



Platform Work in Kenya

**A Call for Legally Binding
Global Standards to
Guarantee Decent Work
for All**



Executive Summary

This Position Paper, submitted by the Kenya Union of Gig Workers (KUGWO), presents compelling evidence in support of a legally binding International Labour Organization (ILO) Convention on Realizing Decent Work in the Platform Economy.

The findings are based on a national survey of platform workers, focus groups and in-depth interviews with individuals across Kenya, including refugee camps, informal settlements, and digital hubs.

These workers, most of whom lack recognition, rights, and recourse offer an urgent, grounded perspective on why soft recommendations are no longer enough.

Drawing parallels with the ILO's own research and proposed standards outlined in Realizing Decent Work in the Platform Economy report and the Yellow report, KUGWO affirms that a global Convention is essential if the promise of decent work is to reach the workers reshaping the 21st-century economy.



KUGWO's Mandate and Worker Voices from the Ground

KUGWO is the first and only union in Kenya solely dedicated to organizing gig and platform workers. These include a wide range of digital labourers, online freelancers, content creators, microtaskers, delivery drivers, BPO workers, and ride-hailing workers. KUGWO's advocacy is not driven by distant observations but by the lived realities of the very workers it represents.

In preparing this paper, KUGWO conducted a structured national survey targeting both cloud-based and location-based gig workers, as well as one-on-one interviews with diverse platform workers.

Among them were Stella, a digital freelancer of ten years; Jean Marie, a refugee based in Kakuma working in social media management; Monica, a visual content creator navigating inconsistent pay through Fiverr; and Abdullahi, a translator in Hagadera Camp whose work on Upwork and Bruz has become more precarious due to AI and subcontracting trends.

Their stories are deeply personal, yet collectively representative.

Stella reflected: "We work like employees, but we carry all the risks of being self-employed. Where is the freedom in that?"

That paradox, freedom promised, exploitation delivered cuts across every testimony.



THE REALITY OF PLATFORM WORK IN KENYA

Kenya's digital labour market is both dynamic and fragmented. On one hand, it includes globally integrated workers on platforms such as Upwork, Fiverr, Remotasks, and Bruz. On the other, it features localized platforms and informal arrangements—riders on Uber and Bolt, delivery workers on Glovo, and part-time freelancers securing gigs through LinkedIn or WhatsApp groups.

In the survey, respondents identified as translators, data annotators, virtual assistants, content creators, drivers, and domestic workers.

This work is often portrayed as flexible and liberating. But for many Kenyan workers, flexibility is an illusion.

Jean Marie explained that although he operates under the title of an independent contractor, he often allows clients to cancel projects freely just to remain competitive. "We have to convince them to give us a chance," he said. "Even if it means accepting unfair terms."

Classification and Misalignment of Power

One of the most consistent themes across survey and interview data is the contradiction between how platform workers are classified and how they are actually treated.

While platforms avoid legal obligations by classifying workers as self-employed, the control exerted through algorithmic assignments, performance reviews, and client evaluations effectively strips workers of autonomy.

“I can’t choose my hours,” said an interviewee. “Clients tell me when to work, where to work from, and what software to use but then I’m told I’m not an employee.”

This echoes the ILO’s observation in *Realizing Decent work in the platform economy* report, which identifies legal misclassification as a global driver of informality and exclusion.

KUGWO fully supports the ILO’s recommendation of a rebuttable presumption of employment in contexts where workers are economically dependent and lack bargaining power.



Income Instability and Wage Injustice

Despite high output, platform workers in Kenya often face earnings far below decent living standards. Survey data shows that over 70% of respondents have experienced unexplained income drops, often tied to platform rule changes or client-side adjustments.

In Hagadera Camp, a translator shared that machine-generated translations and intermediaries have drastically lowered his earnings: “There was a time I could earn enough,” he said. “Now, there are too many people undercutting, and the platforms say nothing.”

The issue of geographic and racial pay disparities was also widely cited. Stella noted, “A client in the US will pay a European freelancer \$200 for a project they’ll ask me to do for \$30. Same task. Better quality even—but I’m African.”

This not only undermines worker dignity but reinforces global inequalities in digital value chains.

The ILO’s own Yellow Report recognizes this concern and calls for policies ensuring that pay reflects work done—not the worker’s passport.



Absence of Social Protection and Safety Nets

Workers interviewed reported bearing the full cost of their operations, including health, pension, and safety protections. None of the surveyed workers had access to employer-contributed health insurance, sick leave, or retirement schemes.

Many noted they had never heard of the government's SHA or NHIF schemes being applied to digital workers.

Monica described how the burden of pregnancy intersected with platform precarity: “When I was expecting, I worked double hours just to save up. Then I worked through the final month. There’s no maternity leave in freelancing.”

These stories align with ILO Report V(1)’s recognition that social protection systems often exclude platform workers by design.

KUGWO supports the ILO’s call in V(2), paragraph 11(c), for mandatory platform contributions to national protection schemes.



Algorithmic Management Without Recourse

Platform control is increasingly automated and opaque. Over half of survey respondents had experienced penalties or deactivations they couldn't understand or contest.

Monica recalled how she lost visibility on Fiverr despite excellent reviews. "I just disappeared from the rankings. No one told me why."

Even platforms that don't use active surveillance still operate with structural opacity. Freelancers reported no clarity on why proposals succeed or fail. "It feels random," said Stella. "It's like a ghost controls who sees your work."

The ILO's V(1) report details similar issues globally, and V(2) proposes a legal obligation for platforms to ensure transparency, right to explanation, and human-led dispute resolution—principles KUGWO strongly endorses.



Mental Health, Wellbeing, and Digital Isolation

Beyond economic precarity, workers also face emotional and physical strain. Fatigue from working long hours, often late into the night, was reported by all interviewees.

Jean- Marie described working 12-hour shifts through floods in Kakuma, saying, “Even when roads are impassable, we must deliver. They won’t understand power cuts or water damage.”

Stella captured the psychological toll: “You sit in one room, talk to no one, and keep postponing things. Then you blame yourself for not growing.”

The ILO recognizes psychosocial risks as part of occupational safety and health (OSH) and recommends protective policies. KUGWO supports this call and urges platforms to adopt mental health safeguards and time-off frameworks.



Exclusion from Voice and Representation

The absence of collective voice is among the most painful realities expressed.

“We have no say,” Monica said. “The rules are handed down. There’s no negotiation.”

Attempts to form or join networks were often thwarted by fear, cost, or access limitations.

Stella noted how isolation breeds distrust even among workers: “When someone cracks the code and finds a good-paying job, they hide it. There’s no sharing.”

The ILO is clear that freedom of association is a fundamental right. KUGWO urges the 13th session of ILC 2025 to ensure that this right extends unequivocally to all platform workers, regardless of classification or location.



Intersectional Disadvantages

Certain groups face multiple layers of exclusion:

- **Refugees are denied formal labour protections and face bias in hiring.**
- **Women lack protections for pregnancy and bear the brunt of unpaid care work.**
- **Workers in rural or humanitarian settings suffer digital infrastructure failures that penalize them in algorithmic rankings.**

These disparities were echoed in all interviews. “We are punished by the algorithm for being in Kenya,” said Jean-Marie. “Not because of our work—but because of where we live.”

The ILO’s Reports highlight these inequalities, and KUGWO calls for implementation safeguards to ensure no one is left behind.



Our Position: A Binding Convention Is Urgent and Necessary

The findings from Kenya do not represent a fringe. They reflect systemic global failures that leave platform workers invisible, exploited, and excluded.

While recommendations signal intent, only a legally binding Convention can provide the enforcement mechanism needed to protect these workers.

KUGWO therefore calls on the ILO and its member states to adopt a Convention that ensures:

- Presumption of employment where economic dependency exists
- Mandatory minimum earnings and pay transparency
- Universal access to social protection and OSH benefits
- Legal protections against algorithmic harm
- Full rights to organize, bargain, and be heard

Let this be the decade when global labour standards catch up with global digital labour. Workers in Kenya and around the world are not invisible. They are the backbone of the platform economy. It is time they are recognized, protected, and respected.

Kenya Union of Gig Workers (KUGWO), June 2025.

