

## Serf-ing the net: contrasting Uber workers in the UK with Uber Neo-Villeins in Ontario

### Abstract

*We illustrate the exploitation in the relationship between Uber and its drivers by aligning their work with characteristics of neo-villeiny. Two different legal developments in response to irregularity (or the lack of effective regulation) in similar institutional contexts emerge. While Uber drivers in the UK now have worker status, dysregulation (by which we mean regulation that exacerbates the problem it seeks to resolve) in Ontario has established neo-villeiny in law.*

### Keywords

Uber, digital platform, labour law, UK, Ontario, neo-villeiny

### Introduction

Due to the idiosyncratic and precarious nature of their work that has persisted in most institutional contexts, Uber drivers, alongside other platform workers, have been referred to as ‘instaserfs’ (see Kuhn & Maleki, 2017; Callaway, 2016; Walker, 2015). While the term instaserf effectively conveys an image of exploitative work that recalls the indentured labour akin to that of the medieval serf, this contemporary idea of ‘insta-serfdom’ has not been adequately considered in academic literature. This article aims to contribute to the understanding of this phenomena, by drawing on the concept of ‘neo-villeiny’ (Harvey et al., 2017). First, it charts the ways in which, the work of Uber drivers falls within the confines of insta-serfdom by mapping their work onto the core characteristics of ‘neo-villeiny’. The term neo-villeiny describes a relationship between an organisation and an individual within contemporary capitalism that echoes the relationship between that of the medieval serf (or villein) and the Lord of the land under European feudalism. It is marked by four characteristics: rent (a fee paid by the worker to the organisation in order to have access to potential clients and so to generate an income), bondage (the perceived need to remain with an organisation, without which the worker would be less able to generate an income, resulting in what has more recently been referred to as ‘sticky labour’ (Sun et al., 2023), the absence of a guaranteed income, and ‘work-for-labour’ (or labour that is unremunerated but which is necessary in order to complete the work for which one is paid (see Standing, 2009; 2011; 2014). This last characteristic is an important feature of platform work as noted recently by Pulignano et al. (2023). The work-for-labour of the Uber driver is delineated in the form of ‘deadheading’ (that includes waiting for fares and travelling between fares) and is required in order to fulfil the work,

but for which, drivers in contexts other than the UK are not paid. As such, this paper fully elaborates the insta-serfdom of Uber drivers by mapping it onto the characteristics of neo-villeiny.

A second contribution of this paper is its examination of the implications of the legal challenges brought by Uber drivers in two similar liberal market contexts of the UK, wherein the neo-villeiny of Uber drivers has been successfully challenged, and Ontario, Canada where neo-villeiny has been established in law. The role of institutions and the law in consolidating employment relations models is well established (see, for example, Nolan, 2012; Williams & Geppert, 2006; Blyton & Turnbull 2005 Gennard et al., 1989) and has been explained in terms of the fit between the organisation and its environmental context, such as the legal context of the organisation (Suddaby et al., 2017). The impact of the law on the operating model of Uber has been discussed in the specific case of Uber in Quebec (Coiquaud & Morissette, 2022). In terms of legal status, Uber drivers in the UK have been successful in securing the status of ‘worker’ (see Employment Rights Act, 1996, s.230 (3); Adams & Deakin, 2014; Pedersini, 2002) meaning they are entitled to minimum wage, holiday pay, and access to pension contributions. Crucially, the UK Supreme Court ruling of 2021 states that Uber drivers are entitled to pay not only for the time when they are transporting passengers but also for periods when they are travelling to or waiting for the next fare. In stark contrast, Uber drivers in Ontario not only remain independent contractors but recent legislation ensures that drivers only receive payment for ‘active hours’, or time when they are transporting passengers and for the time after accepting a fare and travelling to collect a fare. Consequently, a large portion of the driver’s work-for-labour is not paid and so neo-villeiny is established in law.

The paper considers the aforementioned issues in more detail, starting with a definition of the concept of digital platform work and relating it to Uber. It then maps the four characteristics of neo-villeiny onto the work of Uber drivers, as a systematic way of understanding their work as a domain of ‘insta-serfdom’. Finally, this paper explores the very different recent legal rulings affecting Uber drivers in the UK and Ontario, Canada, which illustrate the difficulty of defining the legal status of Uber drivers, but more importantly, show how neo-villeiny appears to have been established in Canadian law.

## **Digital Platform Work**

Platform work – work that is mediated by digital tools and the Internet (Goods et al., 2024; Mendonça et al., 2023; Duggan et al., 2020; Maffie, 2020; Harris, 2017) – is now an established source of income for many people in a wide array of work sectors globally, such as transportation and ride-hailing, food and product delivery, crowdsourcing, and talent and recruitment services (WEC, 2022; Kässi et al., 2021). Platform work is predicated upon utilising digital tools and the Internet to organise work and labour to fit the needs and demands of organisations and its customers (Duggan et al., 2020; Harris, 2017).

At a rudimentary level, digital platform work represents a social good as it offers ready access to an income for many marginalised people who might otherwise be excluded from a particular national labour market, such as individuals with caring responsibilities, people with disabilities, and migrant workers who appear to form a considerable proportion of platform work globally (Van Doorn et al., 2023; Gulesserian, 2022; Harpur & Blanck, 2020; Woskow, 2014). However, despite its benefits, platform work is not without its challenges. For instance, access to such work is often determined by technological know-how and so the digital divide and digital discrimination persists (Deng et al., 2016). There are also issues of transparency linked to algorithmic management of work (Wood et al., 2019; McGaughey, 2018) and worker surveillance, leading to questions of equity and ethics (Kaine & Josserand, 2019). Moreover, the quality of work available through platforms presents a serious concern for legislators in terms of regulation of such labour. Considering a recent estimate that suggests that 163 million workers globally source their income through online labour platforms (Kässi et al., 2021), the significance of this mode of work is apparent.

## **Uber and the Platform**

Digital platform work encompasses the work of Uber drivers who number in millions globally in 2024 (although estimation is difficult because of the fluidity and impermanence of the workforce, Uber calculates its drivers and couriers' workforce at 6.8 million in more than 70 countries) (Uber, 2024a). In its strictest sense, digital platform work connects workers (in this case drivers) with

local customers who pay for the services. Uber has promoted a positive narrative of the opportunities it provides for the most disadvantaged workers. During a campaign for reclassification of the employment status of drivers in New York, for example, organisational representatives portrayed Uber as “a boon to minorities that were traditionally discriminated against by taxi firms as well as for people living in the outer boroughs that were traditionally ignored by them. ... [and] also argued that it provided much needed jobs to minority” workers (Seidl, 2022, p. 363). There have indeed been reports of benefits of the present Uber model to some drivers (see Norlander et al., 2021; Chen et al., 2019) for whom such work appears to be important economically and socially (Lam & Triandafyllidou, 2021). Thus, it has been argued by those who subscribe to this perspective that any change in status of drivers and the introduction of formal employment relationships complicates access to work thereby excluding large proportions of individuals, such as migrant workers (Holtum et al., 2022; Ro, 2022).

Despite these positive claims, the disadvantages of the digital platform work offered by Uber are encapsulated by the neologism of ‘Uberization’ (Fleming et al., 2019) or the “conversion of regular work into contingent, itinerant, and insecure ‘gigs’ mediated by digital algorithms and controlled by large corporations” (p. 489). The impact of this change has not only been felt by those undertaking the work (as discussed in the next section), but those in proximal organisations within the same industry. For instance, Uber has been associated with a decline in the wages of taxi drivers in the US, where data indicates a 10 per cent decrease in wages because of Uber’s entry into the market (Berger et al., 2018).

Autonomy and worker flexibility have long been reified as fundamental aspects of digital platform work (Pulignano et al., 2023), with Uber emerging at the forefront of such seemingly liberated areas of work. According to Uber, autonomy forms a backbone of their economic model, whereby ‘partner-drivers’ are envisaged as entrepreneurs “who do not work for Uber, but rather with Uber” and who retain “complete control over their business” (Kuhn & Maleki 2017, p. 185). The argument in favour of Uber drivers remaining independent contractors who exploit the platform to their benefit (as opposed to being exploited by the platform) – *i.e.*, the micro-entrepreneur argument (Kuhn & Maleki 2017; Uber, 2016) – is based on the alleged benefits afforded to drivers in terms of flexibility and opportunity. Organisational representatives have argued that Uber

drivers are able to choose when, where and how often they work – something they claim that is not available under the ‘traditional employment’ model (Khosrowshahi, 2021).

Uber workers are referred to by the organisation as ‘partner-drivers’, ‘earners’, and ‘independent providers’ (Uber, 2023; Reuters, 2022; McCulloch, 2021; SBS News, 2021) asserting drivers to be micro-entrepreneurs with control over ‘their’ ride share business. This assertion does not stand to scrutiny on consideration of driver experiences that reveal the extent to which Uber appears to be in control of drivers’ working conditions (Peticca-Harris et al., 2020; Slee, 2017; Kuhn & Maleki, 2017). In reality, the Uber app is used in ways that circumscribe the driver choice, thereby limiting their flexibility and workplace autonomy (Kuhn & Maleki, 2017). Control is at the heart of Uber’s labour model (Norlander et al., 2021; Wu et al., 2019) and while the work does not involve the traditional managerial oversight of standard working relationships, Uber constrains worker choice through penalties, such as the exclusion of drivers from the app if their choice is consistently contrary to Uber objectives, whilst capitalising on the language of freedom and flexibility to attract and retain these workers (Dean, 1999; Miller & Rose, 1990; Foucault, 1982).

Moreover, the digital platform work of Uber appears to make space for increased dependence of disadvantaged groups of people on the platform, furthering socio-economic discrepancies and increasing potential for economic exploitation (Altenried, 2021; Veen et al., 2019). This point is particularly germane to categories of people who may be experiencing the precarity of work more keenly, such as migrants. For instance, a study by Holtum et al. (2022) in Queensland Australia finds key differences between migrant and non-migrant Uber drivers on their motivation to become ‘partner-drivers’, their dependency on the platform, and their sense of autonomy and agency. Unlike their counterparts, migrant workers have been shown to experience higher levels of job insecurity in their work due to systemic conditions, resulting in their increased economic dependency on digital platform work. Non-migrant drivers, on the other hand, appear to have more discretion over their work schedules, such as an ability to utilise flexible driving hours with more ease. There is also an issue of an illegal practice of ‘account renting’, where access to digital platform work is subcontracted by legal owners of platform work accounts. Such practice further exacerbates the dynamics of social inequalities, adding to the ‘over-exploitation’ of (often undocumented) migrant workers in the developed economies of Europe (Altenried, 2021).

## Neo-Villeiny of Uber Drivers

Despite the journalistic attempt to draw attention to the precarious working conditions of Uber drivers by labelling them as ‘instaserfs’ (Walker, 2015), the concept of neo-villeiny, and its four core characteristics as delineated by Harvey et al., (2017), provides a more systematic theoretical framework that can be employed in understanding the work of Uber drivers.

First, the income of the neo-villein is guaranteed only in so far as it reflects the fares carried. In most national contexts (with the UK becoming a recent notable exception as discussed later) the Uber driver is paid according to activity undertaken, *i.e.*, the number of rides they provide to customers. Of course, no guarantee of income is a fundamental component of self-employment. Neo-villeiny is distinctive because of the way in which, this characteristic interacts with the others that delineate this novel form of work.

The second characteristic of neo-villeiny is that the worker is bonded to an organisation and the resources it makes available to the worker, making any opportunity to work outside it problematic. Workplace bondage is a key feature for Uber drivers who access clients through a digital platform they have no control over and without which the process of sourcing clients becomes extremely difficult or even impossible (Edwards & Hodder, 2022; cf. Maffie, 2023). This organisational dependence of Uber drivers is enhanced as drivers often partially own the means of production – that is their own Uber vehicle. In fact, some drivers take a lease of or rent their car, which is also a service that has recently become available through Uber itself (Uber, 2025), thus strengthening the bondage situation. As Kuhn and Maleki (2017) point out, “a driver who has taken out a loan to purchase a luxury car to meet a platform’s requirements may feel unable to quit” (p. 191), going yet further to indenture the driver by offering “a service that connects drivers with poor credit to subprime lenders, and although the firm does not set the terms of the loan, it deducts payments directly from drivers’ earnings” (p. 192). Ultimately this means that the driver who has incurred significant debt in order to be able to work is left with little choice but to do all they can to remain active on the platform (or what Maffie (2023) has referred to as a ‘lock-in’), as a sign of driver’s extensive bondage to Uber.

The organisational bondage may also have implications for workplace autonomy. Freedom and flexibility – portrayed as fundamental to the work of Uber drivers who ostensibly can flexibly

shape their work (Uber, 2023) – may nevertheless be illusory. Uber drivers are generally unable to set or negotiate their ride prices for services they provide to clients. It is Uber and not the driver that generally sets and amends the fares passengers pay through surge fares and other forms of ‘dynamic pricing’, which are established algorithmically (Phillips, 2019). Previously, it was possible for the driver to offer the passenger a lower fare, but the driver usually cannot increase the fare. Should the driver reduce the fare then any reduction can be taken from their income for the ride because the driver has no way of changing the fare within the Uber driver app (Rosenblat, 2016). Yet, in recent years Uber has experimented with providing more autonomy to their workers in an attempt to highlight that their drivers were in fact independent contractors, rather than workers/employees. However, in California where Uber launched their pricing experiment, Uber drivers still were considerably limited in the extent they can control or set the ride fares (Gartenberg, 2020). The new pricing approach eventually failed as Uber claimed that allowing drivers to flexibly set their own fare multipliers resulted in a significant number of riders (or customers) declining proposed fares (Uber, 2021).

Furthermore, as the Uber driver consents to organisational authority despite being considered a self-employed contractor, they enter an asymmetrical relationship that significantly favours the organisation. Uber determines the standards for vehicles in terms of cleanliness and safety and imposes background checks for its partner-drivers (Zwick, 2018), yet the driver must own a vehicle deemed satisfactory by the organisation (Walker, 2015) and cover the costs associated with their work, such as maintenance and service, insurance, depreciation, as well as fuel costs (see Raghunandan, 2023; Sainato, 2023; Hall & Krueger, 2018). The work at Uber thus, to draw on Fleming (2017), provides an example of “radical responsabilization” (p. 693) of the workforce who must bear all the responsibility of operating as digital platform workers.

There is also a question of extensive surveillance, as studies have shown that Uber drivers are closely scrutinised by the platform’s algorithms, which record and monitor their speed, location, and ride acceptance, whilst also instructing them which customers to pick up and what routes to take (Möhlmann & Henfridsson, 2019). Any variation from the algorithmic suggestions may lead to penalties, such as temporary suspensions or a complete ban from accessing the app. Uber imposes a large degree of control over working times by ‘nudging’ “offline drivers to work at certain times or in certain locations through various incentives and messaging” (Rosenblat, 2016,

para. 19). Furthermore, Uber is purported to use “algorithmic rating” (Kellogg et al., 2020, p. 378) to govern worker behaviour by setting out performance targets that include customer evaluations, ride acceptance rates and number of cancellations. Although it is claimed by the organisation that Uber drivers have freedom in choosing ride requests, their acceptance and cancellation rate, as well as passenger feedback scores, are continuously tracked and assessed (Kuhn & Maleki, 2017; Slee, 2017). Falling below the not-so-transparent targets may lead to temporary app lockouts, or even deactivations for Uber drivers (Sainato, 2023; Russon, 2020; BBC News, 2015), risking making the already precarious employment even more insecure. It is through these subtle, pseudo-coercive, and often less obvious practices of control that Uber is able to enact discipline and a particular micro-entrepreneurial identity amongst its drivers, whilst using the promising language of autonomy and flexibility to attract and retain them. It is the reliance on, or bondage to, Uber that ensures driver compliance, as to be excluded from the digital platform could be financially ruinous.

A third characteristic of neo-villeiny in the shape of payment of ‘rents’ to the organisation to retain an opportunity of work and generating income, is also evident in the case of Uber drivers. Rent for the Uber driver takes the form of a commission from the ride fare, also known as the ‘Uber fee’ (Angrist et al., 2021). Uber charges a 25% fee on all fares to cover the costs associated with technology and the development of app features, marketing and the processing of driver payments (Uber, 2024b). However, this fee has changed over the last few years, based upon various issues, such as state regulation of commissions (Njanja, 2023; Peticca-Harris et al., 2020). A commission-based approach is not unique within the ride-hailing industry as it enables drivers to gain access to a wider customer base, be more autonomous in their work compared to full-time employment, and avoid medallion lease procedures (Angrist et al., 2021). However, this fixed cost further adds to the already precarious situation of Uber drivers who have to already bear other costs related with their work.

Finally, the fourth characteristic of neo-villeiny is the necessity to perform unremunerated activities described elsewhere as ‘work-for-labour’ (Standing, 2009; 2011; 2014), which is “unremunerated but exploited activity on or off workplace” (Standing, 2014, p. 964) essential to be performed in order to be paid (Standing 2009). These activities can be clearly delineated from labour for which a worker derives a direct income. The work-for-labour of the Uber driver includes



costs associated with owning and maintaining a vehicle (as discussed earlier). Work-for-labour also includes the provision of perks, such as phone chargers or bottled water, for example, or by “Go[ing] above and beyond to make the experience special, such as opening doors for riders when possible” and “Ask[ing] if the rider has a preferred route” (Rosenblat, 2016, para. 13). High calibre customer service *may* result in (but does not guarantee) benefits to the driver through a positive customer review and/or a tip. However, the provision of efficient and excellent service is invariably beneficial to Uber as an organisation as it increases the likelihood of repeat business. It is unsurprising then that Uber has been encouraging drivers to do such unremunerated work-for-labour, routinely messaging drivers with “tips on how to improve their passenger ratings and their earnings” (Kuhn & Maleki 2017, p. 188). While this is framed as advice rather than a requirement, the asymmetry of power between the two parties places responsibility on Uber drivers to take up such practices or risk losing out.

Finally, it is deadheading – the term used to describe the time spent waiting for a fare or travelling to collect a passenger – that fundamentally symbolises the work-for-labour of Uber drivers as neo-villeins. Estimates in the US have it that around 40 per cent of the miles driven by Uber drivers and an additional 30-35 per cent in costs are due to deadheading (Bensinger, 2021). Moreover, it is in the interests of the platform to ensure that drivers are always available and active at peak periods when demand is highest. What is especially germane to the discussion here is that Uber benefits from the work-for-labour of the driver as this is at the heart of its service offering. As Seidl (2022) explains it, “Uber accepts high idle times for drivers because it improves the quality of its service (as there are more drivers available at any given moment). But Uber can only do so because it does not bear the costs in the form of... low hourly wages” (p. 367). It is the driver who bears this cost (see Clark et al., 2022). To be clear, it is in the interests of Uber to have a surfeit of drivers who will be inactive as a consequence, so that drivers are always available to collect fares. Aside from the UK, driver inactivity is unpaid.

## Similar Markets, Contrasting Outcomes: Legal Contestations of Worker Status in UK and Ontario

Uber drivers across the globe have contested their status as independent contractors (see Reuters, 2022; McCulloch, 2021; SBS News, 2021; The UK Supreme Court, 2021a), calling for better and more appropriate employment rights and improved working conditions. A summary of recent cases provides an illustration of these contestations (see Table 1). For example, the status of Uber drivers has been contested with the Australian government considering changes to legislation that would classify Uber drivers as employees, while similar changes have been considered in different states of the US (Scheiber, 2022; Malos et al., 2018). The work on EU's platform directive is underway by EU lawmakers, which aims to establish criteria that would determine whether a platform can be deemed as an employer, which could potentially reclassify up to 4.1 million of those people engaged within the platform-based work as 'workers' (European Labour Authority, 2022). In the US, a California judge ruled that Uber drivers were employees, albeit Proposition 22 (otherwise known as the 'App-Based Drivers as Contractors and Labor Policies Initiative') that legally defined delivery drivers as independent contractors was passed in the state later that year (Conger, 2020). These examples highlight the enduring complexity of the relationship between drivers and Uber across national boundaries and contexts.

TABLE 1. NEAR HERE

The absence of effective regulation (*i.e.*, non liquet or a lacuna within the legal sphere) might be referred to as a state of *irregulation* – is something that can be observed particularly in relation to the domain of platform work and as regards genuine self-employment, false self-employment (and dependent work) and neo-villeiny. The nature of platform work will differ according to institutional context (see, for example, Funke & Picot, 2021; see also Williams & Horodnic, 2018, on disparities in dependent self-employment in the EU). In response to status contestation at Uber there have been two notable developments in the similar neoliberal institutional contexts of the UK and the province of Ontario, Canada, which provide notable examples of irregulation of platform work.

### *Uber 'Workers' in the UK*

The UK provides an interesting example of attempts to regulate Uber workers' legal status, as Uber drivers successfully litigated the organisation to achieve the status of 'worker'. According to The Supreme Court (2021a) judgement, digital platform work performed by Uber drivers is under close scrutiny and control of Uber, whereby drivers "are in a position of subordination and dependency" (para. 11). These individuals lack autonomy to foster better economic conditions for themselves "through professional and entrepreneurial skill" unless they worked longer hours under tight performance management of the organisation. It is because of this lack of autonomy (suggesting a link to false self-employment) that the judgement of The Supreme Court "rightly found [Uber drivers] to be 'workers'" - a landmark reshaping of the labour terrain of digital platform work in the UK. As such, Uber drivers are now entitled to a minimum wage, holiday pay, and access to pension contributions by the organisation.

A key corollary of The Supreme Court (2021b) judgement is in diminishing the degree and range of Uber drivers' work-for-labour, thus guaranteeing them a minimum wage for their time (and for deadheading in particular). Under the more common transactional independent contractor model of work for Uber, the argument that was proposed against the reconstitutions of Uber driver as 'workers' was based in the assumption that these individuals could find work with other platforms at the time when they are not carrying passengers (Browne 2021; Satariano, 2021) and therefore they should not be remunerated for this 'free' time. However, The UK Supreme Court (2021b) was unconvinced by this argument, stating that "a driver was 'working' under such a contract during any period when he [sic] (a) had the Uber app switched on, (b) was within the territory in which he was authorised to use the app, and (c) was ready and willing to accept trips" (pp. 37-38). While Uber drivers can refuse trips, they nonetheless have an "irreducible minimum of obligation" (p. 38), meaning that these workers have certain "obligation to do some amount of work". The Supreme Court further reasoned that each driver was obligated to "maintain a prescribed rate of acceptances" (p. 39) or else risk "exclusion from access to the app" (p. 40) – a process designed explicitly for the purposes of coercion and as a "penalty for failing to comply with an obligation to accept a minimum amount of work". The judgement of The Supreme Court referenced Uber's guidelines for new drivers that stipulated that accessing the app was "going on duty", whereby being 'on duty' "is an indication that you are available to take trips, in accordance with your

Services Agreement” (p. 39). Fundamentally then, the UK Supreme Court ruling recognises deadheading as a type of work that must be remunerated. As such, this ruling eliminates two crucial characteristics of neo-villeiny of Uber drivers in the UK (income insecurity and ‘work-for-labour’), as they are now guaranteed a certain level of income if they are available to work and are to be paid for a significant portion of their work-for-labour.

### *Uber Neo-Villeins in Ontario*

The contrast between the legal rulings affecting Uber in the UK and Ontario is particularly germane to the question of ireregulation, as it highlights the varied and contingent nature of legislative attempts at regulating platform work. It is worth reflecting on the measures of the status of a worker in Canada and how these apply to work at Uber. Within the Canadian context, the government has proposed a legal schema of ‘tests’ for determination of workers as either ‘employees’ or ‘independent contractors’ when investigating matters of employment relationship and the application of specific protections under the Canada Labour Code (Government of Canada, 2024). These tests can also be applied to Uber drivers. For example, the ‘control’ test determines the work of the Uber driver as constrained by organizational mandate such as the condition (e.g., cleanliness) and safety of the vehicle. There is also the looming threat that should drivers continually reject fares, they could face exclusion from the platform and the potential to earn an income. The ‘ownership of tools’ test looks at the driver as the legal owner of the vehicle they use to transport customers. However, the Uber driver has no ownership of the platform that provides them with customers. While Maffie (2023) reveals efforts by ride-hail drivers to lessen their dependence on the platform, the majority of Uber drivers are bonded to the platform, as without it access to clients and the potential to generate an income would otherwise be far more difficult. In terms of the ‘chance of profit and risk of loss’ test, Uber drivers do not profit directly from organisational success, neither do they risk significant financial losses as do owners of any other businesses. That said, all drivers would face financial losses, at least temporarily, if the platform went down or collapsed. Finally, the ‘integration’ test is a measure of the degree to which the work undertaken by the worker is either ‘core or central’ to the business (as one might expect of an employee or as is the case for Uber drivers) or ancillary to the purpose of the business (as in the case of work undertaken by an independent contractor). On each of these measures the Uber driver

is more closely aligned with being an employee rather than an independent contractor, which has direct impact on the legal protections such work affords under the Canada Labour Code. Nonetheless, Uber drivers remain independent contractors in the eyes of the law in Ontario.

The introduction of the Digital Platform Workers' Rights Act (2022) as part of the Working for Workers Act (2022) (*i.e.*, Bill 88) in Ontario has been celebrated as a 'historic' step towards improving the working conditions of those in the gig economy (including that of Uber drivers), which ensured that a \$15 per hour minimum wage is paid for activity (CBC News, 2022). The Ontario Minister for Labour, Monte McNaughton declared that:

Our government is getting it done for workers with the passage of our Working for Workers Act, 2022... our historic legislation will be a significant win for all workers. It is another step forward in our fight to rebalance the scales, put more workers in the driver's seat of their careers, and help all families earn bigger paycheques as we build back a stronger province that works for everyone. These bold steps also mean Ontario is now the first province in Canada to pass foundational rights and protections for hardworking people who provide ride-share, delivery, or courier services through digital platforms. (Ontario Government, 2022).

As an attempt to legislate platform work and improve the conditions of its workers, the Digital Platform Workers' Rights Act (2022) has met with strong criticism from campaigners and legal commentators. The Act has been branded as a political stunt and as "the thin edge of a wedge that could lower minimum pay standards for more and more workers" (GWU, 2022, para. 5), encouraging other employers to move to the gig work model that permits payment that is lower than provincial minimum wage standards. More specifically, under this new law Uber drivers (and other platform workers) are entitled to receive minimum wage for their active hours, which means that they only get paid when involved in the process of transporting passengers. In other words, much of the time a worker spends deadheading that represents around 40% of their time goes unpaid (Bensinger, 2021). A recent amendment to the Digital Platform Workers' Rights Act (that will come into force in July 2025) improves the situation of Uber drivers to some degree but establishes in law the potential for digital platforms to harness unpaid labour. The amendments ensure that drivers are paid for some, but by no means all, of the time that they are not carrying a

fare. The amendment states that the assignment (and the period for which the worker is paid) begins when “a worker accepts the work assignment through a digital platform unless the worker accepts multiple assignments in which case the second assignment begins after the first one ends” (Ontario Government, 2024, p. 2). However, work-for-labour is not eliminated because “the period of a work assignment includes any time a worker spends travelling after the work assignment starts and before the work assignment ends but does not include time spent travelling before the work assignment starts or after the work assignment ends” (ibid). The period during which the worker spends travelling before the work assignment starts or after the work assignment ends is a significant component of deadheading and remains income neutral and costly to the worker (e.g., the cost of fuel), but also crucially valuable to Uber that tries to maximize the number of available drivers to make collection swift and the service efficient.

The legal maxim that has existed for more than 200 years runs that “hard cases, make bad law” (see Shahshahani, 2024). While this maxim was intended to describe the way in which laws that arise from extreme cases might be applied unduly in other situations, this expression pithily summarises the way in which amendment to labour law in Ontario designed to regulate platform is in fact dysfunctional. Regulating platform work is a challenging process from the legal perspective as noted in the Supreme Court of Canada ruling in *Ontario Ltd. V Sagaz Industries Canada Inc.*, (2001, as cited by Government of Canada, 2024). There is considerable diversity in the responses to platform work across the globe: the resistance of platforms to identify workers as employees and the efforts of workers to be recognized as such. The hard case of regulating the gig economy has led to ‘bad law’ certainly from the perspective of those working for platforms.

The above attempt at regulating platform work in Canada draws attention to what can be referred to as *dysregulation*, exacerbating, rather than alleviating, some of the deleterious aspects of neo-villeiny. The UK Supreme Court ruling on Uber drivers as workers eliminated two core characteristics of neo-villeiny for drivers based there. Drivers can now be paid for the time when they are available for work (by logging onto the app and being in their respective geography of service), thus removing the absence of a guaranteed income and a large part of the work-for-labour associated with the work. In stark contrast, the Digital Platform Workers’ Rights Act (2022) in Ontario establishes in law the absence of guaranteed income and the right of an organization to expect work-for-labour, thus further reinforcing neo-villeiny.

## Discussion and Conclusion

Previous efforts at conceptualising the work of Uber drivers have been understood through the popularised notion of ‘instaserfs’ (Kuhn & Maleki, 2017; Callaway, 2016; Walker, 2015), that draws attention to the contingent, insecure, and in essence, precarious nature of platform work. As has been highlighted in this article, it is possible to extend the analytical reach of this idea by applying the characteristics of neo-villeiny (Harvey et al., 2017) to Uber drivers. The analysis of Uber model of work suggests that the four characteristics of neo-villeiny – that is the absence of a guaranteed income, bondage to an organisation, payment of ‘rents’ for the opportunity to generate an income, and unpaid, but nonetheless required work-for-labour – appear to characterise the work of Uber in many national contexts, as the article demonstrates. As has been described in detail above, in many institutional contexts Uber drivers are only paid for their active hours (that is for carrying passengers) without any guaranteed income. These individuals tend to be bonded to the Uber app in order to access the customer base, but drivers might also be bonded by loans used to purchase the standard of vehicle required by Uber from subprime lenders organised through Uber, without which any work through the platform would be impossible. Moreover, Uber drivers are expected to pay rent to Uber in the form of a fee on all fares and engage in considerable work-for-labour that ranges from customer service activities to deadheading (e.g., waiting for a fare, and travelling between fares). As such, the neo-villeiny of Uber drivers extends the idea of workers as ‘instaserfs’, but also importantly echoes and augments a growing body of existing academic research that highlights the wider aspects of precarious nature of work at Uber (Polkowska, 2020; Peticca-Harris et al., 2020; Berger et al., 2019; Malin & Chandler, 2016).

In response to a state of irregularity of platform work, two very different forms of legislation have been introduced in the UK and Ontario that affect the work of Uber drivers, albeit under the common thrust towards improving gig economy working conditions. The 2021 UK Supreme Court judgement that reconceptualised Uber drivers as ‘workers’ appears to be a welcome step towards the improvement of working conditions. The judgement eliminates aspects of the neo-villeiny of UK Uber drivers (*i.e.*, by guaranteeing an income and reducing work-for-labour, most notably deadheading). However, such uptake of labour protections is far from uniform across the globe. In contrast to the situation in the UK. Like their counterparts in the UK, Uber drivers in Ontario are

bonded to the digital platform and pay a rent to the organization. However, dysregulation in Ontario means that Uber drivers are not guaranteed an income, while legally mandated payment only for active hours means that they are also required to undertake work-for-labour. As such, these aspects establish opportunities for the expansion of neo-villeiny in law in Ontario.

## References

- Adams, Z., & Deakin, S. (2014). Institutional Solutions to Precariousness and Inequality in Labour Markets. *British Journal of Industrial Relations*, 52(4), 779-809.
- Altenried, M. (2021). Mobile workers, contingent labour: Migration, the gig economy and the multiplication of labour. *Environment and Planning A: Economy and Space*, 0(0), 1-16.
- Angrist, J. D., Caldwell, S., & Hall, J. V. (2021). Uber versus Taxi: A Driver's Eye View. *American Economic Journal: Applied Economics*, 13(3), 272–308.  
<https://doi.org/10.1257/app.20190655>
- BBC News. (2015, July 29). Uber facing legal action in UK over its workers' rights. *BBC News*.  
<https://www.bbc.com/news/business-33699430>
- Bensinger, G. (2021, October 17<sup>th</sup>). For Uber and Lyft, the Rideshare Bubble Bursts. *The New York Times*. <https://www.nytimes.com/2021/10/17/opinion/uber-lyft.html>
- Berger, T., Frey, C. B., Levin, G., & Danda, S. R. (2019). Uber happy? Work and well-being in the 'Gig Economy'. *Economic Policy*, 34(99), 429–477.  
<https://doi.org/10.1093/epolic/eiz007>
- Berger, T., Chen, C., & Frey, C.B. (2018) Drivers of disruption? Estimating the Uber effect. *European Economic Review*, 110, 197–210.  
<https://doi.org/10.1016/j.euroecorev.2018.05.006>



- Blyton, P., and Turnbull, P. (2005) *The Dynamics of Employee Relations*, Basingstoke: Palgrave.
- Browne, R. (2021). Uber employment rights setback is a ‘gut punch’ to its prospects in the UK, [www.cnn.com](https://www.cnn.com), March 18<sup>th</sup> (accessed 6<sup>th</sup> December 2023)
- Callaway, A. (2016). Exploitation in a City of Instanters. Canadian Centre for Policy Alternatives, January 1<sup>st</sup>.
- CBC News (2022, February 28). Ontario set to introduce ‘historic’ new legislation to give gig workers \$15 minimum wage. *CBC News*. <https://www.cbc.ca/news/canada/toronto/ontario-legislation-gig-workers-minimum-wage-1.6366844>
- Chen, M.K., Chevalier, J.A., Rossi, P.E., & Oehlsen, E. (2019). The Value of Flexible Work: Evidence from Uber Drivers. *Journal of Political Economy*, 127(6), 2735–2794. <https://doi.org/10.1086/702171>
- Clark, I., Lawton, C., Stevenson, C., Vickers, T., & Dahill, D. (2022). A ‘place-based’ approach to work and employment: The end of reciprocity for ordinary working families and ‘giggers’ in a place. *Economic and Industrial Democracy*, 43(2), 634-657.
- Coiquaud, U., & Morissette, L. (2022). The politics of Uber in Quebec. A discursive institutionalist study. *Industrial Relations: A Journal of Economy and Society*, 61(1), 91-108.
- Conger, K. (2020). Uber and Lyft Drivers in California Will Remain Contractors, *The New York Times*, November 4<sup>th</sup>.
- Dean, M. (1999). *Governmentality: Power and rule in modern society*. Sage Publications.
- Deng, X., Galliers, R.D., & Joshi, K.D. (2016). Crowdsourcing – a new digital divide? IS design and research implications. *Twenty-Fourth European Conference on Information Systems (EciS)*

(Istanbul, Turkey).

[https://web.archive.org/web/20200321092044id\\_/https://aisel.aisnet.org/cgi/viewcontent.cgi?article=1150&context=ecis2016\\_rp](https://web.archive.org/web/20200321092044id_/https://aisel.aisnet.org/cgi/viewcontent.cgi?article=1150&context=ecis2016_rp)

Duggan, J., Sherman, U., Carbery, R., & McDonnell, A. (2020). Algorithmic management and app-work in the gig economy: A research agenda for employment relations and HRM. *Human Resource Management Journal*, 30(1), 114–132. <https://doi.org/10.1111/1748-8583.12258>

Edwards, P., & Hodder, A. (2022). Conflict and control in the contemporary workplace: Structured antagonism revisited. *Industrial Relations Journal*, 53(3), 220–240.

European Labour Authority (2022). EU proposes directive to protect the rights of platform workers, eures.Europa.eu /eu-proposes-directive-protect-rights-platform-workers-2022-03-17\_en (accessed 16<sup>th</sup> April 2024).

Ferguson, D. (2021, February 22). *Uber at the Supreme Court: Who is a worker?* <https://commonslibrary.parliament.uk/uber-at-the-supreme-court-who-is-a-worker/>

Fleming, P. (2017). The Human Capital Hoax: Work, Debt and Insecurity in the Era of Uberization. *Organization Studies*, 38(5), 691–709. <https://doi.org/10.1177/0170840616686129>

Fleming, P., Rhodes, C., & Yu, K.H. (2019). On why Uber has not taken over the world. *Economy and Society*, 48(4), 488-509.

Foucault, M. (1982). The Subject and Power. *Critical Inquiry*, 8(4), 777–795. <https://www.jstor.org/stable/1343197>

Funke, C., & Picot, G. (2021). Platform work in a coordinated market economy. *Industrial Relations Journal*, 52(4), 348-363.

- Gartenberg, C. (2020, January 21). *Uber tests letting California drivers set their own prices*. The Verge. <https://www.theverge.com/2020/1/21/21075062/uber-test-california-drivers-set-prices-bidding-ab5-law-gig-workers>
- Gennard, J., Steele, M., & Miller, K. (1989). Trends and developments in industrial relations and industrial relations law: Trade union discipline and non-strikers. *Industrial Relations Journal*, 20(1), 5-15.
- Goods, C., Veen, A., Barratt, T., & Smith, B. (2024). Power resources for disempowered workers? Re-conceptualizing the power and potential of consumers in app-based food delivery. *Industrial Relations: A Journal of Economy and Society*, 63(2), 107-131.
- Government of Canada. (2024). *Determining the Employer/Employee Relationship—IPG-069* [Guidance]. <https://www.canada.ca/en/employment-social-development/programs/laws-regulations/labour/interpretations-policies/employer-employee.html>
- Gulesserian, L. (2022). *Rideshare fathers, flexible work, gender roles*. [Doctoral thesis, The University of Sydney]. <https://ses.library.usyd.edu.au/handle/2123/29967>
- GWU (2022). Main page. *Gig Workers United*. <http://www.gigworkersunited.ca/index.html>
- Hall, J.V., & Krueger, A.B. (2018). An Analysis of the Labor Market for Uber’s Driver-Partners in the United States. *ILR Review*, 71(3), 705–732.  
<https://doi.org/10.1177/0019793917717222>
- Harpur, P., & Blanck, P. (2020). Gig Workers with Disabilities: Opportunities, Challenges, and Regulatory Response. *Journal of Occupational Rehabilitation*, 30(4), 511–520.  
<https://doi.org/10.1007/s10926-020-09937-4>

- Harris, B. (2017). Uber, Lyft, and Regulating the Sharing Economy Notes. *Seattle University Law Review*, 41(1), 269–286.  
<https://heinonline.org/HOL/P?h=hein.journals/sealr41&i=277>
- Harvey, G., Rhodes, C., Vachhani, S.J., & Williams, K. (2017). Neo-villeiny and the service sector: The case of hyper flexible and precarious work in fitness centres. *Work, Employment and Society*, 31(1), 19–35. <https://doi.org/10.1177/0950017016638023>
- Holtum, P.J., Irannezhad, E., Marston, G., & Mahadevan, R. (2022). Business or Pleasure? A Comparison of Migrant and Non-Migrant Uber Drivers in Australia. *Work, Employment and Society*, 36(2), 290-309. <https://doi.org/10.1177/09500170211034741>
- Kaine, S., & Josserand, E. (2019). The organisation and experience of work in the gig economy. *Journal of Industrial Relations*, 61(4), 479–501.  
<https://doi.org/10.1177/0022185619865480>
- Kässi, O., Lehdonvirta, V., & Stephany, F. (2021). How many online workers are there in the world? A data-driven assessment. *Open Research Europe* 1.  
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10445891/>
- Khosrowshahi, D. (2021, March 17). *Uber boss Dara Khosrowshahi: ‘We’re turning the page on driver rights’*. Evening Standard. <https://www.standard.co.uk/comment/comment/uber-chief-executive-dara-khosrowshahi-drivers-rights-turning-page-b924529.html>
- Kellogg, K.C., Valentine, M.A., & Christin, A. (2020). Algorithms at Work: The New Contested Terrain of Control. *Academy of Management Annals*, 14(1), 366–410.  
<https://doi.org/10.5465/annals.2018.0174>

- Kuhn, K.M., & Maleki, A. (2017). Micro-Entrepreneurs, Dependent Contractors, and Instaserfs: Understanding Online Labor Platform Workforces. *Academy of Management Perspectives*, 31(3), 183–200. <https://www.jstor.org/stable/44645069>
- Lam, L., & Triandafyllidou, A. (2021). An unlikely stepping stone? Exploring how platform work shapes newcomer migrant integration. *Transitions: Journal of Transient Migration*, 5(1), 11–29.
- Liang, A. (2023, March 14). US court rules Uber and Lyft workers are contractors. *BBC News*. <https://www.bbc.com/news/business-64947695>
- Maffie, M.D. (2020). Are we ‘sharing’ or ‘gig-ing’? A classification system for online platforms. *Industrial Relations Journal*, 51(6), 536–555.
- Maffie, M. D. (2023). Becoming a pirate: Independence as an alternative to exit in the gig economy. *British Journal of Industrial Relations*, 61(1), 46–67.
- Malin, B. J., & Chandler, C. (2017). Free to Work Anxiously: Splintering Precarity Among Drivers for Uber and Lyft. *Communication, Culture and Critique*, 10(2), 382–400. <https://doi.org/10.1111/cccr.12157>
- Malos, S., Lester, G.V., & Virick, M. (2018). Uber Drivers and Employment Status in the Gig Economy: Should Corporate Social Responsibility Tip the Scales?. *Employee Responsibility and Rights Journal* 30, 239–251.
- McClure, T. (2022, October 25). New Zealand Uber drivers win landmark case declaring them employees. *The Guardian*. <https://www.theguardian.com/technology/2022/oct/25/new-zealand-uber-drivers-win-landmark-case-declaring-them-employees>

- McCulloch, A. (2021, March 12). Spain to be first in EU to give gig economy workers employee rights. *Personnel Today*. <https://www.personneltoday.com/hr/spain-to-be-first-in-eu-to-give-gig-economy-workers-employee-rights/>
- McGaughey, E. (2018). Taylorism: When network technology meets corporate power. *Industrial Relations Journal*, 49(5-6), 459-472.
- Mendonça, P., Kougiannou, N. K., & Clark, I. (2023). Informalization in gig food delivery in the UK: The case of hyper-flexible and precarious work. *Industrial Relations: A Journal of Economy and Society*, 62(1), 60-77.
- Miller, P., & Rose, N. (1990). Governing economic life. *Economy and Society*, 19(1), 1–31. <https://doi.org/10.1080/030851490000000001>
- Möhlmann, M., & Henfridsson, O. (2019). What People Hate About Being Managed by Algorithms, According to a Study of Uber Drivers. *Harvard Business Review*.
- Njanja, A. (2023, January 18). Uber, Bolt drivers hope for increased earnings foiled as Tanzania reinstates 25% commission. *TechCrunch*. <https://techcrunch.com/2023/01/18/uber-bolt-drivers-hope-for-increased-earnings-foiled-as-tanzania-reinstates-25-commission/>
- Nolan, P. (2012). Understanding the employment relationship: markets, hierarchies and power. *Industrial Relations Journal*, 43(4), 359-369.
- Norlander, P., Jukic, N., Varma, A., & Nestorov, S. (2021). The effects of technological supervision on gig workers: Organizational control and motivation of Uber, taxi, and limousine drivers. *The International Journal of Human Resource Management*, 32(19), 4053–4077. <https://doi.org/10.1080/09585192.2020.1867614>

Ontario Government (2022) Ontario Passes Working for Workers Act 2,  
<https://news.ontario.ca/en/statement/1001971/ontario-passes-working-for-workers-act-2>

(accessed 11th January 2025)

Ontario Government (2024) Digital Workers' Rights Act 2022,  
[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.ontario.ca%2Flaws%2Fdocs%2F240344\\_e.doc&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.ontario.ca%2Flaws%2Fdocs%2F240344_e.doc&wdOrigin=BROWSELINK), accessed 10<sup>th</sup> February 2025.

Polkowska, D. (2021). Unionisation and mobilisation within platform work: Towards precarisation—a case of Uber drivers in Poland. *Industrial Relations Journal*, 52(1), 25–39. <https://doi.org/10.1111/irj.12315>

Pedersini, R. (2002). 'Economically dependent workers', employment law and industrial relations, Eurofound. Ireland. Retrieved from <https://policycommons.net/artifacts/1829379/economically-dependent-workers-employment-law-and-industrial-relations/2570632/> on 03 Apr 2024. CID: 20.500.12592/2k7mz8.

Peticca-Harris, A., deGama, N., & Ravishankar, M.N. (2020). Postcapitalist precarious work and those in the 'drivers' seat: Exploring the motivations and lived experiences of Uber drivers in Canada. *Organization*, 27(1), 36–59. <https://doi.org/10.1177/1350508418757332>

Phillips, J. (2019, January 21). *How Uber's dynamic pricing model works*. Uber Blog. <https://www.uber.com/en-GB/blog/uber-dynamic-pricing/>

Pulignano, V., Grimshaw, D., Domecka, M., & Vermeerbergen, L. (2023). Why does unpaid labour vary among digital labour platforms? Exploring socio-technical platform regimes of

worker autonomy. *Human Relations*, 0(0), 1-29.

<https://doi.org/10.1177/00187267231179901>

Reuters (2022, September 30). Hundreds of gig driver jobs under threat in Spain as new rules

kick in. *Reuters*. <https://www.reuters.com/markets/europe/hundreds-gig-driver-jobs-under-threat-spain-new-rules-kick-2022-09-30/>

Ro, C. (2022). Policymakers in many nations are trying to reform the gig economy. Yet regulations have a long way to go to meet the needs of growing numbers of platform-based workers: Why gig work is so hard to regulate. BBC.com.

<https://www.bbc.com/worklife/article/20220308-why-gig-work-is-so-hard-to-regulate>

Roosevelt, M., & Hussain, S. (2021, August 21). Prop. 22 is ruled unconstitutional, a blow to California gig economy law. *Los Angeles Times*.

<https://www.latimes.com/business/story/2021-08-20/prop-22-unconstitutional>

Rosenblat, A. (2016, April 6). The Truth About How Uber's App Manages Drivers. *Harvard*

*Business Review*. <https://hbr.org/2016/04/the-truth-about-how-ubers-app-manages-drivers>

Russon, M-A. (2020, October 26). Uber sued by drivers over 'automated robo-firing'. *BBC*

*News*. <https://www.bbc.com/news/business-54698858>

Sainato, M. (2023, March 10). 'It was traumatic': Uber, Lyft drivers decry low pay and unfair

deactivations. *The Guardian*. <https://www.theguardian.com/business/2023/mar/10/uber-lyft-driver-suspension-deactivation-pay>

Satariano, A. (2021). In a First, Uber Agrees to Classify British Drivers as 'Workers', *The New York Times*, March 16<sup>th</sup>

Scheiber, N. (2022). How Uber uses psychological tricks to push its drivers' buttons. In *Ethics of data and analytics* (pp. 362-371). Auerbach Publications.



- SBS News (2021). *Italian prosecutors fine Uber Eats and other food apps, rule couriers are employees*. SBS News. <https://www.sbs.com.au/news/article/italian-prosecutors-fine-uber-eats-and-other-food-apps-rule-couriers-are-employees/lc8l4l8ui>
- Seidl, T. (2022). The politics of platform capitalism: A case study on the regulation of Uber in New York. *Regulation & Governance*, 16(2), 357-374.  
<https://doi.org/https://doi.org/10.1111/rego.12353>
- Shahshahani, S. (2024). When Hard Cases Make Bad Law: A Theory of How Case Facts Affect Judge-Made Law. *Cornell Law Review*, 110.
- Slee, T. (2017). *What's yours is mine: Against the sharing economy*. New York : OR Books.  
<http://archive.org/details/whatsyoursismine0000slee>
- Sun, P., Chen, Y., & Rani, U. (2023). From Flexible Labour to ‘Sticky Labour’: A Tracking Study of Workers in the Food-Delivery Platform Economy of China. *Work, Employment and Society*, 37(2), 412-431.
- The Local France (2023, January 18). Uber reaches landmark agreement on drivers’ minimum wage in France. *The Local France*. <https://www.thelocal.fr/20230118/uber-reaches-landmark-agreement-on-drivers-minimum-wage-in-france>
- The Supreme Court (2021a). *Uber BV and others (Appellants) v Aslam and others (Respondents)*—Press Summary. The Supreme Court. <https://www.supremecourt.uk/press-summary/uksc-2019-0029.html>
- The Supreme Court (2021b). Judgement: *Uber BV and others (Appellants) v Aslam and others (Respondents)*. The Supreme Court. <https://www.supremecourt.uk/cases/docs/uksc-2019-0029-judgment.pdf>

- Uber (2016, June 30). *Enabling Entrepreneurship*. Uber Blog. <https://www.uber.com/en-IN/blog/enabling-entrepreneurship/>
- Uber (2021, May 18). Upcoming changes to the Driver app. *Uber Blog*. <https://www.uber.com/blog/california/upcoming-changes-to-the-driver-app/>
- Uber (2024a). *Financials*. Uber Investor. <https://investor.uber.com/financials/default.aspx>
- Uber (2024b). *What is the Uber fee?* Uber. <https://help.uber.com/driving-and-delivering/article/what-is-the-uber-fee-?nodeId=5704e643-6df8-47ce-bcb2-a3968a445bcc>
- Uber. (2025). *Become a Driver in Your City using Uber*. Uber. Retrieved 30 January 2025, from <https://www.uber.com/gb/en/drive/vehicle-solutions/>
- Van Doorn, N., Ferrari, F., & Graham, M. (2023). Migration and Migrant Labour in the Gig Economy: An Intervention. *Work, Employment and Society*, 37(4), 1099–1111. <https://doi.org/10.1177/09500170221096581>
- Veen, A., Barratt, T., & Goods, C. (2020). Platform-capitals ‘app-etite’ for control: a labour process analysis of food-delivery work in Australia. *Work, Employment and Society* 34(3): 388–406.
- Walker B (2015). The theory of everything: Instaserfs, [www.medium.com](http://www.medium.com)
- WEC (2022). *Diverse forms of work in the platform economy*.
- Williams, K., & Geppert, M. (2006). The German model of employee relations on trial: negotiated and unilaterally imposed change in multi-national companies. *Industrial Relations Journal*, 37(1), 48-63.
- Williams, C.C., & Horodnic, I.A. (2018). Evaluating the prevalence and distribution of dependent self-employment: Some lessons from the European working conditions survey. *Industrial Relations Journal*, 49(2), 109-127.

- Wood, A., Graham, M., Lehdonvirta, V., & Hjorth, I. (2019). Good gig, bad gig: autonomy and algorithmic control in the global gig economy. *Work, Employment and Society* 33(1): 56–75
- Woskowiak, D. (2014) *Unlocking the sharing economy: An independent review*. Department for Business, Innovation & Skills. <https://www.gov.uk/government/publications/unlocking-the-sharing-economy-independent-review>
- Wu Q., Zhang, H., Li, Z., & Liu, K. (2019). Labor control in the gig economy: Evidence from Uber in China. *Journal of Industrial Relations*, 61(4), 574–596.  
<https://doi.org/10.1177/0022185619854472>
- Zwick, A. (2018). Welcome to the Gig Economy: Neoliberal industrial relations and the case of Uber. *GeoJournal*, 83(4), 679–691. <https://doi.org/10.1007/s10708-017-9793-8>

**Table 1: Legal Rulings on Employment Conditions of Uber drivers**

<b>Date</b>	<b>Country</b>	<b>Ruling</b>
13/03/2023	USA	California Appeals court ruled that Gig Economy platforms like Uber and Lyft can continue treating their workers as independent contractors. This overturns a decision made in 2021 by Alameda county court.
20/08/2021	USA	Alameda county court ruled that proposition 22 was unconstitutional. According to proposition 22, an app-based driver is an independent contractor.
25/10/2022	New Zealand	A group of New Zealand Uber drivers won a landmark case against Uber, forcing Uber to treat them as employees as opposed to independent contractors. The employment court does not have jurisdiction to declare broad changes to employment status of all Uber drivers, but this landmark case will have wider implications.
19/02/2021	UK	UK Supreme Court handed down a landmark judgement that Uber drivers are workers and not independent contractors.
03/06/2022	Switzerland	The Swiss Federal Supreme Court upheld a ruling that classifies Uber drivers as employees and should be given all the rights and benefits as employees.
December, 2022	Belgium	A Belgian court sided with Uber and against an Uber driver who was seeking employee status.
18/01/2023	France	Uber reaches a landmark agreement on minimum wage in France. All ride-sharing platforms have signed an agreement on minimum income per ride.

Sources: Liang (2023); The Local France (2023); McClure (2022); Ferguson (2021); Roosevelt & Hussain (2021)