
Will trade unions survive in the platform economy?

Emerging patterns of platform workers'
collective voice and representation in Europe

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Kurt Vandaele

Working Paper 2018.05

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european trade union institute

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Acknowledgements

The author is grateful to: Peter Ahrenfeldt Schröder, Callum Cant, Bettina Haidinger, Richard Lomax and Philippe Pochet for their constructive remarks and suggestions on earlier versions of this Working Paper; the speakers and audience at the workshop on 'Protecting workers in the online platform economy', organised by the European Agency for Safety and Health at Work on 24 May 2018; and Aline Hoffmann, Riitta Juntunen and Arianna Tassinari for drawing my attention to the trade union initiatives on platform workers in Switzerland, France and Italy, respectively.

This Working Paper is based on a shorter German book chapter due to be published in autumn 2018 as Vandaele K., *Arbeitskämpfe in der Plattformökonomie: neuer Schwung oder drohender Abschwung für gewerkschaftliche Organisation und Repräsentation?*, in BEIGEWUM (Beirat für gesellschafts-, wirtschafts- und umweltpolitische Alternativen) (Hrsg.) *Umkämpfte Technologien – Arbeit im digitalen Wandel*, Hamburg, VSA Verlag.

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Brussels, 2018
©Publisher: ETUI aisbl, Brussels
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Print: ETUI Printshop, Brussels

D/2018/10.574/10
ISSN: 1994-4446 (print version)
ISSN: 1994-4454 (electronic version)



The ETUI is financially supported by the European Union. The European Union is not responsible for any use made of the information contained in this publication.

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Abstract

Via a non-exhaustive mapping of various examples in Western European countries, this Working Paper explores to what extent the collective representation and voice of digital platform workers are being shaped by current dynamics in the platform economy. The argument is developed that currently emerging patterns hint at a possible co-existence or combinations of mainstream trade unions and other unions and union-like organisations defending platform workers' needs and interests. Patterns in representation forms reveal a demarcation between the logic of membership and the logic of influence. Though not new, this demarcation has become more exposed, prevalent and salient since the platform economy, also in highly institutionalised labour markets. The Working Paper also emphasises that any meaningful analysis of the representation and voice of platform workers should consider the diversity of platforms and the associated variance in the power resources of platform workers.

Introduction

Today's reorganisation of work is marked by technological innovation and change driven by artificial intelligence, (humanoid) robotisation and digitalisation. Together with, for instance, local micro-production via 3D printing, technical advances fostering automation have spurred thinking and speculation about a dystopian or utopian (post-)capitalist future (for example, Dyer-Witheford 2015; Frase 2016; Mason 2015). On a more concrete note, workers and trade unions have already expressed serious concerns about the new digitalised management methods now being implemented (Degryse 2016; Drahokoupil and Jepsen 2017). Facilitated by wearable or other electronic technologies, real-time tracking, behaviour and performance monitoring and workplace surveillance are allowing management to control and discipline workers ever more (Moore 2017). Biased performance assessments have raised questions about the transparency of the algorithms on which these digitalised management methods are based. Equally, the generation of 'big data' on productivity, used for measuring workers' performance, calls for regulation governing its access and ethical use, especially in terms of data privacy and worker protection (see UNI Global Union 2017). Digitalised management methods may well engender risks of discrimination, physical and psychosocial violence and harassment, especially among women, migrants or young people (Moore *et al.* 2018b).

Moreover, through extracting, analysing and using data as a raw material, digitalised management methods are transforming work organisation to such an extent that they may be understood as a new 'technological fix' (Moore *et al.* 2018b: 22; Silver 2003; Srnicek 2017). While these methods often go hand-in-hand with factory or warehouse automation, when we look at digital labour platforms, possibly one of the most mediatised examples of digitalisation, we also observe a great reliance on such methods. Digital labour platforms are economic agents providing virtual spaces for matching labour supply and demand via online technologies based on algorithmic management, thereby substantially lowering transactions costs (Drahokoupil and Fabo 2018; Prassl 2018). 'Algorithmic management' (Lee *et al.* 2015) allows these platforms to increasingly track and discipline workers, in many cases circumventing or flouting existing labour and health and safety regulations, to the detriment of platform workers' social protection. Due to their perceived novelty as start-ups and their concealing high-tech rhetoric, digital labour platforms are often lumped together with the more sympathetic sharing-economy platforms, like Airbnb, as part of the 'new economy' promoting 'micro-entrepreneurship'. But a distinction needs to be made. Economically speaking, in the sharing economy 'consumers [are] granting each other temporary access to under-utilized

physical assets (“idle capacity”), possibly for money’ (Frenken and Schor 2017:4-5), whereas in the platform economy new capacity is being created.

The Working Paper’s frame of analysis is primarily on the context in which digital platform ‘workers’¹ perform their work. Its aim is to explore to what extent the collective representation and voice of digital platform workers is shaped by current dynamics in the platform economy. This is done via a non-exhaustive mapping of various examples in Western European countries.² Put differently, effective collective representation and voice are regarded here as essential for mitigating the risks faced by the platform workers and for improving the terms and conditions governing their work, in an attempt to rebalance the power and information asymmetries between the platforms and their workers.³ Based on secondary literature, this Paper develops the argument that currently emerging patterns hint at a possible co-existence or combinations of mainstream trade unions and other unions and union-like organisations defending platform workers’ needs and interests. To develop this argument, the Paper methodologically adopts a historical view inspired by an evolutionary or transformational perspective on trade unionism (Heery 2003). While trying to avoid being deterministic, functionalistic or prescriptive, such a transformational approach essentially assumes that organisational forms of unionism are largely an adaptation to the external economic environment and that certain forms are dominant in a certain historical epoch. Thus, whereas unions of traditional trades were the successful model until the beginning of the twentieth century, this model has been overshadowed, though not totally replaced, by industrial unionism, peaking in the 1960s to 1970s. This model has itself since given way to multisectoral or general unions encompassing industry and services (Visser 2012). In other words, this transformational thinking implies that if anyone sounds the death-knell of unionism, it will apply solely to a ‘particular model of unionism’ (Hyman quoted in Heery 2003: 279), without questioning the continuing existence of trade unionism as such.

The Working Paper is structured as follows. Section 1 discusses some general features of the digital labour platforms, focusing on their organisational work practices. It is emphasised that these practices not only mirror history, but also that they characterise and even accelerate the recommodification of labour (Collier *et al.* 2017). To understand the possibilities for collectively representing workers in the platform economy, their structural power – consisting of labour market power and workplace power – is first appraised in Section 2. Despite the fact that, generally speaking, these power resources are very weak for most types of digital platform work, Section 3 focuses on one exception observed in

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1. The term ‘workers’ is used intentionally here.
 2. Possible workers’ agency and trade union developments in the platform economy in Central and Eastern Europe are beyond the scope of this Working Paper.
 3. Certification schemes or ‘naming and shaming’ policies, initiated by consumer or activist organisations, and the platforms’ possible self-regulation via, for instance, codes of conducts, are not the main focus. This also applies to the demands for new (legal) regulation and proper governance at national, European or supranational level (e.g. via the International Labour Organisation (ILO)).

the delivery sector: on-demand food couriers in several Western European cities. This exception demonstrates that certain platform workers do have a disruptive capacity and that their associational power is in the making through ‘mass self-communication networks’ (Wood 2015). Based on various examples of collective representation in the platform economy in Western European countries, Section 4 highlights certain patterns in the collective representation of platform workers. Those patterns hint at an ideal-type bifurcation based on either the ‘logic of membership’ or the ‘logic of influence’ (Offe and Wiesenthal 1980). To a certain extent, this demarcation correlates with the different types of digital labour platforms, i.e. any meaningful analysis of the representation and voice of platform workers should take into account the diversity of platforms and the associated variance in workers’ power resources. The last section concludes.

1. A new technological fix coupled with old forms of organisational work practices

Advances in mainly internet-based digital connectivity and matching technologies, combined with financialised strategies like venture capital, have facilitated the emergence and rise of the platform economy (Srnicsek 2017). Apart from the digital communication methods and infrastructure, the innovative character and importance of digital labour platforms relate to their reliance on new digitalised management methods. This technological fix is facilitating the distribution of work and its coordination, its supervision and payment. A triangular relationship characterises the way the platforms organise work (Healy *et al.* 2017). They act as digital work intermediaries for organising and managing the work to be done by the producers or providers for the requesting customers. Producers or providers typically supply their own capital equipment and are compensated on a piece-work basis – not for their working time. In some cases, there is a supplementary go-between via couriers for completing the transaction. The work is performed on an as-needed or on-demand basis by contingent workers engaged as ‘independent sub-contractors’ with self-employed status or by ‘freelancers’. Due to this self-employment status, regulatory requirements governing employment are circumvented and responsibilities and market risks externalised.

The organisational work practices of such digital labour platforms were initially hardly questioned by policymakers; instead they were more often than not receptive to the Pied Piper lobbying and narrative of the platforms (Prassl 2018: 46-49). The scope of digital labour platforms in terms of employment is however still largely shrouded in mystery, as hardly any comparable cross-national data exists. Even so, various estimates based on surveys indicate that only a very small fraction of the workforce regularly performs platform work (Florrison and Mandl 2018), and generally only to top up an income from regular employment as a ‘compensatory way to cope with volatility in offline income’ (Collier *et al.* 2017: 5). Its peripheral quantity seems at odds with the media attention paid to these platforms. But just as earlier types of capitalism broke with existing regulations, digital platforms are known for their so-called ‘disruptive innovation’ on established markets, especially where less exposed to international competition. They are similarly known for circumventing existing rules on employment, social protection and corporate taxation. Above all, while the legal classification of different forms of employment is not new, the regulatory differentiation between genuine self-employment and the bogus variant remains unsolved in the platform economy.

The ambiguous employment status of digital platform workers, and whether they constitute a new legal category, is one of the most contested issues (De

Stefano 2016). The experience in, for instance, Germany, Italy, Spain and the UK, all countries with intermediate worker categories, shows that these categories do not resolve any of the fundamental classificatory problems, instead adding to the confusion (Prassl 2018: 48). While digital management methods make things more convenient for consumers, the actual production process is generally not much different from production within a subordinated form of employment. It is the digital organisation of work that makes the difference, with platforms being an algorithmic, non-negotiable employer via the ‘control and governance over the rules of the game’ (Srnicsek 2017: 47). Undoubtedly though, the legal vagueness of the relationship between a digital labour platform, as an intermediary, and the producers opens up possibilities for exploitation. Not only are platforms able to shift the risks of fluctuating demand to the producers: the legal ‘grey zone’ also exonerates them from taking responsibility as an employer, i.e. enabling them to evade the regulatory standards applicable to a subordinate employment relationship and the entitlements and benefits associated with it. But there is nothing novel about this. Insights from history unmask the originality of the work organisation setup by the digital labour platforms.

From a historical perspective on capitalism, many, if not all, of the organisational work practices of the platforms are not genuinely novel (Fabo *et al.* 2017; Prassl 2018: 71-85; Srnicsek 2017; Stanford 2017). For instance, breaking up jobs into small, low-skilled tasks is simply old wine in new bottles. The same applies to practices like home-based production, on-demand work, piecework compensation or an intermediary-based business model – all of which dominated early capitalism in Western Europe until the nineteenth century or so. Also, even in many non-digital industries, several of these practices still flourish. In fact, contingent forms of employment have synchronously developed alongside the standard employment relationship that gained prominence in the Fordist accumulation regime in the core countries (Herod and Lambert 2016). Outside these countries, contingent work, frequently associated with precariousness, was the dominant model throughout the development of capitalism. The business model of multinational corporations in particular is based on maximising contingent work within their global and regional value chains. Likewise, a vast reservoir of ‘virtual paupers’ in the global South, but also the North, seems to be a prerequisite for the further existence and growth of platform work (Dyer-Witthford 2015; Healy *et al.* 2017; Stanford 2017). As such, the ‘mumbo jumbo’ of the digital labour platforms about ‘rebranding work’ (Prassl 2018) in a move towards an increasingly ‘fissured workplace’ (Weil 2014; Collier *et al.* 2017) is simply part of the recommodification of labour in the core countries of the capitalist system experienced from the 1970s onwards.

2. Constrained voice from the start: the structural power of digital platform workers

Similar to other forms of contingent work, it has been claimed that digital labour platforms provide an easy entry into the labour market for vulnerable groups. Despite these possibilities of economic inclusion, digital platform workers have many grievances, albeit varying with the type of platform work (for a comprehensive overview, see Moore 2018). For instance, they complain about non- and low payment, income insecurity and the lack of compensation for their own capital equipment. Moreover, digitalised management methods augment health and safety risks, including blurred boundaries between work and private life, and lack transparency regarding surveillance practices, rating systems and task or job allocation. With platform work characterised by health and safety issues, few social rights and inadequate social protection (European Parliament 2017), the agency of digital platform workers and their bargaining power come to the fore for tackling these issues and for getting the state to take action.⁴ Bargaining power depends on power resources, but the above issues reflect the near absence of regulatory institutions in the platform economy for shaping work arrangements. Hence, the ‘institutional power’ (Schmalz and Dörre 2013) of digital platform workers is almost non-existent, especially as their status as ‘independent contractors’ is hardly connected with institutional security, essentially ensured by the right to unionise and collective bargaining (for an overview, see Garben 2017).⁵ Therefore, they must rely on other resources for raising their voice and attaining bargaining power.

Table 1 Digital platform workers and their structural power compared

	Crowdwork		On-demand work	
	Micro	Macro	General	Transport
Workplace bargaining power	Low	Fairly low	Low	Fairly high
Marketplace bargaining power	Low	Fairly low	Low to intermediate	Fairly low

Source: own typology based on Silver (2003).

4. Labour ministries and health and safety agencies in some countries have taken a more proactive approach.
5. France is an exception: the Act of 8 August 2016 explicitly recognises the right of platform workers to unionise and their right to take industrial action.

Based on their strategic place in a specific production system, workers have the potential to exercise ‘structural power’ vis-à-vis their employers in the form of ‘marketplace bargaining power’ and ‘workplace bargaining power’ (Silver 2003). Marketplace bargaining power relates to the desirability of workers’ skills by employers, to the degree of unemployment in general, and to what extent workers can live from non-wage income sources. Workplace bargaining power stems from the workers’ strategic position in a distribution or production process, influencing their capacity to disrupt business through direct action. When applying this conceptual thinking on power to platform economy workers, we find that their distinct geographies influence their structural power – see the typology in Table 1. To understand this typology, we need to take a closer look at the heterogeneity of platform work and to categorise it (De Groen *et al.* 2016; De Stefano 2016; Graham and Woodcock 2018; Huws 2017 *et al.*, Howcroft and Bergvall-Kärebörn 2018). Based on the geographical location, a first major difference can be made between online and offline work. A second criterion takes account of skill levels. Thus, based on the geographical location and skill level, at least three major types can be discerned: online, low-skilled micro crowdwork, online, high-skilled macro crowdwork and offline on-demand low- to medium-skilled work.⁶ Looking through the lens of power resources, it is also worthwhile to specifically consider platform workers in the delivery and transport sector, i.e. workers belonging to the offline on-demand work category, as their resources are quite distinctive.

On a final note, while structural power influences the disruptive capacity of platform workers, their willingness to use this capacity will likely depend on their labour market attachment. One can expect that a looser attachment will be associated with a lower willingness to disrupt, as it is expected that the benefits of collective action, relative to the costs, will decrease in such a case. As platform work is in most cases not the main source of income, a low level of commitment can generally be assumed. But, as highlighted by mobilisation theory (Kelly 1998), in practice, activists, or a critical mass thereof, have a crucial role to play in a sequential process of framing the use of workers’ disruptive capacity. They help in identifying potential issues of conflict, making workers aware of social injustice and attributing it to management, fostering group identification, and defending collective action as an effective means of mitigating or undoing perceived social injustice when the occasion arises. Thus, whether platform workers’ will use their disruptive capacity is very much an empirical question. In this section, however, the interest lies in the extent to which they possess structural power. Thus, while the sub-sections below appraise the workplace and marketplace bargaining power of the three different types of platform work, the following section, Section 3, will focus on the food delivery sector to illustrate how the food couriers’ structural power is helping to explain current dynamics in their collective voice and representation.

6. A fourth type of platform work, combining physical, local services with high-skilled workers, like doctors or lawyers, is also possible, but seems to be less common (so far).

2.1 Online work: micro and macro crowdworkers

Crowdworkers perform placeless, computer-based specified tasks or services. While offshore outsourcing is of course not novel, digital labour platforms are facilitating this interconnectedness between the global North and global South, contributing to an increasingly international division of labour (Woodcock 2018). Nevertheless, mainly influenced by the spatial variation in Internet penetration, skills, and labour costs, crowdwork displays strong geographic patterns. Depending on its type, it can be a primary source of income not only in the global South, but also in the global North, as in countries like the United Kingdom (UK) (Berg 2016; Lehdonvirta 2016). Crowdworkers theoretically possess some workplace bargaining power, being part of virtual production networks vulnerable to work stoppages. Yet, in practice, their disruptive capacity is very minimal, being outweighed by the almost unlimited potential of digital labour platforms for 'labour arbitrage' (Graham *et al.* 2017). In other words, the platforms can hire workers to perform a specific digital task irrespective of their location, drawing on a potentially worldwide crowd of workers. While all types of crowdwork share this spatially fragmented and virtual nature, there is large variation in skill levels.

Online micro crowdwork

A first type of platform work is low-skilled crowdwork (Webster 2016). Because of extreme Taylorist deskilling and codification, this work entails repetitive micro-tasks or click-work like data entry, content tagging or interpretation, or finding information... Such tasks are mainly a result of 'shortfalls in artificial intelligence', with human 'cloud labour' up to now far cheaper than any further form of automation (Lehdonvirta 2016). Given the vast number of crowdworkers performing fractalized micro-tasks, their workplace bargaining power is virtually absent: even a work stoppage involving a considerable number of micro crowdworkers will hardly affect the whole value chain. Above all, such monotonous, low-skilled and extremely low-paid work has no spatial constraints. Hence, the marketplace bargaining power of crowdworkers is extremely low, as the digital management methods allow for a near-inexhaustible, anonymous pool of workers, especially from the global South, for labour arbitrage, including the risk of child labour.

Online macro crowdwork

A second type of crowdwork requires professional knowledge and competences like graphic design work, web and software development, editing and translation, etc. This involves profession-based macro-work commonly performed by high-skilled, freelance workers, often within the creative industries. In the global North, the use of digital labour platforms by freelancers is quite similar to working via an agency, though platforms enable them to widen their market or to decrease their search time for assignments (Florrison and Mandl 2018: 33). Able to transcend the boundaries of local

labour markets by ‘skill arbitrage’ (Graham *et al.* 2017), high-skilled crowdworkers, especially outside the capitalist core countries, are in a position to set a higher price for their labour via the digital labour platforms than locally. Even so, on the labour market beyond the local level, their marketplace bargaining power can similarly be regarded as fairly weak. Although their numbers are likely more limited than micro crowdworkers, the marketplace bargaining power of macro crowdworkers is constrained by the fierce competition induced by the digital labour platforms and by client-operated digital management methods using online individual ranking and reputation systems, even if such systems are in essence not new and not confined to the platform economy.

2.2 Offline work: on-demand digital platform workers

A third type of platform work is time- and place-dependent on-demand work, typically demanded via apps and which mostly involves low- to medium-skilled physical, offline work. Thus, although the platforms generally operate internationally, the work itself is performed locally. It is linked to a supplied (in-person) service either in the public space like bicycle or motor scooter food and packet delivery services or taxi-driving, or in private settings (Huws *et al.* 2017). Examples of the latter are repair work or domestic services such as cleaning or child- or eldercare.⁷ In the case of the platforms for the latter, the work is moved from informal arrangements to the formal economy, possibly fostering further commodification by the platforms, but also paying mere lip-service to formalisation (Ticona and Mateescu 2018).

In private settings: repair work or domestic services

Although on-demand digital platform work is performed on a more local basis and workers’ skill levels range from low to intermediate, their structural power is not much different from crowdworkers.⁸ While their marketplace bargaining power probably correlates to their skill level, their workplace bargaining power is still low. This power resource of on-demand workers is influenced by the very nature of their work, i.e. providing personal social and physical services. The direct, face-to-face contact they generally have with individual clients or consumers and their loyalty towards them make it harder to use their disruptive capacity (Silver 2003: 119-122). Moreover, the online ranking and reputation systems, continuously reviewing workers’ quality and reliability, often mirror or reinforce forms of discrimination, enabling the platforms to further discipline behaviour (Ticona and Mateescu 2018).

7. Domestic services in the on-demand economy are very much female-dominated.

8. The story is of course different for genuinely independent entrepreneurs who are simply expanding their market opportunities via digital labour platform and could set their own price.

In public space: delivery and transport

There seems to be one exception to the weak structural power of on-demand workers and the superior bargaining power of the digital labour platforms. While, on account of the rather low level of required competences, the marketplace bargaining power of on-demand workers in the delivery and transport sector is generally low – as is the case with ‘just-in-time’ food delivery or taxi services –, they do have a certain workplace bargaining power. Their disruptive capacity stems from the delivery, transport and logistics system’s key importance in the interaction between producers and customers (Silver 2003: 97-103), enhanced by the near-monopolistic tendencies of the platforms in local markets due to their major economies of scale and network effects (Srnicek 2017). Because of this disruptive capacity, it is no coincidence that digital labour platforms in the delivery and transport sector are beginning to test drone delivery systems and autonomous, self-driving vehicles; as a bonus, announcing or leaking this information can help demoralise the platform workers concerned and put a damper on any collective action.⁹

9. At the same time, platforms like Deliveroo and Uber are introducing some sort of insurance schemes for their drivers or couriers.

3. Food couriers' disruptive capacity, even with a bike

Appraising the power resources of digital platform workers, it comes as no surprise that food couriers are able to exercise their workplace bargaining power through direct action. At the same time, the rise in such action hints at their associational power deriving from self-organisation. Their tactical repertoire has often combined online campaigning with visible, grass-roots protests in cities – the latter perhaps not ‘fundamentally new in the sense of “never before having occurred”’ (Gall 2014:211). The first-ever strike of Deliveroo food couriers over pay took place in London in the summer of 2016. Later, smaller-scale localised stoppages targeted other food delivery platforms in the UK. Stopping machines in the twentieth century corresponds to collective logouts in the twenty-first century: the protest of a critical mass of couriers has since spread from London to several European cities, for instance in Austria, Belgium, France, Germany, Italy, the Netherlands and Spain (Animento *et al.* 2017; Cant 2017, 2018; Tassinari and Maccarrone 2017; Vandaele 2017; Zamponi 2018). In particular, the shift from a guaranteed hourly pay rate to a riskier payment-by-delivery system (i.e. piecework) has fuelled a sense of grievance and injustice.

Other workplace issues address the cancelling of scheduled shifts in favour of ‘free choice’, couriers’ precarious status and their lack of social protection. Importantly, as existing strike regulations do not apply to ‘independent contractors’, this grey zone of the employment status of food couriers is two-edged, offering an opportunity to take direct action, especially in countries with strict strike constraints like the UK. Nevertheless, it is questionable whether couriers’ direct actions are generating enough leverage over the platforms, given the asymmetrical power relations in the platform economy.¹⁰ Digital management methods enable the platforms to simply disconnect or exclude ‘troublemaking’ couriers, replacing them to stifle any protest. Moreover, coordinating collective action is a challenging task as the algorithmic management will respond to a shortage of couriers by setting higher rates, encouraging occasional couriers to log-in. Even though more research is undoubtedly needed, also on other digital labour platforms in the delivery and transport sector, at least three observations can be derived from the example of the food couriers about the power resources that play a role in enhancing their bargaining power.

10. In 2017, the first-ever protest of platform workers in Switzerland, however, backed by the union *Unia*, was successful: the couriers’ employment conditions and terms improved, and they were no longer considered ‘independent contractors’. See <https://www.unia.ch/de/medien/medienmitteilungen/mitteilung/a/14063/>

First, while the platforms are based on digital management methods, this very same technological fix facilitates courier mobilisation. Thus, worker-driven messaging apps and (encrypted) chat groups are easily accessible via couriers' smartphones, offering them a space for sharing information and discussion. Such 'mass self-communication networks' (Wood 2015) can connect the atomised couriers within and across cities, and even across national borders,¹¹ enabling them to forge a shared identity, trust and solidarity, to announce local direct action and to attract media attention.¹² Importantly, the physical co-presence and geographical proximity of the couriers, via the 'zone centres', i.e. the waiting locations where the restaurants are clustered, locations defined by the platforms, or spontaneous meeting points in the cities, have undoubtedly contributed to their self-organisation and associational power in the making.

Thus, second, despite potential retaliation from the platforms, mass self-communication networks are serving as a 'breeding ground' for self-organised courier associations boosting their associational power. Given their modest resources, couriers have in some cases built up coalition power via entering into alliances with trade unions or other organisations. Thus, protesting couriers have actively sought support from unions in several cities. Union backing includes organisational assistance provided to activists or taking test cases to the courts. Also, funds have sometimes been set up for financially supporting strikers, their campaigns or court actions via crowdfunding by sympathisers. Actions aimed at involving restaurants (as the providers), customers or civil organisations such as the Critical Mass cyclists in Brussels, in the protests have occasionally been taken.¹³

Third, the discursive power of workers is gaining importance, especially in cases where most other power resources are weak. Combined with coalitional power, it is part of the societal power available to workers (Schmalz and Dörre 2013). By ideationally framing direct action against the platforms in such a way that it resonates in the public discourse, the couriers in London and other cities are trying to debunk the platforms' narrative about entrepreneurship and digital innovation, to delegitimise the platforms' employment practices, and to damage their reputations, especially as they are likely to be sensitive to public opinion (Wood 2015). Discursive power exercised via direct action has the potential to be translated into rulemaking and institutional power, when the state takes on responsibility for regulating employment relations in the platform economy, for instance by setting minimum standards on, for instance, wages and social protection. Discursive power can thus partly compensate for platform workers' lack of other power resources.

11. On the transnational connections, see, for instance, <https://www.facebook.com/groups/382672968743331>

12. Academic attention on the platform economy tends to reflect the media coverage, while, indeed, platform workers in some other sectors are very likely more numerous than platform workers in the delivery and transport sector (Ticona and Mateescu 2018: 17).

13. Couriers share with Critical Mass cyclists the concern for safety when riding a bike in a city.

In combination with a relatively open opportunity structure, the associational and societal power of couriers was wielded on 31 May 2018 in Bologna in Italy, with a charter being signed between the *Riders Union Bologna*, the three main trade union confederations, the centre-left city council and the local food delivery platform *Sgnam e MyMenu*.¹⁴ The charter, labelled *Carta dei diritti fondamentali del lavoro digitale nel contesto urbano* (Charter of fundamental rights of digital work in an urban context), sets, on a voluntary basis, a framework of minimum standards covering remuneration, working time and insurance cover to be respected by the signatory platforms.¹⁵ As platforms like Deliveroo, Foodera and JustEat have not signed the charter, the mayor of Bologna has called on customers to boycott them. In a ‘naming and shaming’ move, both signatory and non-signatory platforms will be listed on the city’s website. Other Italian cities, like Milan, are likely to follow Bologna’s example.

14. See http://bologna.repubblica.it/cronaca/2018/05/31/news/il_sindaco_di_bologna_boicottate_justeat_c_-197845063/

15. See <http://comunicatistampa.comune.bologna.it/files/o-2018/cartadiritti3105web.pdf>

4. Collective representation: platform workers' associational power

By providing a non-exhaustive, selective overview of recent examples in a number of Western European countries, this section seeks to explore which associational forms are gaining prominence for representing platform economy workers. The geographical focus here largely excludes crowdworkers performing low-skilled tasks, as they are primarily located in the global South (Graham *et al.* 2017). In their case, apart from cooperation between unions in the global North and South, the Global Union Federations, together with other stakeholders like the ILO, seem to be obvious candidates for representing these platform workers at global level. Also, the self-organisation of these workers, via online communities for discussing work and sharing information on fair and unfair clients, is still in its infancy, modest in scale and currently quite ineffective (Irani and Silberman 2013; Lehdonvirta 2016). Burgeoning epistemic communities, activists (Milland 2017) or engaged academics like Graham and Woodcock (2018) with their effort to set up the 'Fairwork Foundation' for certifying *bona fide* platforms, together with developing international certification standards, seem likely to further develop virtual spaces as organising fora. Even so, no further aspects of micro crowdwork will be looked at here; this section solely relates to crowdworkers with high-skilled jobs, (creative) freelancers and on-demand platform workers.

4.1 Aligning forms of collective representation to two logics

The very classification of platform workers as 'independent contractors' hampers their collective representation, as this status is generally considered incompatible with union membership. Moreover, most digital labour platforms 'are unsurprisingly hostile to any efforts at organizing genuinely independent worker representation' (Prassl 2018: 65). Although based on a rather impressionistic sample (due to the current lack of systematic empirical material on account of the rapidly developing situation), it is believed that certain patterns in the collective representation of platform workers are emerging. Basically speaking, various forms of collective representation among high-skilled crowdworkers and on-demand platform workers can be identified, including grass-roots unions, union-affiliated guilds, mainstream or longstanding unions, labour market intermediaries as labour mutuals or quasi-unions, and worker-led platform cooperatives (see also Johnston and Land-Kazlauskas 2018: 6-7, 18-19). In turn, in their organising and representation strategies, these forms *ideally* follow either a 'logic of

membership' or a 'logic of influence' (Offe and Wiesenhal 1980) – see Table 2. While in the former the relationship between the organisation and its members' immediate needs and interests is of key importance, the relationship between the organisation and its interlocutors characterises the latter. The demarcation between the two logics is heuristic: they are ideal types and not mutually exclusive, instead shifting between the two poles in line with the prevailing context (Serrano 2014).

Table 2 Digital platform workers and the dominant logic of collective representation

Logic	Macro crowdwork	On-demand work (especially in the transport sector)
Membership	worker-led platform cooperatives	worker-led platform cooperatives; grass-roots unions; union-affiliated guilds
Influence	longstanding unions; labour market	intermediaries as quasi-unions

Source: own typology.

Grass-roots unions, union-affiliated guilds and worker-led platform cooperatives are likely to be more transformative. Their logic of membership can often be ideologically defined as a radical-left orientation, certainly in the case of grass-roots unions. In addition, union-affiliated guilds or worker-led platform cooperatives tend to lean towards the needs of their (potential) members, since any institution-building is currently non-existent. While grass-root unions and union-affiliated guilds are focused on mobilising, organising and representing on-demand platform workers, worker-led platform cooperatives can supposedly also organise crowd-workers with high-skilled jobs or freelancers. As for the longstanding unions, they are generally accommodating towards employers' associations and the state, utilizing their existing institutional power resources. Although it can be assumed that the share of platform workers will be extremely low within these unions, it seems that at least some are willing to represent platform workers' interests and needs beyond their actual member base, as reflected in their search for collective bargaining provisions for these workers. This 'union inclusiveness' (Benassi and Vlandas 2016) towards platform workers might be explained by the longstanding unions' ideological orientations, their power resources derived from the institutional context and their concern over a further 'uberisation' of employment relations undermining existing employment terms and conditions. However, not all unions have opened up membership to platform workers and other forms of self-employment (Keune 2015; Vandaele and Leschke 2010), although the largest German union, *IG Metall*, did so in 2016. Although little is yet known about platform workers' union appetite in general, their characteristics are gradually being mapped. It would seem that they share a lot in common with other under-represented groups in trade unions, often characterised by intersectional identities, although varying dependent on the type of platform work. Indeed, it can be assumed that research findings on the determinants of (non-)union membership of such groups will also – in one way

or another – apply to platform workers. Finally, by accommodating the platform economy through at least tolerating the employment (mis)classification of platform workers, quasi-unions also tend to follow the logic of influence.

4.2 Bottom-up approaches: platform cooperatives, grass-roots unions, and union-affiliated guilds

Set up by workers or unions, ‘platform cooperatives’ replicate the offerings of established digital labour platforms without exploiting the participating workers. Advancing economic democracy, worker- or union-led platform cooperatives orient themselves, by definition, towards the logic of membership, with worker-members owning the platform and participating in it. Platform cooperatives are thus an alternative to venture capital-financed digital labour platforms, and, hence, in direct competition with them (Scholz 2016). Whether or not backed by trade unions, they can theoretically be established for macro crowd- and on-demand work, although the latter would seem more probable given its geographical constraints. Basically, mimicking the technology of the digital labour platforms, driver-owned taxi apps have thus been set up. Recently, food and other delivery courier organisations like the union-affiliated guild *Collectif des coursier-e-s/KoeriersKollektief* in Belgium (Vandaele 2017) and the *Plataforma Riders X Derechos BCN* in Spain are testing the possibilities of an app-based worker-led platform cooperative. Besides these initiatives, unions are showing growing interest in the platform cooperative movement (Conaty *et al.* 2018). For the moment, however, it would seem that worker- or union-led cooperatives in the platform economy are being studied rather than actually being established.

As already mentioned, it seems that Internet-based communities are the embryonic stage towards small and often city-based guilds. While aiming to establish collective bargaining and social dialogue in the platform economy – as demonstrated in Bologna –, those guilds are predominantly oriented towards the logic of membership, for example involving food couriers (or taxi drivers in the case of Uber) in their mobilising actions. Apart from the already mentioned Belgian guild and the guild in Bologna, examples of other guilds include the *Collectif Livreurs Autonomes de Paris*, the German *Deliverunion*, the Italian *Deliverance Milano* and the Dutch *Riders Union* (Lieman 2018).¹⁶ Most of these guilds can be considered as ‘union-affiliated’. Offering counselling, logistics and other resources, grass-roots or longstanding unions are supporting them. In an optimistic scenario, this might enhance their long-term viability and upscaling. Also, in search of financial support, the guilds are resorting to crowdfunding for litigation and other actions.

¹⁶ One longstanding union, the French *Fédération du commerce et la Fédération du transport*, affiliated to the *Confédération générale du travail (CGT)*, has established separate branches for organising couriers, with the first set up in Bordeaux in 2017.

The most prominent example of support to guilds are the court cases fighting the contractual misclassification of platform workers as ‘independent contractors’ rather than employees, albeit with varying results across jurisdictions. Also, a lack of familiarity with collective bargaining and social dialogue explains the cooperation between the unions and guilds.¹⁷ For instance, together with the German anarcho-syndicalist union *Freie Arbeiterinnen- und Arbeiter-Union* (FAU) in Berlin, *Deliverunion* is endeavouring to set up a works council within Deliveroo, despite being confronted with union-busting. *FAU*, together with, for instance, the London-based Independent Worker’s Union of Great Britain, illustrates how grass-roots unions are gaining prominence in the platform-based delivery and transport sector.¹⁸ Like the guilds, activist-based, autonomous, small and recently-established grass-roots unions tend to prioritise their relationship with members by empowering them through mobilisation campaigns. Together with the union-affiliated guilds, it appears, however, that grass-root unions are organising far less or not at all in other sectors of the on-demand platform economy like the platforms for casual tasks and domestic services.

As especially students or young people in their early careers work as couriers, this offers unions a (marketing) opportunity to demonstrate the benefits of union membership in the school-to-work transition phase via reduced-price or free union membership (Vandaele 2018). At the same time, longstanding trade unions could learn from the guilds’ ‘improvisational unionism’ (Oswalt 2016). While the discursive power and digital activism of the guilds might positively influence union media profiles, these could, however, be at odds with the bureaucratic representation structures dominant in longstanding unions (Dencik and Wilkin 2018). Also, the guilds are likely to be more ‘glocal’ from the outset: although often only organising at the local city-level, they tend to have a less clearly defined national identity than longstanding unions.¹⁹ Furthermore, risk-taking guild members open to being fired by the platforms might accuse such unions of being too opportunistic, all too eagerly tapping into their built-up union-friendly networks (Marks *et al.* 2017). Finally, while grass-roots unions and longstanding unions may occasionally cooperate in backing union-affiliated guilds, despite their distinctive union identities, possible membership competition and their different logics’ orientations generally hinder any such moves.

17. If guilds want to stay neutral in countries where unions are ideologically split, they should not show any favouritism.

18. Together with six other grass-roots unions from seven countries (Argentina, Canada, the United States, Greece, Italy, Spain and Poland), FAU recently co-founded, in May 2018, the International Labour Confederation, aiming to strengthen cross-border union cooperation within the same companies and sectors, with an initial focus on the food sector, logistics and education.

19. A General Assembly is due to take place in Brussels on 25-26 October 2018 supported by the *Réseaux pour l’action collective transnationale* (Network for Transnational Collective Action) (Schnee 2018).

4.3 Longstanding unions: using prevailing opportunity structures

Mainstream or longstanding trade unions, often multisector or general unions, typically adopt a logic of influence, leveraging the opportunity structure they know particularly well to represent on-demand workers and crowdworkers. Put differently, in their strategies towards crowdworkers and on-demand platform workers, they highlight their social dialogue and collective bargaining institutions, archetypical within their respective industrial relations systems. As an example, in countries with a strong tradition of social partnership, trade unions have sought a common understanding with employers' associations over digitalisation (see Degryse 2016; Ilsøe 2017). With regard to collective bargaining, several problems are emerging, although from a historical perspective most of them are not new but require legislative adjustments (Jolly 2018; Johnston and Land-Kazlauskas 2018: 24-27). First, anti-trust and competition regulation might stand in the way of collective bargaining, as introducing minimum employment terms and conditions can be interpreted as 'price-fixing'. Second, in countries where industry-level collective bargaining prevails, this implies that either the digital labour platforms join existing employers' associations or that they establish their own associations. As most platforms only consider themselves a 'tech success' and not genuine employers, this is currently not happening (Kilhoffer *et al.* 2017: 31-33). Finally, initiatives by trade unions to bargain regulatory standards are usually met with ignorance, unwillingness and resistance by the digital labour platforms. Nevertheless, unions in for instance Belgium (Vandaele 2017), Sweden (Söderqvist 2018) or Switzerland are attempting to conduct direct negotiations with the platforms.²⁰ Moreover, a growing number of longstanding unions are chalking up successes in bringing digital labour platforms into the realm of genuine employment relations, with collective representation and collective bargaining.

For instance, in Germany, self-regulation via a Crowdsourcing Code of Conduct was initiated by a platform in 2015. Promoted, clarified and enhanced by *IG Metall*, Code signatories agree to adhere to 'local wage standards'. At the time of writing, eight Germany-based platforms have signed the Code. A further example is to be found in Vienna, where Foodora delivery couriers have set up a works council with the support of the *Vida* union (Kuba 2017). Food delivery couriers across German cities are endeavouring to replicate this move, in conjunction with the *Gewerkschaft Nahrung-Genuss-Gaststätten* (Food, Beverages and Catering Union).²¹ Moreover, the German-based company Delivery Hero, an online food-delivery service controlling, among others, Foodora, signed an agreement with the European Federation of Food, Agriculture and Tourism Trade (EFFAT) unions in April 2018 establishing a cross-border works council and employee participation in its supervisory

²⁰. On Switzerland, see <https://syndicom.ch/branchen/logistik/velokuriere/>

²¹. See <https://www.facebook.com/liefnernamlimit/>

board.²² That same month, the Danish union *3F* claimed to have concluded the world's first-ever collective agreement in the platform economy with *Hilfr.dk*, a platform for cleaning services in private homes.²³ The fact that the platform is a Danish one has contributed to a shared understanding between the platform and the unions on seeking to improve employment terms and conditions.²⁴ Initially a 12-month pilot project, the agreement introduces a minimum wage, sick pay and holiday allowance and pension contributions for those working regularly for the platform, i.e. more than 100 hours.²⁵ While the workers covered by the collective agreement will cost more for *Hilfr.dk* customers, the latter will become able to tax-deduct the cleaning services. Following an assessment of the pilot project, a possible follow-up agreement for a three-year period is foreseen.

It is probably no coincidence that the first collective agreement in the platform economy has been concluded in the domestic services sector characterised by trust relationships, for instance home cleaning, baby- or elderly care. Unions could incentivise the platforms to enhance trust through improving employment terms and conditions, thereby reducing workforce turnover rates. In other words, with digital labour platforms formalising domestic services and casual tasks, new opportunities arise for unions to organise and represent these highly dispersed workers. As illustrated by the Danish case, but also the charter in Bologna for food delivery couriers, the prospects for concluding a collective agreement are probably higher when a platform has its home base in the country of the unions concerned. Furthermore, transnational union cooperation has advanced the 'Frankfurt Declaration on Platform-Based Work' in 2016 and the 'Fair Crowd Work' website, an Austrian-German-Swedish union initiative for evaluating the platforms' employment terms and conditions based on workers' surveys.²⁶ Finally, at European level, with the support of the European Trade Union Institute, among others, the European Trade Union Confederation (ETUC) has taken the initiative to set up a social dialogue with the platforms, via the 'sharers and workers' conference in January 2018, and to lobby European decision-making institutions for a regulatory framework governing the platform economy (Weber 2018).

4.4 Freelancers: quasi-unions seeking legitimacy

Predating the growth of the platform economy, labour market intermediaries have been established as 'bottom-up solutions' (Lorquet *et al.* 2017: 2) to smooth non-standard career paths. Using them, workers with heterogeneous

22. Delivery Hero has changed its corporate status from a German company to a European Company, a status less demanding in terms of employee involvement.

23. <https://blog.hilfr.dk/en/historic-agreement-first-ever-collective-agreement-platform-economy-signed-denmark/>

24. On an anecdotal note, demonstrating their unfamiliarity with collective bargaining, the platform founders needed support from an employers' association during the negotiating process.

25. Workers below this threshold remain classified as 'independent contractors'.

26. See <http://faircrowd.work>

employment statutes navigate from one job to another. Solo self-employment is not only the result of employer strategies instigating bogus self-employment and labour market deregulation, as workers might voluntarily opt for it, despite the risk of an unsteady income and inadequate social insurance coverage during working life and in old age. Labour market intermediaries can either be private actors pursuing profitable objectives or be the result of a mutualisation by users or workers. As membership-based cooperatives, the latter might be portrayed as labour mutuals or quasi-unions, providing services and social protection to workers with contingent work arrangements, with the solo self-employed as the archetypical example. At the same time, unions have a certain historical experience in organising such workers, especially in the cultural or social domain (Lodovici 2018; Vandaele and Leschke 2010), whereas in the creative industries, for instance, ‘new forms of collaboration seem to arise: partnerships among professionals co-located in co-working spaces; virtual professional communities; social media identity movements, and so forth’ (Gheradini 2017: 19).

Likewise, in the Netherlands, a country that has experienced rapid growth in self-employment in recent years, both unions and freelancer associations are trying to attract professionals working in the social and cultural sectors (Jansen 2017). Manual self-employed workers, likely applicants for casual tasks platforms for repair work, and ‘technocratic’²⁷ professionals, are however more likely to join freelancer associations. The willingness of the self-employed to join a union is particularly driven by collective demands for better social protection and a left-wing ideological orientation. Also, part-time self-employed and ‘involuntary’ self-employed workers (i.e. those who would rather work in salaried employment) are more inclined to join unions. In other words, what makes unions attractive for freelancers is not the offer of individual services, but their striving to set minimum standards via collective bargaining. Insofar as quasi-unions are seeking legitimacy from employers’ associations and political authorities, i.e. indicating their tendency towards the logic of influence, they are thus poaching on the territory of longstanding unions. To illustrate this point, in Belgium, for instance, the intermediary *Société Mutuelle d’Artistes (SMart)* is being criticised by unions, but also by temporary work agencies and employers’ associations, for its ambiguous role.

Especially unions are up in arms against *SMart* for legitimising grey zones in the employment relationship in the creative industries (Xhaufclair *et al.* 2018). Established in 1998 and initially active in French-speaking Belgium, *SMart* set out to provide services to freelancers in the arts sector, like professional actors and musicians, helping them with their assignments and providing social protection. Using a strategy of organisational legitimacy, *SMart* has since set up shop in other European countries and expanded its activities. At the same time, it has shifted its focus from work status to work content; diversifying its

²⁷ In the context of this study, those technocratic professionals include independent accountants and other financial and legal specialists, civil engineers, and self-employed ICT professionals.

target audience to include craftsmen, freelancers and project-based workers. Moreover, in Belgium, *SMart* has also become active in the delivery and transport sector of the on-demand platform economy, for example negotiating better employment terms and conditions for food delivery couriers. Yet, this joint protocol became null and void when Deliveroo unilaterally changed couriers' employment status to 'independent contractors' (Vandaele 2017). As a result, a number of couriers are exploring the potential of setting up a platform co-operative. It remains to be seen whether any friction will arise between worker- or union-led platform co-operatives and quasi-unions or whether, on the contrary, a further hybridisation will mature between these forms of collective representation. Independent of the dynamics of the platform economy, the proliferation of self-employment in some, although not all, European countries (Borghi *et al.* 2018; Williams and Horodnic 2018) is a labour market development that unmistakably needs union attention. The challenge facing the unions is 'to extend (...) expertise in organising freelance members to assist more general unions working in other industries and services' (Conaty 2018: 22).

Conclusion

Digital labour platforms are not only a matter of technological innovation and change (Moore *et al.* 2018a). The advance of technology, like the platforms, should be contextualised within distinct societies. The platform economy is shaped by the social and political framework in place and by economics, i.e. returns on investment. In this sense, there has been speculation about the longevity of the digital labour platforms (Farrell and Greig 2017; Healy *et al.* 2017: 7-10). As a simple continuation of offshore outsourcing, there is however little doubt that platforms using low-skilled crowdwork are very likely to 'remain in business, simply because they draw upon hyper-exploited workers in low-income countries' (Srnicek 2017: 118-119). For sure, the future of the platforms will be partly dependent on the persistence and growth of contingent forms of employment, also in the global North. Accordingly, digital labour platforms are not neutral: their organisational work practices simply pander to companies' enduring search for cheaper and more compliant labour (Silver 2013). Likewise, the digital management methods buttressing the platforms' control and surveillance of labour are contested issues and, hence, encounter workers' resistance.

Throughout the development of capitalism, workers have repeatedly opposed the new extent and intensity of work and the introduction of labour-saving (i.e. job-cutting) technologies, even if the epoch of mass production industrialisation in the global North might have been an exception: this technological fix held the promise of an equitable trade-off between enhanced productivity levels and reduced working time or higher wages, orchestrated by collective bargaining and buttressed by labour-friendly labour market policies. Differences in the salience of this trade-off between labour and capital probably to a certain extent explain the current variation in trade union strategies towards technological change. Thus, it can be expected that unions with identities still largely based on such a 'political economism' (Taylor *et al.* 2012) are more oriented to seek a common understanding with employers over digitalisation, including the new forms of digitalised management. Similarly, in defiance of the techno-determinism of the digital labour platforms, their logic of influence should not necessarily stand in contrast to a logic of membership, as seen by the incipient regulations within the domestic services and delivery platforms. This demonstrates how trade unions can play a role in shaping today's epoch, a period considered as 'a turning point between the turn-of-the-century frenzy for all things ICT-related and the realisation of urgently needed synergies between innovatory potential and society's end game' (Valenduc 2018: 13).

Simultaneously, in accordance with a logic of membership, grass-root unions and the 'new' union-affiliated guilds are especially active in the platform economy. While demarcation between forms of collective representation on the basis of the two above-discussed logics is not original, it has become more exposed, prevalent and salient since the platform economy, also in highly institutionalised labour markets. Thus, whereas trade union density continues to decline across Europe, albeit with persistent country differences, the future looks slightly less bleak for the labour movement. At risk of being all too functionalistic, the new technological fix of the platform economy seems to 'generate' organisational experimentation and 'new' forms of collective representation, at least on paper. Apart from the use of digital technology, these forms somehow reveal similarities with the early days of unionism (Milkman 2013), exposing how workers' interests and needs are 'relatively fixed and undifferentiated' (Heery 2003: 284). Whether workers are employed by digital labour platforms or not, unions' internal challenges, contradictions and complexities in organising, mobilising and representing workers with contingent work arrangements are well-known, explored and debated (Keune 2015). The proliferation of such arrangements is not novel. Accordingly, the collective representation of contingent workers, including platform workers, by a plethora of forms other than longstanding unions and specifically catering for their interests and needs is by no means new (Heery and Frege 2006). The platform economy merely highlights the increasing fragmentation characterising the labour movement (and mirroring the labour market). While each of the collective forms of representation identified here has its own distinguishing features and possible sources of tensions and rivalries, 'developing synergies between the organisational capacity of the 'old' and the imaginative spontaneity of the 'new', drawing on the strengths of each, is an important means to build effective resistance to the re-commodification of labour' (Hyman and Gumbrell McCormick 2017: 557). The co-existence of today's longstanding unions and other forms of collective representation will hardly develop into a universal pattern. It will depend on such factors as the dynamics and strategies of the digital labour platforms, country-specific labour market institutions and national regulatory frameworks governing the platforms, union cultures and identities, union leaders and their strategic choices, and, last but not least, platform workers' power resources and their ability to use them. Although limited in scale and scope so far, there is a platform world to win.

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