Data&Society

PLATFORMATION EVENT

Summary 09.09.2015

On September 9, 2015, the Data & Society Research Institute hosted Platformation (platformation.net), a one-day summit that brought together a diverse group of stakeholders for a multi-disciplinary discussion on platform-based labor. Participants included platform business leaders, researchers, labor organization representatives, policy experts, and those contributing labor to this growing sector. The event was co-convened by Dean Jansen, Data & Society Fellow, and Mary L. Gray, Senior Researcher at Microsoft Research. Participants raised questions and discussed concerns, but the consensus was that collaboration at a larger scale is necessary to arrive to concrete solutions in all sectors.

The day began with a discussion of the need for platforms to design for accountability and trust between platforms and workers, exploring how these dynamics shift as platforms scale. The second session turned to the question of worker representation, asking how such a diverse and often atomized pool of people contributing talent and time to these platforms can find common ground, a voice, and vehicles for action. Finally, the discussion turned to possibilities for future collaboration, both among workers themselves, and across sectors, including government and public policy, as well as the private sector. While there were both points of consensus and dissent throughout the day's discussion, there was overall agreement that sustained conversation was essential as the issues affecting platform labor and the future of work become greater than any one actor can grapple with alone.

The event operated under the Chatham House Rule, which dictates that all actors in the conversation be anonymized to encourage free and open dialogue. What follows is an abridged overview of the event, compiled as a resource for future discussion.

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Session 1: Platform Accountability

The first session focused on the need to design for accountability. What practices follow if we think of accountability as transparency attuned to workers? Additionally, what tensions emerge as platforms scale and relationships with workers shift? An underlying theme was the change in the nature of work itself, as algorithmic management and automated workflows replace traditional modes of managing work. Participants also raised the question of power and control exerted through information asymmetries. Could information sharing benefit the worker as well as the platform? Participants proposed data ownership by workers as one possibility.

To ground the conversation, participants compared trade-offs for both platforms and workers, ranging in scale, specialization of work, and how the work itself is curated. One example was the distinction between platforms that utilize automated work allocation versus those with workers as central brokers. In the latter case, workers are likely to gain a larger share of the profits, but the trade-off is a loss of the platform's ability to scale. Participants pointed out that since the dynamics of trust vary in relation to scale and curation of work, platforms face a problem classifying the nature of the work and communicating it to workers.

Just as platforms vary widely, so do the types of workers drawn to them. What matters to each is not the same across the board, as some value flexibility over consistent work, or see their employment as surplus income rather than a way to make a living. One participant noted that tensions can emerge when one category of worker begins to outnumber the other. Therefore, a platform's ability to communicate and negotiate between these different needs becomes an issue of power and trust. Trust as a difficult dynamic to scale, it was noted, because there is a risk that how a company sees itself and how workers perceive it can diverge without either party realizing the disconnect.

Given these asymmetries, participants claimed that one of workers' central questions is whose black box algorithms to trust. This question extends beyond the algorithmic management in platform labor into the nature of 21st century work; from scheduling software used by major retailers to app-based on-demand work. To this, one participant raised the concern over increasingly refined algorithms either improving conditions for workers or potentially leading to a detrimental "Taylorization" of work. The concluding questions were: how can companies improve those algorithms? Is there a potential for algorithms to empower workers rather than oppress them?

These questions turned the discussion toward worker empowerment. Participants raised issues surrounding both data monopolies and information asymmetries, and whether algorithms could help smooth them out. One participant argued that granting workers ownership of their own data would allow them to perform data analysis, or allow a third party to represent workers. Another participant called for the group to rethink the idea that workers and employers always face a conflict of interest. For example, there is a presumption that organized labor and unions signify a failure of worker-employer relations. To conclude the session, some participants shared experiences of successful accountability work on their own platforms. One participant shared the success of having workers as

intermediaries between the platform and workers in order to build a trusting and transparent relationship.

Session 2: Worker representation

Participants described platform workers as contributors, entrepreneurs, collaborators, freelancers, consumers, partners, etc. The second session dealt with the question: what do we call the new worker, and does it matter? Participants brought up the exclusion of worker input on past dialogue on regulation. A recent example was the FTC workshop, "The 'Sharing' Economy: Issues Facing Platforms, Participants, and Regulators" held in June 2015, which neglected to invite any workers. Participants highlighted the challenges of unifying workers' needs; for example, many international workers, who are subject to a multitude of labor laws, face a steeper challenge than domestic labor. The fact that platforms by design are not amenable to dialogue among workers adds another layer of difficulty.

Can platform managers and designers be influenced to take the high road?

How can workers find meaningful avenues for representation? And how can platforms better accommodate those needs? To delve into these questions, participants presented their agreement or disagreement to several statements, where a wide spectrum of responses became evident. The first one was: "I believe that platform managers and designers can be influenced to take the high road." Supporters said that both social influence or market structure and competition would drive fair behavior from platform managers. Detractors stressed the need for an agreed-upon set of baseline standards that incorporate workers' voices and which can inform shared expectations for platform labor.

One point of contention arose from the assertion that self-interest will drive individuals towards a fair system. The counter-argument was that self-interest is often mediated through cultural constructions of class, gender, and other circumstances, making it a poor model of human behavior. Another suggestion was the notion of "influence" – understating the importance of stronger pressure, such as public shame, on companies that engage in unethical business practices. All agreed on persuasion as not the only mechanism for effecting change. However, with the speed at which practices change, advocates view regulation not as a solution, but as a pause until we can achieve clarity towards a better solution.

What is the significance of the 1099 vs. W-2 debate?

Participants had to agree or disagree with the statement, "The 1099 debate is a distraction from the real issues workers face." Referring to the two types of tax forms (1099 and W-2) identifying a worker either as an independent contractor or an employee, the distinction exemplifies one of the tensions in defining and stabilizing the nature of platform workers. Those who agreed with the statement noted that while it is a regulatory framework that the government is most comfortable with, it is only a first step in developing broader, long-lasting norms. One participant expressed concern over media rhetoric poising the 1099 vs. W-2 question as the sole problem of platform workers. Another participant added that the existing framework is outdated, placing people into categories that are not compatible with their heterogeneously lived practices and conditions. One idea was to look at parallels with similar forms of labor in the traditional economy, such as domestic workers. Like platform labor, domestic work has a history of atomization, disaggregation, and exclusion from certain labor law protections. As a result, we could shift the focus from the vehicles of change, such as regulation, to outcomes, such as ensuring a living wage. One example was to provide wages that were ethically equivalent to being an employee, even for workers not classified as such. Another participant stressed that how workers self-identify should be respected, as it impacts how they see their role within the platform.

Finally, participants pointed out that this is occurring within a broader shift in the relationship between labor and capital, and within a financialization of the economy. One participant suggested bringing new actors into the conversation, such as labor historians and people involved in the labor movement. In the midst of these shifts, what role could unions and collective action play? Some participants recounted that crowdworker attitudes towards unions are mixed; some workers were reluctant to be bound to other workers' needs or limitations. In addition, workers fear that a platform could easily drive out an individual seeking to organize workers. Again, the group brought up the atomized and isolated nature of the work. Participants proposed alternate possibilities, such as the establishment of nonprofits to broker dialogue on how to organize and to provide a testing ground for ideas.

Should platform CEOs have the final say on the rules of a platform?

The final question of the session asked participants to consider the role and limits of platform CEOs. Some cited a CEO's right to make decisions about business policy, albeit with a caveat that decisions should be constrained by regulation. Those who took a moderate position argued that government should take a stance in drawing limits, but that workers do not always have the broadest insight from their bottom-up vantage point. Participants who wholly disagreed with the statement pointed out that workers deal with contingencies that are often not visible from higher levels of power. There must, consequently, be a feedback loop that incorporates workers' realities on the ground.

Session 3: Collaboration

The third and final session centered on mutual obligations between governments, public interests, and the private sector. How, for example, do we separate what should be addressed through broad societal interventions, and what can be best addressed by workers and private corporations? The discussion began with a call for more dialogue on policy, particularly given that understandings of the gig economy remain in their infancy. Little is known, for example, about basic facts such as the number of freelancers in the U.S. One participant urged for a mechanism to empower experts and allow them to reach policymakers. Conversely, those on the side of technology and platforms will need to engage with the political process. One participant recounted how efforts to form unlikely alliances have been fruitful, although, in this speaker's experience, the collaboration had been met with initial reluctance and suspicion from workers.

Participants considered limitations set by the historical moment and by social norms. For one, Americans traditionally define benefits in terms of goods mediated by government, such as sick and vacation leave, workers compensation, retirement, etc. This prompted the question of crafting a new social contract as a possible way to delineate new categories for the gig economy. More broadly, we need to define the end goal, taking into account the realities of 21st century work, including the struggles against economic inequality. In the U.S., labor movements have weakened for the last forty years, so solutions on that front are constrained. Yet the conversation should extend beyond the American context, as well as to other models of ownership such as peer cooperatives and other shared collaborations. Participants suggested credit unions as a model; even if they are not fully transformative, they are nevertheless successful in shifting the dynamics of the credit system for their members.

 Unlike other developed countries, in the U.S. people view certain risks workers take as the cost of the "freedom to be an entrepreneur," not as a deprivation of rights. As a result, the public perceives the efforts to mitigate these risks as a threat to productivity and worker independence. Moreover, participants highlighted the gendered component framing entrepreneurialism in a masculinized light, shaping the way one finds a sense of meaning within one's labor. Movements advocating for workers will need to consider that certain frames will resonate with some and not others. Consequently, the question of collaboration in labor today is not only of how to organize people, but how such movements need to map onto a meaningful sense of dignity.

How, then, can we find meaningful resonances and mobilize them in a positive way? One participant advocated for speaking to workers and encouraging more opportunities to speak freely. Another idea was "pain points": small interventions to problems by those outside organizational power, while larger battles for labor are fought. Another participant pointed to past successes in the service sector, which might provide guidance, such as the Fight for 15 movement, which has fought for securing a minimum wage of $15. Overall, participants agreed that collaboration among actors is essential to this process, even if limited by lack of resources and other obstacles.

The day ended with a reflection on how to continue dialogue in a meaningful and sustained way. Participants agreed that the discussion needs curated conversation with several actors positioned differently in relation to platform-labor, including, among others, researchers, platform creators, people involved in public policy, and, importantly, workers themselves. As different groups grapple with the same questions, there is a need for new conversations, alliances, and efforts to address the lack of data and research. And as new frictions emerge, actors will benefit from a variety of perspectives, which can be surfaced and sustained through continuous creation of spaces for dialogue.

Data & Society is a research institute in New York City that is focused on social, cultural, and ethical issues arising from data-centric technological development. To provide frameworks that can help society address emergent tensions, Data & Society is committed to identifying issues at the intersection of technology and society, providing research that can ground public debates, and building a network of researchers and practitioners who can offer insight and direction.

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