.5 million in January 2021.¹⁸ Of this population, 29.3 million, around 29 percent, make up the labour market. Sixty percent of the general population are under 30 years old,¹⁹ with 27 percent of these not being in education, employment, or training.²⁰



For decades, the Egyptian economy has been characterized by heavy dependence on external sources for finance, primarily from oil and gas, Suez Canal receipts, tourism, and remittances of workers in the Gulf.²¹ These last three sources alone reached 14.5 percent of GDP in 2020.²² Limited economic diversification has restricted the growth of job opportunities, creating unemployment that is both structural and sticky.²³ While the unemployment rate as officially announced in 2021 stood at 7.3 percent of the total labour force,²⁴ the rate of unemployment remains

significantly high for women, the educated, and the youth.

For years, there have been concerns regarding the growing informal economy in Egypt, sometimes referred to as the ‘shadow economy’.²⁵ Recent calculations put the informal sector at over 50 percent of GDP,²⁶ and over 60 percent of the total employed population.²⁷ This prevalence of informality in Egypt is partially linked to the country’s rigid business environment, bureaucracy and structural obstacles which inhibit start-ups and new business ventures. Roughly 90 percent of small and

medium enterprises (SMEs) in Egypt belong to the informal sector, with “difficulty in obtaining the necessary licences [and] high tax rates” stated as the main reason start-ups resort to informal market transactions.²⁸ Evading rigid policies and bureaucratic procedures also allows SMEs to better absorb market shocks and more rapidly recover from crises.²⁹ In fact, according to a 2016 World Bank enterprise survey, 45.8 percent of formal enterprises in Egypt reported resorting to Informal practices in order to reduce costs, increase dynamism and flexibility, and more effectively



compete with growing informal enterprise competition.³⁰

A high rate of informality across sectors in Egypt means that irregular or gig workers constitute a significant share of Egypt's labour force. Egypt's informal sector has been known for its agility compared to its formal counterpart and its ability to absorb market shocks. Nevertheless, the COVID-19 pandemic has had debilitating impacts on both sectors, with the informal sector bearing the brunt of the short-term consequences.³¹ Reduced labour demand in both the formal and informal sectors has come as a result of global industry shocks, with massive layoffs in both formal and informal employment. Uber Egypt alone dismissed 40 percent of its staff in May 2020.³²

In June 2021, the National Wage Council (NWC) announced a rise in the monthly minimum wage for private-sector employees from EGP 2,000 (USD 127) to EGP 2,400 (USD 152), effective from January 2022.³³ This stipulation applies to private sector employees only, and hence leaves out the informal workers who constitute more than 60 percent of the labour force, out of whom 75 percent earn less than the minimum wage.³⁴ The living wage used in this report for a typical family consisting of two parents

plus 3.3 children, with 1.5 people working, is EGP 3,500 (USD 222.81) per month.³⁵

Since the economic crisis in the wake of the 2011 uprisings and subsequent unrest leading up to the 2016 floatation of the Egyptian Pound, Egyptian skilled workers have turned to freelance work as a means to supplement their income. The ongoing digital transformation in Egypt, cemented in the 'Digital Egypt' strategy adopted by the Ministry of Communications and Information Technology,³⁶ has led to a growing demand for online freelance work in general, and 'gig' work in particular, as a flexible alternative to traditional work. Following the rise in internet penetration rate from only 30 percent in 2010 to 54 percent in 2020,³⁷ gig work has offered increased opportunities to find work easily, especially for workers in the informal economy, women and unemployed educated youth.

Ride-hailing services were the first type of gig work to break into the Egyptian market, with the launch of Uber in 2014. Since then, there has been an expansion in platform services beyond ride-hailing, particularly in the delivery sector. The COVID-19 pandemic has further catalysed this trend, leading to a 230 percent surge in demand for delivery services alone in Egypt.³⁸

Nevertheless, and despite a growing number of new platforms, the platform economy still represents a small niche within Egypt's large informal economy. It is estimated to include anywhere from 100,000 to 200,000 workers,³⁹ about 90 percent of whom are Uber drivers.⁴⁰

Swvl began operations in Egypt in 2017. Originally based in Egypt, Swvl is headquartered in the United Arab Emirates (UAE) and operates in Egypt, Kenya, Pakistan, Jordan, and the countries of the Gulf Cooperation Council (GCC). Swvl offers users a private, technology-enabled mass transportation system, as well as other organisational transportation solutions such as school and university transport, and business transport for company employees.⁴¹ Swvl has become the region's first 'unicorn', listed on Nasdaq in the summer of 2021 with a valuation of USD1.5 billion.⁴²

Of the seven platforms covered in this study, three are delivery-related, two provide ride-hailing, one is a tutoring platform, and one offers an online marketplace for home maintenance and improvement services. Four of the platforms are homegrown by Egyptian entrepreneurs, and (apart from Swvl), represent small players in their respective markets.

The Legal and Policy Context:

Egypt's platform economy falls into an already complex legal environment, with a plethora of related legislations including those governing labour relations, workers' organisation and data protection. The challenge introduced by the platform economy is how to integrate a new business model where economic relationships overlap, into a pre-existing legislative infrastructure which typically governs labour relations in a binary form of 'employee and employer'.⁴³ These challenges are therefore multi-layered, with the existing challenges to conventional work topped by the emerging challenges of the gig economy's new business model.

Regulation of the Platform Economy

In its first attempt to regulate gig economy platforms, Egypt introduced 'The Ride Hailing Apps Act' in response to demonstrations by taxi drivers 2019 (resolution 2180/ 2019 to Law No. 87 of 2018).⁴⁴ The act regulates licensing fees to be paid by platforms and drivers as well as issues pertaining to data protection. It requires platforms to pay up to USD1.71 million to obtain operating licences and requires drivers who work via platforms to pay an annual licence of EGP 2,000 (USD 127) in addition to paying a 25 percent premium to the taxes paid by taxi drivers.⁴⁵

Ride hailing represented the vast majority of platform economy businesses operating at the time

the law was drafted, and the sector continues to be dominated by large players such as Uber and its then regional competitor Careem, later bought by Uber. The terms set by the law disadvantaged both workers and the smaller start-ups that were attempting to enter the scene and compete with the larger established players.⁴⁶ As Mostafa Kandil, SWVL's founder, explained at the time, the price sensitivity of the ride hailing market in Egypt and the fact that small start-ups could not afford the hefty licensing fees meant that small companies had to increase their fees.⁴⁷ He recommended that further vehicular licensing categories be introduced, and that a tier-based licence model be adopted within a more inclusive legal framework that takes company size into consideration.⁴⁸

The 2019 ride-hailing law requires

platform employees to pay social security insurance,⁴⁹ however it doesn't clarify the status of workers as 'employees' versus 'independent contractors'. Indeed, the majority of gig workers in Egypt are classified as independent contractors rather than employees. This leaves other employment issues, such as working hours and minimum wages, equally unaddressed by the legislation.⁵⁰ This is one reason why gig workers are often mislabelled and lumped within statistics on informal workers.

Despite the fact that Egypt's location-based platform economy is dominated by multinational ride hailing companies, there is a budding local scene of start-ups in other sectors, including clean energy, healthtech, education and fintech.⁵¹ As such, future legislation should be tailored to be more inclusive of smaller, homegrown

businesses, and—equally important—more inclusive of the workers they engage with. Legislation should also be broad enough to include platform enterprises engaged in activities beyond ride hailing.

Personal Data Protection in Egypt's Platform Economy

The protection of riders' data was a point of contention between Uber and the Egyptian government in drafting the ride hailing act, with Uber refusing to share user data and access to its data servers with the

Egyptian local authorities. Eventually, a compromise was reached whereby ride hailing platforms were to provide the government with customer data when requested, and the law dictates that all relevant data must be kept for a duration of six months and provided upon request to the Ministry of Transport.⁵²

The second attempt at regulating data management, and which is relevant to the platform economy, comes in the 2020 Personal Data Protection Law, which carries many elements of the European Union's General Data Protection Regulation (GDPR). The Personal Data Protection Law

stipulates that "personal data may not be collected, processed, disclosed, or revealed by any means except with the explicit consent of the Data Subject, or where otherwise permitted by law".⁵³ It is a novel law, introducing the concept of ethical data management regulation in the Egyptian economy for all stakeholders. Many businesses, especially the growing scene of local technology start-ups, are still working towards adopting and implementing ethical data management, and are bound within nascent regulations on the matter in Egypt.



Persisting Challenges in Labour Law

During the Nasserist era in the 1960s, labour regulations in Egypt were part of the ‘social contract’ that guaranteed state employment to all “secondary, technical institutes and university graduates to encourage education and to provide a safety net”.⁵⁴ During Sadat’s rule (1970–1981), two labour laws were passed, governing civil servants and public sector employees (Laws No. 47 and 48 of 1978).⁵⁵

These regulations resulted in an overstaffed, inefficient, and wage-stagnant public sector, since it was deemed the preferred employer due to the social and financial stability it offered. Gradually, some public sector employees started seeking additional income via informal work, and more recently, ride-hailing gigs.⁵⁶

With the shift towards a free market economy in the 1990s, Law No. 12 of 2003 was adopted to encourage private sector employment.⁵⁷ Referred to as the “Egyptian Labour law”, it introduces more flexibility for private firms with the objective of relieving the bottleneck for employers and replacing the previously stringent regulations, particularly with regards to termination. Employers had previously been prohibited from terminating a worker’s contract after a probation period and were required to change the status of a temporary contract to a permanent one at the time of renewal.⁵⁸ The Law No. 12 of 2003 then introduced more flexibility for employers in terms of hiring and firing by allowing private sector employers to “renew a temporary contract without transforming it automatically into a permanent employment status” as had been stated in the previous law.⁵⁹

Article 32 of the law obligates the existence of a contract, and that three copies should be issued for each of the following: the employer, the employee, and the social insurance authority.⁶⁰ However, the law also mandates that employment law is still applicable even if employees have no contract: “where no contract of employment exists in

writing, an employee is allowed to present (before the court) all probative evidence (such as a pay slip or even testimony of a coworker) to prove the employment relationship”.⁶¹ The law also governs labour provisions such as working hours, annual leave, sick leave, maternity leave, and a minimum seven percent annual wage increase. It also outlines due process for the dismissal or termination of employment, such as notice periods, severance pay and packages.⁶² Fired employees have the right to appeal.⁶³

Articles 208, 211, 212, and 214 of the Egyptian labour law also require the employer to provide all the necessary means for protection of employees from occupational hazards and to ensure that workplace safety standards are maintained.⁶⁴ Furthermore, the law stipulates that any employee covered by social insurance shall be entitled to a “workplace injury benefit”, although it does not specify the amount of contribution to be made by the employer.⁶⁵ Additionally, employees whose injury results in temporary inability to work are entitled to 100 percent of their wage amount until they are able to return to work.⁶⁶

According to the most recent statistics, 94.1 percent of all Egyptian public sector employees have a work contract, compared to only 30.9 percent of private sector workers in formally registered enterprises.⁶⁷ Additionally, while public sector employees earn an average salary of EGP 1278 (USD 81) per week, formal private sector employees earn an average of EGP 877 (USD 56) per week.⁶⁸ Social insurance coverage in the formal private sector also remains low at 34 percent, while only 47 percent of formal private sector employees enjoy paid vacation.⁶⁹ Given sub-par working conditions and little guarantees of basic ‘formal’ rights such as healthcare and pensions, the workforce in Egypt feels little loyalty to traditional ‘formal’ work.

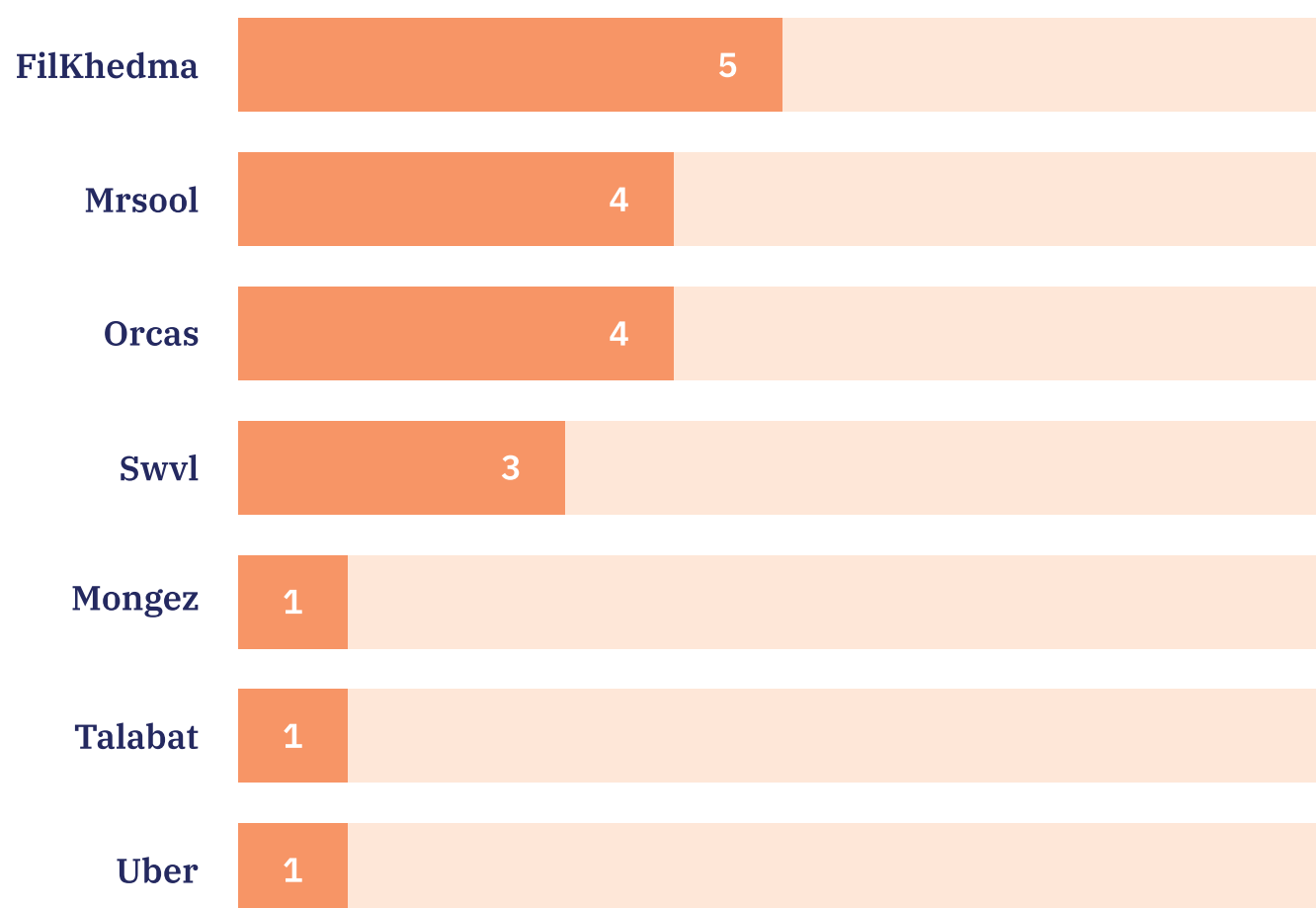
Despite the introduction of this unified labour law, formal labour market rigidity is still present.⁷⁰ Informal practices and loopholes are common even in formal employment settings,

given the ambiguity around some labour regulations. This, coupled with stagnant wages in the public sector, has contributed to the growth of the informal economy beyond the bounds of labour law. Indeed, the labour law applies only to private sector firms, and not to “public servants of state agencies” or to “self-employed workers”, which is the category that platform workers fall into.⁷¹ Platform work thus falls outside the reach of the labour law.

In 2020, a number of Uber drivers in Egypt were arbitrarily suspended by Uber, and attempted (unsuccessfully) to bring a lawsuit against the company. At the time, Yasser Saad, a lawyer at the Legal Collective to Promote Labour Awareness, commented that according to Egyptian labour law (as explained above), a work relationship exists when a task is performed by a worker for an institution or a company, even in the absence of a written contract. And thus, if this work relationship is terminated before the task is complete, compensation is still due. Although no case was brought forward, Saad offered his expert opinion on the matter saying, “this means that gig work platforms, even if no employment contract exists, are in a professional relationship with drivers, which cannot be legally terminated without the involvement of the Labour Bureau and the Labour Court”.⁷² In practice, however, this is not observed. Gig workers in Egypt, like elsewhere, face arbitrary suspension given their lack of official employment status. For example, Uber Egypt was able to carry out layoffs during the COVID-19 pandemic without prior informed consent. As Karam Saber, director of the Land Center for Human Rights, has explained: “the relationship between Uber and similar ridesharing companies and their drivers is defined by forced acquiescence. The company states its conditions and the driver’s only option is to tap accept on the app”.⁷³

Fairwork Egypt 2021 Scores

Score (out of 10)



Explaining the scores



Fair Pay

Three of the platforms, FilKhedma, Orcas, and Swvl, evidenced that workers' gross pay is at or above the minimum wage, which for 2021 was EGP 2,000 per month (USD 127.31), or EGP 333 per week (USD 21.2) for a six-day work week. When assessing minimum wage, the scores took into account not only the amount paid by the platform to the worker for hours worked, but also the cost of providing task-specific equipment and pay work-related costs out of pocket. The scores also factored in waiting times between jobs.

Adding in these additional costs—such as unpaid waiting times, travel costs, vehicle maintenance, gas, and traffic fines incurred—meant that the minimum wage point could not be awarded to the other four platforms.

When extending this net calculation to consider living wage (currently assessed as EGP 3500 per month (USD 222.81), or EGP 583 per week (USD 37.11) for 2021), only two platforms (Orcas and Swvl) can evidence this principle of fair pay.



Fair Conditions

Gig workers face numerous risks in the course of their work. These range from road safety issues to crime and violence. Five of the platforms were able to evidence that they are aware of these risks, and that they take some action to protect their workers. The platforms are: Mongez, Mrsool, FilKhedma, Oras, and Uber.

Mongez and Mrsool, both courier-delivery platforms, have adequate policies in place to deal with malicious orders. Mongez provides personal protective equipment (PPE) to its workers, albeit at a reduced cost to be deducted monthly from their income, while Mrsool offers an accident reimbursement system that ensures that workers are compensated for any road accidents and associated recovery costs.

FilKhedma, the home-services platform, has a detailed safety manual and offers training on such issues to workers. Orcas, the tutoring platform, ensures that workers' incomes are secured in case of any cancellations, since payment in the case of cancellations is one of the main risks associated with the job. Uber has policies and procedures in place to protect drivers, including an insurance policy.

None of the platforms featured in this study provide a safety net, which is one of the greatest risks gig workers face. However, one platform provided evidence of practices in place to ensure that in the event of inability to work, income is not always negatively affected (see Platform in Focus: Mrsool).



Fair Contracts

Not all platforms have clear and accessible terms and conditions; only three platforms were awarded the point for fair contracts. These are FilKhedma, Orcas, and Swvl.

The remaining four platforms did not score this point, mainly because workers were not notified of proposed changes in a reasonable timeframe before the changes came into effect.

All platforms have a clause in their terms and conditions limiting or excluding liability on the part of the platform, and thus none was able to score the point for fair contract terms (point 3.2).



Fair Management

✎ Three platforms, FilKhedma, Mrsool, and Talabat, provided evidence that they provide due process for decisions affecting their workers, including evidence of an avenue for workers to meaningfully appeal disciplinary action.

✎ For the remaining four platforms, either the appeals process was inadequate, or workers are disadvantaged for voicing concerns. Hence, they were unable to score the point.

✎ In consultation with the Fairwork Egypt team, two platforms have implemented an anti-discrimination policy (FilKhedma and Orcas). However, only FilKhedma was able to score the point for ensuring equity in the management process. This is because the platform takes meaningful steps to be inclusive of women (See Platform in Focus: FilKhedma). Orcas was unable to score the point since there was no evidence presented of steps taken for inclusivity, in addition to lack of an appeals process.



Fair Representation





















✎ By law, the Egyptian Trade Union Federation is the sole trade union federation in Egypt overseeing the formation and formalization of workers associations and trade unions.⁷⁴ It represents 2.5 million workers in 23 unions representing different industries.⁷⁵ While Law no. 213/2017 allows for the formation of workers' unions from different industries and a number of freedoms of association rights, these are yet to fully materialize in practice.⁷⁶

✎ Given this context, only one platform, Mrsool, was able to score the points for fair representation. It was the only platform that provided evidence of meaningful collective worker voice mechanisms, in the form of regular forums and meetings where workers can organize and present a collective voice. Additionally, Mrsool publicly declared that they support the establishment of a courier's trade union and that they would engage in negotiations with it.



Platform in Focus:

FilKhedma

						Total
	Principle 1: Fair Pay		Pays at least the local minimum wage after costs		Pays at least a local living wage after costs	
	Principle 2: Fair Conditions		Mitigates task-specific risks		Provides a safety net	
	Principle 3: Fair Contracts		Provides clear and transparent terms and conditions		Does not impose unfair contract terms	
	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 collective worker voice		Supports democratic governance	

FilKhedma overall score



FilKhedma is a homegrown Egyptian-based startup, founded in September 2014, that provides a platform offering a variety of home services.⁷⁹ The original idea stemmed from attempting to organize the home services market in Egypt, and to “end the ‘phone a friend’ system” as FilKhedma founder Omar Ramadan calls it.⁸⁰

The market for home maintenance services in Egypt is challenging. Workers are mostly informal, not always competent, and usually reached through word of mouth—hence the ‘phone a friend’ expression. Prices are also often vague and subject to negotiation and bargaining between homeowner and the service provider. Given this context, FilKhedma was founded to fill a much-needed gap in the Egyptian market.

FilKhedma provides an array of maintenance services such as fixes, carpentry and plumbing, in addition to services like PCR testing, regular cleaning, pest control, and painting.⁷⁷ They have an application, a website and a hotline where customers can seek service providers based on their needs, with the price and time set upon booking.⁷⁸ Similarly to other platforms in the gig economy, FilKhedma does not consider itself an employer. Instead they consider themselves a “training

and development” company for individuals, as founder Omar Ramadan told the Fairwork Egypt team in an interview. Their business model is centred around being a marketplace that connects these service providers (gig workers) to customers, in return for a fee for that match up (20-30 percent of the service fee).

FilKhedma has a set price per hour for each service that is offered on their website, which is above the

Egyptian local minimum wage rate. According to an eight hour work day, the hourly minimum wage rate in Egypt is EGP 12.5, or USD 0.8. FilKhedma maintenance workers earn an average of EGP 169 per hour (USD 10.8) and cleaners earn around EGP 61 (USD 3.88) per hour (both after costs). FilKhedma was therefore able to score point 1.1 for Fair Pay, but not point 1.2, as workers do not earn above the local living wage after costs. A common issue with platforms such as FilKhedma is that workers may experience long drought periods where they have no requests or orders, since it is a more specific service (than ride hailing, for example), and hence there is uncompensated idle time.

In recognition of the various job hazards that come along with maintenance work, FilKhedma has an extensive health and safety guidelines training document that spells out the guidelines that each worker should follow based on the service they are providing. This is used in the onboarding training for any new service providers. None of the workers interviewed cited on-the-job hazards as a risk they face, indicating that the training they receive is sufficient in preventing any accidents. At the onset of the COVID-19 pandemic, FilKhedma provided workers with masks, sanitizers and overshoes—proof of policies in place to protect workers from task-specific risks. Workers interviewed mentioned that FilKhedma provides them with “masks, sanitizers, and overshoes.”

As for the data management policy, after discussions with the Fairwork Egypt team, the company has agreed to implement a data management policy that satisfies the requirements for point 2.1. FilKhedma’s data management policy will follow the guidelines set forth by the European Union’s General Data Protection Regulation (GDPR). FilKhedma did not score point 2.2 as there was no evidence of a safety net for workers. It is important to note that no platform studied within this project in Egypt scored point 2.2, mainly as a result of the employer–employee relationships that platforms have with

workers. In most of our management interviews, providing monetary compensation for a gig worker while they are unable to work was viewed as unusual, given that the platform only views itself as a matchmaker or a marketer of worker services.

FilKhedma was the only platform in this study to score both points on principle 4, for Fair Management. Through the platform interface, workers can communicate with a human representative, or alternately call the hotline for human support. Moreover, and as stipulated in their signed contract, FilKhedma workers can visit the company’s headquarters to communicate, share their concerns, and appeal low rating or deactivation. Interviewed workers mentioned that the in-app chat service response rate is very fast, within one or two minutes, and that they also have the option of calling the hotline. Workers also have the opportunity to meet with someone from management once a week to voice their concerns, as stated in the worker interviews.

Maintenance work in Egypt is typically undertaken by men. FilKhedma have shown an awareness of the gender bias against women when it comes to maintenance work, and have taken measures to ensure the representation for women by offering cleaning

services, which tend to attract women workers. Again, in consultation with the Fairwork Egypt team, FilKhedma is implementing an anti-discrimination policy. The policy will ascertain FilKhedma’s commitment to equality, inclusion, and anti-discrimination, committing to not discriminating based on race, religion, national, origin, disability, sex, marital status, age or any other characteristics protected under the applicable law.

FilKhedma is one of the few platforms that has a formal contractual relationship with its gig workers, defined by more than the workers’ simple acceptance of terms and conditions on the application. The contract provides a detailed description of the obligations of the workers, and the compensation scheme, and is available to workers in a tangible copy. However, like all other platforms featured in the report, the contract has a clause limiting liability for the platform, and thus falls short of ensuring that it does not impose unfair conditions.





















FilKhedma did not score any points for principle 5, as there was insufficient evidence of freedom of association and the expression of collective workers’ voice. Neither was there the evidence of democratic governance needed to satisfy the requirements for point 5.2.



“After discussions with the Fairwork Egypt team, FilKhedma has agreed to implement a data management policy that will follow the guidelines set forth by the European Union’s General Data Protection Regulation (GDPR)”

Platform in Focus:

Mrsool

				Total
	Principle 1: Fair Pay	 Pays at least the local minimum wage after costs	 Pays at least a local living wage after costs	 0 POINTS
	Principle 2: Fair Conditions	 Mitigates task-specific risks	 Provides a safety net	 1 POINT
	Principle 3: Fair Contracts	 Provides clear and transparent terms and conditions	 Does not impose unfair contract terms	 0 POINTS
	Principle 4: Fair Management	 Provides due process for decisions affecting workers	 Provides equity in the management process	 1 POINT
	Principle 5: Fair Representation	 Assures freedom of association and the expression of collective worker voice	 Supports democratic governance	 2 POINTS

Mrsool overall score



Mrsool is a Saudi Arabian platform that was established in 2015, and launched in Egypt in mid-2019. It is an on demand delivery service that allows its users to send a service provider on the platform (the courier) to get any item they need from partner stores and businesses on the app.

Mrsool changed the typical delivery service model in the region that was usually focused only on food delivery options. The company established a more flexible model that connects users to service providers (couriers) through the option of chat-based ordering. Users then have a chance to specify exactly what service they need, whilst also allowing couriers the option to set their own price based on the request. Mrsool's country manager

described this as a "freelance model".

As it stands today, Mrsool operates in three countries (Egypt, Bahrain and Saudi Arabia), with over 10 million users and 800,000 couriers across these countries. Egypt comprises between 10-15 percent of that business volume, with 130,000 couriers currently registered. There has been a huge surge in demand for delivery couriers since COVID-19

in Egypt. Egypt's country manager stated that the virus has increased demand for delivery service in Egypt by 230 percent, and Mrsool wishes to capitalise on that by expanding their registered couriers in Egypt to one million within the next five years.

Mrsool allows its courier service providers to set their own rate with an average of 26 Egyptian Pounds (USD 1.66) per order, and an average of

10 orders per day. Even though most interviewed workers had an income that rose above the minimum wage, some of them had weekly incomes that fell below it. This is reflective of the “freelance business model” mentioned by the country manager. Workers have full freedom to bid their own prices and work as many days, hours and orders as they want, and without an income policy or wage floor some workers fall below the minimum wage. Hence Mrsool did not score point 1.1 or consequently 1.2. Whilst the bidding system appears to give workers freedom of valuing their own services, most workers interviewed complained of price gouging, resulting from some workers accepting low bids for services on a bidding system with no wage floor.

Central to Mrsool’s values is ensuring that their workers are protected while working a relatively dangerous job. The country manager admits to knowing that working on the street could be quite dangerous, and thus the company has a thorough accident reimbursement policy. The policy guarantees workers full coverage of any accident-related costs incurred while on the job, thereby protecting their workers from task-specific risks. A new job risk surfaced during the pandemic, that is, working during and after curfew hours, and dealing with potential police harassment. Mrsool ensured that they addressed this by providing all couriers with an official paper to show police if stopped. The paper stated that they were affiliated with Mrsool and were working in delivery, which at the time was exempted from lockdown during curfew. Furthermore, Mrsool sent workers constant reminders to keep this document with them at all times while working during the pandemic. Additionally, Mrsool’s terms and conditions state clearly that the platform will protect their workers’ data. Thus, Mrsool was able to score point 2.1.

As for point 2.2, there is no evidence of a systematic approach to compensate for income loss due to inability to work, and therefore they did not score point 2.2. The country manager acknowledged that there is no specific

system in place for compensation for inability to work, but added that this is partially due to an archaic legal system which restricts setting certain policies, and that the company nevertheless tries to take measures to help gig workers. For example, there was one case in which a worker was injured on the job and consequently could not ride a motorcycle to deliver orders anymore, so Mrsool reallocated him to another department within the company for the duration of his injury to ensure his livelihood was not threatened. There is also evidence of them covering accident costs ranging up to 20,000 EGP (USD 1275).

Mrsool fell short on principle 3 as a whole. The platform was initially founded in Saudi Arabia, and even though it operates fully in Egypt, the platform’s terms of use state that it “complies with all applicable laws and regulations in the Kingdom of Saudi Arabia”, and was therefore unable to score point 3.1. The terms of use also explicitly exclude liability from the platform, and therefore fails to satisfy point 3.2—a point that none of the platforms scored, for the same reason.

Mrsool has a thorough, detailed communication channel that encompasses appeals, problem resolving and complaints from its workers. The process allows management to track complaints as they come, resolve them as soon as possible and receive workers’ appeals against low scores. Workers are contacted multiple times with warnings before potential deactivation. (Deactivation means workers cannot take orders, but they are not banned from the app, which means that they are still able to contact management.) Moreover, workers have a dedicated Facebook page for raising concerns and contacting management. Mrsool therefore was able to score point 4.1, as there was evidence of effective communication channels that were outlined in the terms of use. Even though Mrsool’s verification process of joining the platform did not include any discriminatory language or points, they still did not score point 4.2 because they did not have an official anti-

discrimination policy or provisions for advancing disadvantaged groups.

This report highlights Mrsool positive practice on principles 5.1 and 5.2 in the context of Egypt. Through worker and management interviews, Mrsool demonstrated that there are mechanisms for the expression of worker voice, including regular forums and meetings, and demonstrated responsiveness to issues raised. An example of such practice is when a large number of Mrsool workers had a complaint about a three second “wait period” on the application which resulted in some lost orders, the management responded and altered the application to remove this wait period. Mrsool also publicly declared that they support the establishment of a courier’s trade union and that they would engage in negotiations with such a union, thereby recognizing an independent body of workers.⁸¹ Mrsool management told the Fairwork Egypt team that they are currently working towards this. Hence, Mrsool scored both points for principle 5, being the only platform in this study to do so.



“Mrsool publicly declared that they support the establishment of a courier’s trade union and that they would engage in negotiations with such a union, thereby recognizing an independent body of workers”

Workers' Stories



Ahmed*

Swvl-Driver

Ahmed* is a 29-year-old, married man with two children. Ahmed retired from his formal job after an incident with Human Resources, and decided to try out gig work. He was one of the first drivers to join Swvl, a transportation platform, that launched in Egypt in 2017. Ahmed works for eight hours, seven days a week, driving passengers on the routes assigned by the platform. When we asked Ahmed if he had a contract with Swvl his response was “not at all”. According to him, an official contract is usually present when third party contractors are involved (ex. hotels or airports). He also added, “with

this type of gig work there is only an informal contract that lays out an agreement of the worker receiving the vehicle.” He mentioned that he prefers having a formal contract with the platform, because without the contract the platform has “control over you”. Unlike most platform workers in Egypt who only have experience with informal work and who lack the basic knowledge of labour legislation, Ahmed was very aware that the presence of a legal document or a contract will provide workers basic protection and rights.



Mona*

Uber-Driver

Mona* is a 61-year-old single mother of five children. She joined Uber six years ago as part-time work to support her family. In the six years since she has worked there, Mona explained that working conditions on the platform have greatly deteriorated. She said, “the platform wishes to satisfy the passenger only, if I raise a complaint against the passenger, they don’t do anything, but if the passenger filed a complaint against me, I get a deactivation warning from the platform”. She expressed her frustration of not being able to appeal. For her, gig work would be more pleasant if platforms value drivers the same way they value their passengers.

She said that the communications channel is not effective, and any driver who raises

a complaint is at great risk of deactivation. She shared with us an unfortunate incident, “Two people attacked me when I was in my car and stole my bag, one of them placed a knife near my neck, I felt like I was about to die”. The platform did not offer any compensation for her lost items or support, their only concern was if a passenger was with her in the car. Mona also mentioned that there are no clear terms and conditions available. She shared with us that many fellow female drivers decided to quit mainly because of the platform’s unfair management. Although she is very tempted to quit as well, Mona still works for the platform because she desperately needs the additional income from gig work to support her family.

***Names changed to protect worker identity**

Theme in Focus:

Platform work in a highly informal economy

As has already been discussed in this report, the Egyptian labour market is characterised by a high degree of informality.⁸² The majority of platform work falls in this informal category as well, as seen from the report findings. Most recent calculations of the size of the informal sector in Egypt estimate its size at over 50 percent of GDP,⁸³ employing more than 60 percent of the total employed population.⁸⁴

In terms of composition, the informal sector employs almost 65 percent of total employed males and 57.3 percent of the total employed female population. The informal sector is predominantly male, with the share of males reaching almost 80 percent of the total.⁸⁵ A 2014 ILO household survey of Egyptian youth aged 15-29 found that 91.1 percent are in informal employment, 81.1 percent are in irregular work, 75.7 percent have no employment contract, and 39.5 percent work more than 50 hours per week.⁸⁶

In this context, informal employment is classified into five different categories of employment:⁸⁷ a) paid employees in informal jobs (jobs without social security, paid annual leave, or paid sick leave); b) paid employees in unregistered enterprises with less

than five employees; c) own-account workers in unregistered enterprises with less than five employees; d) employers in unregistered enterprises with less than five employees; and e) contributing family workers.⁸⁸ Irregular work refers to “workers with contract duration less than 12 months, own-account workers, and contributing (unpaid) family workers”.⁸⁹ Activities in Egypt’s informal economy are not fully captured by official statistics or regulated by the authorities, especially given the likely blurred lines between these classifications, and that informal work exists in both informal and formal private enterprises.

The onset of COVID-19 in Egypt was severely felt by workers in the informal sector, with reduced demand in the formal sector rippling off into the informal sector as well. The noticeable

slowdown in tourism also severely impacted informal transactions such as handicrafts, bazaars, and informal tour guides. Lockdowns were coupled by a decline in demand for informal workers such as domestic helpers, drivers, nursery helpers, maintenance workers, carpenters, tailors, etc.⁹⁰ This was aggravated by employers’ fear of infection in their homes. Workers interviewed for FilKhedma, the platform offering home services, echoed the decreased demand for work due to COVID-19 fears. On the supply side, informal workers have been unable to function as usual since their own labour was being restricted by illness and/or some neighbourhood cordoning.⁹¹

Some informal workers failed to qualify for government payouts at the onset of the pandemic due to their invisibility

in the official data landscape.⁹² This invisibility extends to platform workers as well, since they are not officially registered as employees with social insurance. As an attempt to address informal workers' struggles during the pandemic, Egypt's Manpower Minister announced in April 2020 that 2.5 million registered irregular workers would be given a three-months grant of EGP 500 (USD 32) per month "to help irregular workers whose incomes were severed because of the outbreak of the coronavirus".⁹³ However, the invisibility of some informal workers—and possibly gig workers—in the official data landscape, meant their exclusion from the reach of the government handouts, and hence an increased vulnerability. Coupled with the lack of safety nets provided by employers, as exemplified from the report findings

(none of the platforms were able to score point 2.2), platform workers have faced a high risk of sudden income loss, which is detrimental to their livelihoods.

In March 2021, the Egyptian government announced that it planned to "identify and support 2 million gig workers in the country by the end of this year", according to Labour Ministry spokesman Haitham Saad El-Din.⁹⁴ In order to do so, the Ministry plans to register gig workers' employment status as "irregular employment", which will enable workers to access free social security insurance including healthcare coverage, life insurance and disability cover, and other state welfare programs such as the previously administered three-months coronavirus grant. Being registered as

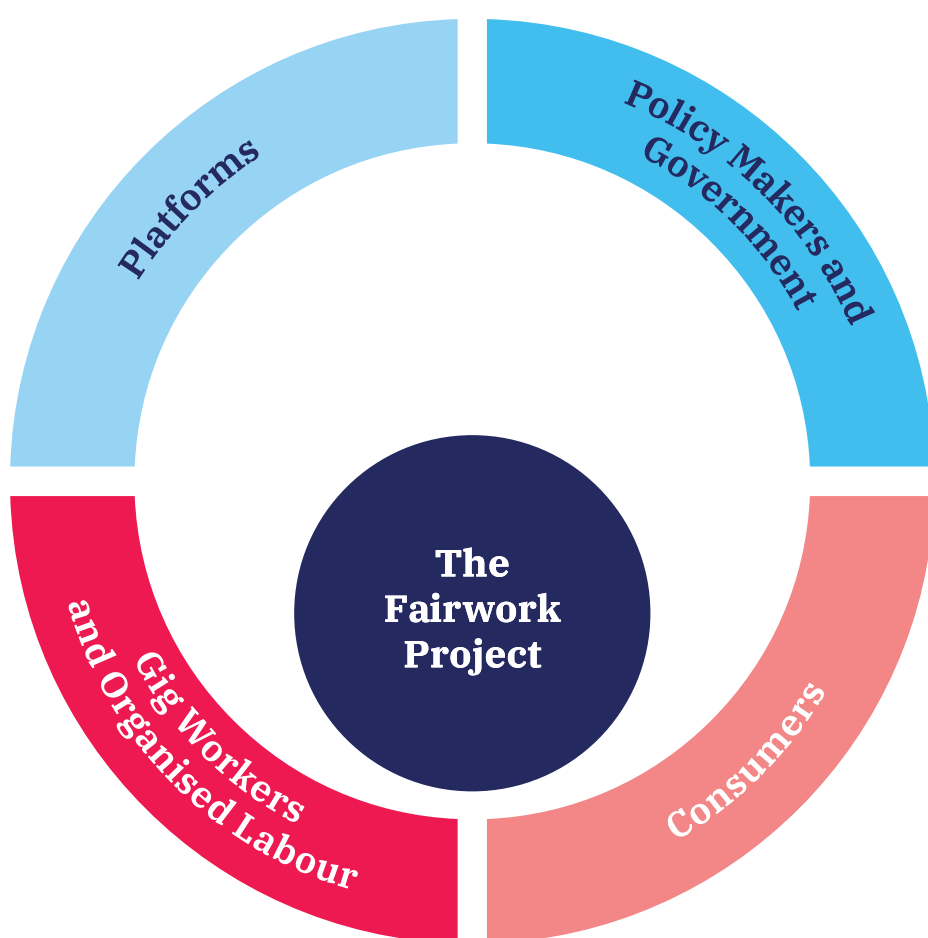
'irregular' workers will allow for more protection for platform workers, while also forcing employers to adjust their employer-employee relationships thereby giving workers more rights.

However, concerns about the state's ability to identify and support such a high number of irregular employees have been raised by policy makers. This is due to the administrative workload of the process, as well as the fear by many to have their irregular employment registered by state agencies which would make them subject to taxation and licensing costs. It is still unclear how the Ministry's plans will unfold, but this represents a positive effort by policy makers to be inclusive of platform workers, as part of a larger effort to integrate the informal economy into the economy.



Impact and Next Steps

This is the first annual round of Fairwork ratings for Egyptian platforms. We have made positive progress in engaging with the relevant stakeholders to work towards improving working conditions for gig workers in Egypt.



Fairwork's Pathways to Change

We would like to continue to work with the gig platforms, particularly given that most of them are local, homegrown enterprises created by young entrepreneurs. They have the potential to provide opportunities for cohorts of otherwise unemployed workers. As these platforms are also nascent, there is room to work with them to model fair work practices for the larger business sector in Egypt.

There are four avenues for contributing to continued improvement in Egypt's gig economy (see Figure 1).

Our first and most direct pathway to change in the gig economy is by engaging directly with platforms operating in Egypt. As this was the first year for Fairwork research in Egypt, establishing initial contact with platforms was challenging. We witnessed interest from some local platforms to engage with the

Fairwork principles and to try to work towards them. We also faced resentment and concern from others, perhaps understandably. This process of engaging with platforms has highlighted many of the context-specific obstacles but also opportunities that are presented to workers, platforms and other stakeholders in Egypt's platform economy at large. Once contact was established, platforms became more willing to engage with our research, provide evidence to improve their performance, and even work with us

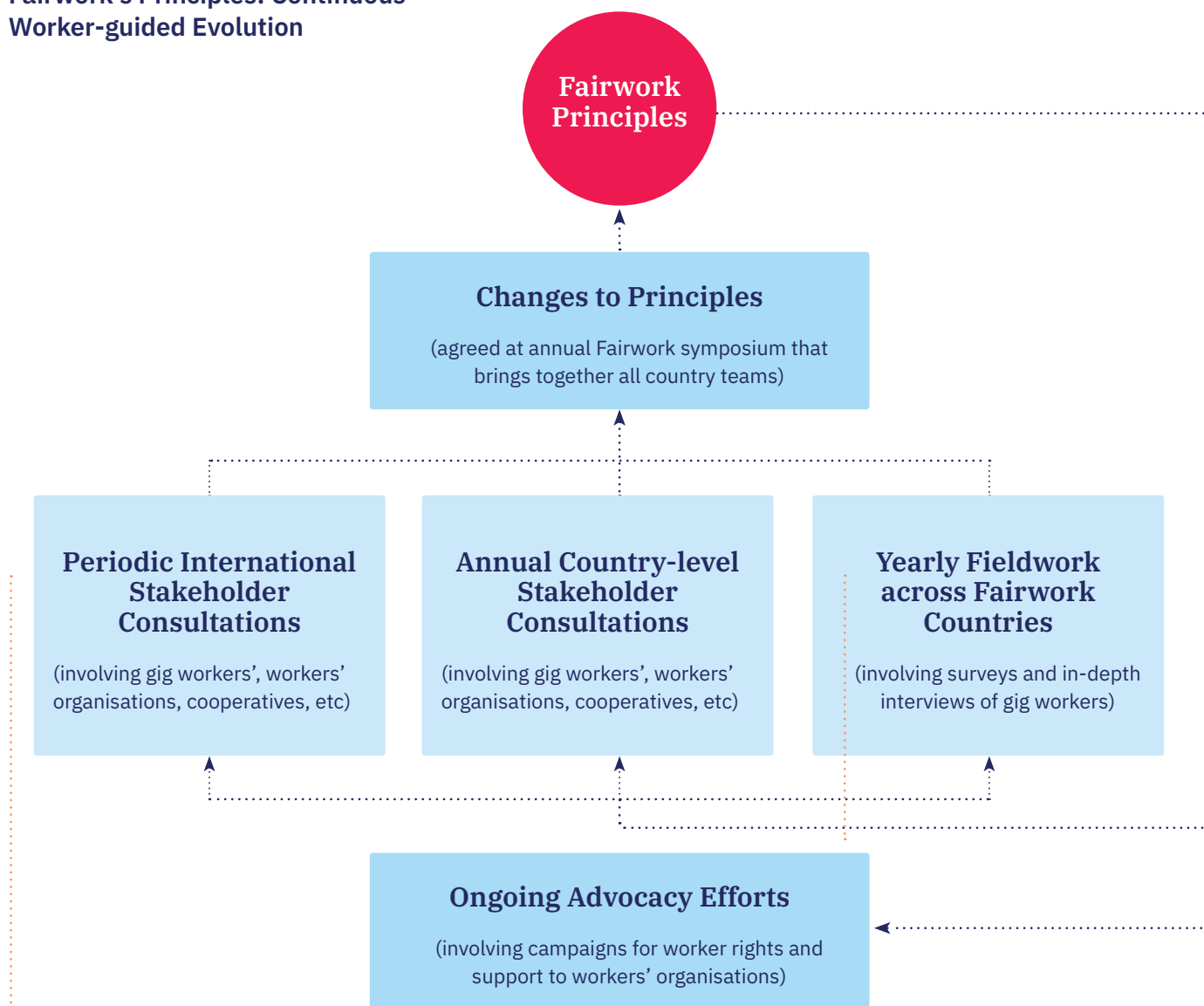
to implement positive changes. The adoption by FilKhedma and Orcas of an anti-discrimination policy is a positive step towards fair management. After discussions with the Fairwork Egypt team, FilKhedma also agreed to implement a data management policy. We envision that within the next year, platforms will be able to implement even more changes that guarantee better conditions for their workers.

Consumers constitute the second pathway to change. If given enough information, consumers can be

intentional about the platforms they choose to interact with. As the first Fairwork ratings for Egypt, this information will give consumers the ability to choose the highest scoring platform operating in a sector, which contributes to pressure platforms to improve their working conditions and their scores. In this way, we enable consumers to be workers' allies in the journey towards a fairer gig economy.

Beyond individual consumer choices, our scores can help inform the procurement, investment

Fairwork's Principles: Continuous Worker-guided Evolution



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.

Given that this is the first year for research in Egypt, we have yet to engage with policy makers and government, the third pathway to change. Cooperating with policy makers and government in the form of advocating for extending appropriate legal protections to all platform workers, irrespective of their legal classification, is an envisioned future step for the Fairwork Egypt team. The results of this report offers the first data set to use for this endeavour.

Last but not least, workers and workers' organisations are at the core of Fairwork's model. The Fairwork principles have been developed and are continually refined in close consultation with workers and their representatives (see Figure 2). Our fieldwork data, combined with feedback from workshops and consultations involving workers, informs how we systematically evolve the Fairwork principles to remain in line with their needs.

There is nothing inevitable about poor working conditions in the gig economy. Notwithstanding 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 gig 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 gig economy—paints a picture of what it could become.



The Fairwork Pledge:

As part of this process of change, we have introduced a 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 the best labour practices, guided by our five principles of fair work. Organisations who sign the pledge get to display our badge on company 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. We are proud to announce that the Good Business Charter is our first official Fairwork Supporter. 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 is available on the Pledge, and how to sign up, on the Fairwork website.⁹⁵

<https://fair.work/en/fw/join-the-pledge-together-for-platform-work/>.



2021/2022

Appendix:

Fairwork Scoring System






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, policy makers, trade unions, and academics), and in-country stakeholder meetings held in India (Bangalore and Ahmedabad), South Africa (Cape Town

and Johannesburg) and Germany (Berlin). This appendix explains the Fairwork scoring system.

Each Fairwork Principle is divided into two thresholds. Accordingly, for each Principle, the scoring system allows one 'basic point' to be awarded corresponding to the first threshold, and an additional 'advanced point' to be awarded corresponding to the

second threshold (see Table 1). The advanced point under each Principle can only be awarded if the basic 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.

Table 1 Fairwork Scoring System

Principle	Basic point		Advanced point		Total
 Fair Pay	1	+	1	=	2
 Fair Conditions	1	+	1	=	2
 Fair Contracts	1	+	1	=	2
 Fair Management	1	+	1	=	2
 Fair Representation	1	+	1	=	2

Maximum possible Fairwork Score





Principle 1: Fair Pay

Threshold 1.1 – Pays 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 vehicle.⁹⁶ Workers' costs sometimes mean their take-home earnings may fall below the local minimum wage.⁹⁷ 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, which are also considered active hours.⁹⁸ To achieve this point platforms must demonstrate that work-related costs do not push workers below local minimum wage.

The platform must satisfy the following:

- 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.

In order to evidence this, the platform must either: (a) have a documented policy that guarantees the workers receive at least the local minimum wage after costs in their active hours; or (b) provide summary statistics of transaction and cost data. In case of (b), the platform must submit:

- An estimate for work-related costs, which are then checked by the Fairwork team through worker interviews; and,
- A weekly earnings table for any three-month period over the previous twelve months, in the format shown below. This is a two-way relative frequency table, which should contain information

on the percentages of workers whose average weekly take-home earnings and active hours are distributed as follows:

Threshold 1.2 – Pays 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 workers earn a living wage.

The platform must satisfy the following:

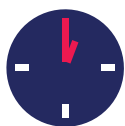
- Workers earn at least a local living wage, or the wage set by collective sectoral agreement (whichever is higher) in the place where they work, in their active hours, after costs.^{99,100}

If the platform has completed Table 2, the mean weekly earnings minus the estimated work-related costs must be above the local minimum wage.

Table 2 Weekly earnings table²⁶

		WORKER EARNINGS AFTER COSTS (E)			
		e < M	M ≤ e < 1.5M	1.5M ≤ e < 2M	2M ≤ e
ACTIVE HOURS (H)	h < 0.9F (part-time)	%	%	%	%
	0.9F ≤ h < 1.2F (full-time)	%	%	%	%
	1.2F ≤ h (full-time plus overtime)	%	%	%	%

Notes: h = Average active hours worked by worker per week; e = Average weekly earnings of worker; F = the number of hours in a local standard working week; M = the local weekly minimum wage, calculated at F hours per week. The rows represent workers who work part-time, full-time, and more than full-time. The percentages in each row should add up to 100 %; The table is to be filled with four columns of data: Column^[2] with the percentages of part-time, full-time, and full-time with overtime workers who earn less than the minimum weekly wage (X), and so on until Column^[5].



Principle 2: Fair Conditions

Threshold 2.1 – Mitigates task-specific risks (one point)

There are policies to protect workers from risks that arise from the processes of work

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 steps to mitigate them.¹⁰¹

The platform must satisfy the following:

- There are policies or practices in place that protect workers' health and safety from task-specific risks.

Threshold 2.2 – Actively improves working conditions (one additional point)

There are proactive measures to protect and promote the health and safety of workers or improve working conditions

Beyond minimising risks that workers may face to their health and safety in the course of their work, platforms have the ability to proactively improve health and safety and working conditions. This may be through provision of training, wellbeing initiatives, health insurance, and other measures. To achieve this point platforms must demonstrate a proactive effort to improve workers' experiences.

The platform must satisfy the following:

- There is a documented policy (or policies) that promotes the health and safety of workers or improves working conditions, going beyond addressing task-specific risks.



Principle 3: Fair Contracts

Threshold 3.1 – Provides clear terms and conditions (one point)

The terms and conditions are transparent, concise, and provided to workers in an accessible form

The terms and conditions governing platform work are not always clear and accessible to workers.¹⁰² 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 platform 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 is communicated in clear and comprehensible language that workers could be expected to understand.
- The contract is accessible to workers at all times.
- Every worker is notified of proposed changes in 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.

Threshold 3.2 – Does not impose unfair contract terms (one additional point)

In some cases, especially under 'independent contractor' classifications, workers carry a disproportionate amount of risk for engaging in the contract. 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 platform classifies the contractual status of workers, the platform must satisfy BOTH of the following:

- The contract does not include clauses which exclude liability for negligence nor unreasonably exempt the platform from liability for working conditions.
- The contract does not include clauses which prevent workers from effectively seeking redress for grievances which arise from the working relationship.



Principle 4: Fair Management

Threshold 4.1 – There is due process for decisions affecting workers (one point).

Platform workers can be vulnerable to sudden termination (deactivation), and loss of income, often without due process. Workers may be subject to unfair penalties or disciplinary decisions and may lack the ability to contact the platform to challenge or appeal them. To achieve this point, platforms must demonstrate that workers can meaningfully appeal disciplinary actions.

The platform must satisfy ALL of the following:

- The contract includes a documented channel for workers to communicate with a designated representative of the platform; and,
- The contract includes a documented process for workers to appeal disciplinary decisions or deactivations; and,
- The platform interface features a channel for workers to communicate with the platform; and,
- The platform interface features a process for workers to appeal disciplinary decisions or deactivations; and,
- In the case of deactivations, the appeals process must be available to workers who no longer have access to the platform.

Threshold 4.2 – There is 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 through their design and management. To achieve this point, platforms must show that they have policies to minimise risks of users discriminating against workers, and that workers are assured that they will not be disadvantaged through management processes. If a traditionally disadvantaged group is significantly underrepresented on their platform, steps are taken by the platform to identify and remove barriers to inclusion.

The platform must satisfy ALL of the following:

- It has a policy which guarantees that the platform will not discriminate against persons on the grounds of race, gender, sex, sexual orientation, gender identity, disability, religion or belief, age or any other status which is protected against discrimination in local law; and,
- Where persons from a disadvantaged group (such as women) are significantly underrepresented among its workers, it has a plan to identify and remove barriers to access by persons from that group, resulting in improved representation; and

- It takes practical measures to promote equality of opportunity for workers from disadvantaged groups, including reasonable accommodation for pregnancy, disability, and religion or belief; and
- If algorithms are used to determine access to work or remuneration, these are transparent and do not result in inequitable outcomes for workers from historically or currently disadvantaged groups; and
- It has mechanisms to reduce the risk of users discriminating against any group of workers in accessing and carrying out work.



Principle 5: Fair Representation

Threshold 5.1 – Includes freedom of association and worker voice mechanisms (one point)

The right of workers to freely associate is enshrined in the constitution of the International Labour Organisation and the Universal Declaration of Human Rights.¹⁰³ To achieve this point platforms must demonstrate that they observe this right, by ensuring that workers can collectively communicate their wishes and concerns to the platform. They must not hamper or prevent workers' freedom of association, or penalise workers for associating or expressing demands.

The platform must satisfy the following:

- There is a documented process for the expression of worker voice.

Threshold 5.2 – Recognises collective body that can undertake collective representation and bargaining (one additional point)

For workers to meaningfully have a voice in determining their working conditions, they must be able to bargain with the platform through a collective or representative body. The platform must recognise this collective body, and make itself available for good faith negotiations. In most cases, such bodies do not yet exist in the platform economy. Where that is the case, the platform should publicly state its willingness to recognise a collective body if one is formed.

The platform must satisfy BOTH of the following:

- Publicly recognise an independent, collective body of workers or trade union and not have refused to participate in collective representation or bargaining; If such a body does not exist, it must:
- Sign a public statement of its willingness to recognise a collective body of workers or trade union

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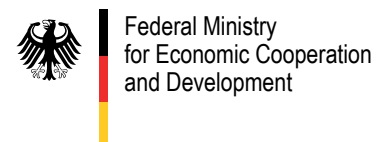
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97 The ILO defines minimum wage as the "minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract." Minimum 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.

98 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. 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.

99 Where a living wage does not exist, Fairwork will use the Global Living Wage Coalition's Anker Methodology to estimate one.

100 In order to evidence this, the platform must either: (a) have a documented policy that guarantees 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. In case of (b), the platform must submit: (1) An estimate for work-related costs, which are then checked by the Fairwork team through worker interviews; and, (2) a weekly earnings table for any three-month period over the previous twelve months, in the format shown above.

101 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."

102 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.

103 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.



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