

THE SOLIDARITY CENTER PODCAST

My Boss Is A Robot: A Special Series on App-Based Workers

Episode 5: Tips to Help Delivery Drivers Form Unions

Host: Shawna Bader-Blau, Solidarity Center Executive Director

Guests: John J. Chan, an app-based driver in Philippines; Josua Mata, SENTRO secretary general in Philippines

Shawna Bader-Blau:

Not so long ago, if you worked in a factory or an office and you had a problem with your boss, you could rally your comrades together and stage a protest. But what if your boss is a robot and there is no central workplace? It's easy to feel alone and any chance of fighting back against a tech behemoth looking down on you from a cloud seems far-fetched. Thankfully though, you've come to the right place because we have solutions for you, the Platform Worker.

Welcome to My Boss is a Robot from the Solidarity Center. This is our first toolkit episode, which will hopefully serve as an easy guide toward the daunting task of getting organized into unions in this brand-new industry. I'm Shauna Bader-Blau, Executive Director at the Solidarity Center.

Organizing app workers in the context of a world in which technology is increasingly taking over the global economy, and the wonder and the amazement of artificial intelligence and machine learning and apps and the internet, the wonder and the amazement of the possibilities created by all of that exponential growth, also expose a real risk that companies are in fact consolidating power and undermining workers in the process of consolidating that power and wealth. That human rights are disposable. Meanwhile, in the Philippines, workers are developing a pushback, a Charter of Rights for a better future of work. And lessons for all of us around the world, union organizers and workers, to stand up against these trends.

On today's show, we have two great guests, John J. Chan. He's an app driver with a degree in political science, also getting his master's degree in business. He's a volunteer organizer in Metro Manila, helping to bring app drivers together, working with lawmakers to get better regulations in place to protect platform workers. Second, we have Josua Mata, a veteran of the labor movement working as a trade unionist in the field for three decades. He's the secretary general of SENTRO, and I'm sure he has plenty to say about platform apps taking over his country. Josua Mata, you guys are organizing everywhere. What are the unique challenges that platform workers face, though, specifically app drivers?

Josua Mata:

I think it's a perfect question to start this discussion, because you were right in your introduction when you asked the question, "What if you are working for a robot?" I have a farm worker challenging situation. What if you were actually convinced that you're not working for anyone but yourself? That's precisely the big challenge that we're facing. The platform companies in the country have effectively disguised the employee-employer relationships that they have with their riders. But the bigger problem, many of the riders are actually convinced that there is no such thing as employee-employer relationship. And many of the problems that the workers in factories are exactly the same problems that they face, except that here we have to convince them that there's something they can actually do.

John J. Chan:

The lack of awareness of our riders portraying as a freelance workers, many of the riders thought that we don't have any labor rights.

Shawna Bader-Blau:

On a day-to-day, when you're doing deliveries, you're working, how does it make a difference that you're considered a contractor or a freelancer and not a worker?

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John J. Chan:

The main difference is the rights we are getting from the company.

Josua Mata:

Or not getting.

Or not getting, yeah, rather. We agreed that we consider ourselves as independent contractor, not a regular worker.

John J. Chan:

That's right.

Josua Mata:

Such as minimum wage, health, security and other benefits. We don't have those rights. We don't have any rights at all as an independent contractor because our law treated us as a separate company. If you look at this whole idea of being treated as independent contractor to its absurdity in Davao City, all the riders are asked to pay for business permits, and when we ask why, "Well, that's because you're independent contractors," so it's really absurd. It's really absurd.

Shawna Bader-Blau:

Is it easy to convince other drivers to join the union and join an organization to come together?

Josua Mata:

Well, it's hard. Obviously. It's hard because the riders are always resisting to absorb any information that is against their beliefs or the information that was given to them with the company. The unawareness is the most challenging factor that we experience.

That's the reason why we have to step up and do a lot of work as educators. Being organizers, they were led to believe that they are independent, truly independent contractors and that there's no employee-employer relationship.

Shawna Bader-Blau:

I'm wondering what organizations like SENTRO, and app workers in general, are trying to do to fight back against this sort of deregulation of the workplace?

Josua Mata:

It's a sector that's growing really, really fast. Nobody actually knows how many app riders we have.

John J. Chan:

Yes, yes.

Josua Mata:

There's no data. Not even the Department of Labor can provide exact data, but we know it's growing. And second of all, it's not going to go away. This seems like to be the new normal. That in a way forced

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us to get into this sector and to try to learn about this sector and try to organize things. We developed a Charter of Rights that came from the discussions that we had with the riders themselves.

John J. Chan:

Charter of Rights. It enumerates the basic rights that the gig worker should have, a basic minimum wage, having a written contract, having a insurance, health insurance or accidental insurance, benefits such as social security services, basic labor rights.

Josua Mata:

Essentially every rider, whether they're considered as freelance rider, independent contractor, actually employees of the platform, has to enjoy the rights that every single worker enjoy in this country. And it's the riders themselves that actually started to enhance this Charter of Rights, which became the basis or core issues that we are fighting for. John J., what are the more common issues that we face now in many of the areas where we organize?

John J. Chan:

The diversity of the worker community, the rider community or the gig worker are so diverse in a way that it is very hard having any contradiction among them.

Shawna Bader-Blau:

Let's get into a little bit more about how you organized. First of all, how do you find everybody?

John J. Chan:

In every places we should find the right person that the workers could relate to.

Josua Mata:

Someone they trust?

John J. Chan:

Yes. We have to figure out who's the leader of the group.

Josua Mata:

Normally they call them team leaders, right?

John J. Chan:

Yeah.

Josua Mata:

And then normally what happens is that you invite them into an orientation discussion.

John J. Chan:

Orientation.

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Shawna Bader-Blau:

What do you say about why it's necessary to join a union? What's your pitch?

Josua Mata:

"Hey, brother, or sister. Have you heard about what happened to our dear friend who, well, he actually passed away, but did you hear that the company didn't even provide insurance. Come on, you think that's the way we should be treated? Haven't we been giving so much money to this company, making it earn so much from what we're doing every day? We should have our insurance, right? Here's the thing, there is an effort to do this and in our city, and we'd like you to take a look at it." That's the pitch.

John J. Chan:

But what is more challenging is the finding the right place where you are going to conduct that discussion.

Josua Mata:

Do it in places where riders would congregate, in malls or centers where you have a concentration of restaurants. We call it tambayan, and that's a Filipino word for congregation. It's easy for you to strike a conversation with them, right? You have the space and you have the atmosphere to ask to have a conversation with them, and then that's the pitch that you use to invite them into an orientation, which we hope to start doing now inside the City Hall, and that's like the second layer of discussion. From that, you can easily identify who would be interested in actually joining the organization, and that's when you start asking them to fill out membership forms.

John J. Chan:

And as regards to how often that it should be conducted, I suggest that it should be conducted in a weekly basis in order to sustain their capability as a future leader of the union. In the second seminar, every member that we have given a membership form, they are given a strong foundation.

Josua Mata:

In your experience, John J., how many workers would normally join the union after this second layer of effort]? If you have 10 people in one room?

John J. Chan:

About eight to nine people.

Josua Mata:

Out of 10?

John J. Chan:

Out of 10.

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Shawna Bader-Blau:

That's amazing. That's quite a high percentage.

Josua Mata:

It's difficult to organize in the Philippines because we are being red tagged in the Philippines, and by red tagging it means that you're being accused of being a front organization of the Communist Party or armed group or even terrorist groups, but if you are inviting them to go to City Hall, I mean, how can they even imagine that we are a front organization of anything else other than a legitimate union that actually is using the law in order to advance the rights and welfare of the riders? The city councilor sponsored our bill to host us in a big place within the City Hall. That's when we get to infuse the ideas that we have in our Charter of Rights. In fact, in the freelance bill that's now being discussed in the Senate, we submitted many of our ideas and we're hopeful that it'll be incorporated into the final bill.

Shawna Bader-Blau:

So now we're getting really into some strategies and techniques here. So you mentioned it's important to pick someone who's possible to be a leader. How do you pick a leader?

John J. Chan:

It's very easy to find the leader because in most cases, those leaders are always on the front.

Josua Mata:

Natural leaders would be the ones who would be very, very assertive. Sometimes they are the ones who would even question-

John J. Chan:

Question, yeah.

Josua Mata:

... yeah, ideas and you can see sense people nodding. "Oh yeah, that's right. That's right." So you know he's the more influential person. You kind of have a sense and a feel about who the natural leaders are.

John J. Chan:

In addition to that, I could say that maybe we could use the saying that "Love your enemy," because those people who are questioning the organizing, they are also the ones that develop-

Josua Mata:

That's the more influential ones.

John J. Chan:

... your organization. Yes. Yes.

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Josua Mata:

Okay.

Shawna Bader-Blau:

I mean, a great organizer is a brilliant and brave listener is what you're saying.

Josua Mata:

That's right.

Shawna Bader-Blau:

I mean people that are critiquing you, "You're doing it wrong. Why are you doing it this way?" And yet you're open to listening to them, seeing their leadership?

John J. Chan:

The best way to convince the people is to convince your enemy.

Josua Mata:

The skeptical ones!

John J. Chan:

The skeptical ones are the adversary of the union. If you convince them that your point was right, useful for them as well, the people will follow you.

Josua Mata:

Okay. Say you managed to convince me, for example, what do you ask me to do? You are going to ask me to recruit my own friends.

John J. Chan:

Yes, yes.

Josua Mata:

Okay.

John J. Chan:

Loyalty in the ground is very essential. You have to be sure that those people who are part of your core team is loyal to the ideas and aspiration of the union.

Josua Mata:

That's a good point, John J.

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John J. Chan:

Yes.

Josua Mata:

Because we also had a recent experience where the same, the same ... This kind of organizing, where you try to look for the natural leaders and then you get them and then you try to recruit them and then they recruit the rest of their group, if you like, could also lead to problems if you're unable to convince these leaders to actually believe in the cause.

John J. Chan:

Yeah.

Josua Mata:

Because it is possible that they would start using their new power for something else, like for example, cashing in on their newfound power by talking to the management and selling off the worker's interest. I mean, that happens, and that's a danger that organizers would always have to watch out for.

Shawna Bader-Blau:

How do you incorporate the very real potential of retaliation from either the employer or government, in the case of the Philippines, with the red tagging and persecution of trade unionists that has happened?

Josua Mata:

You actually tell them that that's a possibility, right?

John J. Chan:

That's inevitable as you go into the journey as a union leader, we are always reminded about sacrifice to our group. It could affect our lives economically. It's a matter of preparing some bad things may happen. For me, I set my mind in a way that I will be some sort of a sacrificial lamb so I will receive any retaliation from the company so that members in our community don't experience the same bad thing that is happening to me.

The term shadow-banning is always used in social media platform, but in our case, we also use the term shadow-banning. We are given task or jobs or bookings via system generation. During the early stage of our organizing, I became shadow-banned. I don't receive any bookings. I don't receive any jobs, so I don't receive any income at all.

Josua Mata:

You're logged onto the platform, but you don't get any orders.

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John J. Chan:

Yes. Almost every day. I don't receive any bookings, and because of that, it makes me more dedicated. For me, having a degree, I use this opportunity and idea that I should fight for the welfare of the other, and that is the same thing that the organizers around the world should be thinking about.

Josua Mata:

Assure workers that whoever is penalized in any way, we will be there for them.

Shawna Bader-Blau:

John J., you've given us a lot of amazing detail on strategies and ideas. If you were talking to your counterparts in, let's say, Taiwan or Mexico or Nigeria, and they're starting from scratch, what are some basic fundamental first step principles and tactics and strategies that you would share that you haven't yet talked about?

John J. Chan:

Media coverage. We lead a lot of media coverage, I guess, in terms of modern technology as well. Social media or mainstream media or government media, it helps a lot in organizing.

Josua Mata:

There was a terrible accident. It was a fatal accident, and the company failed to respond to the needs of the deceased rider and his family, and they started mobilizing, announcing actions, demanding things from the company, using their social media group chats, and even Facebook, and that's an opportunity for them to start organizing in a faster way.

John J. Chan:

It is very important, in every organizing, expose any bad behaviors or doings of the company. We exposed the inaccessible insurance provided by the company. In return, the platform company responded and they provide another layer of insurance.

Josua Mata:

Companies are actually very sensitive whenever there's a negative perception about what they do and their behavior. If I may add something, Shawna, I think it's so important for trade unions out there who have been so used to organizing in the normal way, I mean in the typical way. I think we really have to have an open mind. We in SENTRO will never claim that we know the proper strategy now. We're practically experimenting. We're testing everything. In one area, we're trying to do the normal way of building a union, and that is filing a certification election. Get ourselves recognized as a sole and exclusive bargaining agent and hopefully get into a CBA.

Shawna Bader-Blau:

Okay. I want to jump in and remind our listeners that a CBA is a collective bargaining agreement. Please continue, John J.

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Josua Mata:

That's one strategy that we're doing in one island. On the other hand, in another city, we're doing it differently. It's basically building a mass movement of workers using particular issues that resonates and from within that movement get to the point that we have a critical mass. Build the union and then get into collective bargaining.

At the national level, what ties us all together is this whole campaign for the Charter of Rights-

John J. Chan:

Charter of Rights.

Josua Mata:

... that we're now using that legislation as a way to organize more people, tie everyone else together into a national campaign. We're trying to pretend that we know what we're doing by experimenting on every little thing that we think can be done, so my suggestion for trade unionists like me. Well, have an open mind. Free your imagination. Let's not be afraid of experimenting

Shawna Bader-Blau:

Two great leaders in the Philippines. John J. Chan, Josua Mata. I'm really excited to have had this conversation with you. Thank you guys.

John J. Chan:

All right, okay.

Josua Mata:

All right, Shawna.

Shawna Bader-Blau:

In part two, we will dive deeper into the tactics app workers are taking all over the world to push back, to develop real organizing strategies. Thank you everyone for listening to My Boss is a Robot from the Solidarity Center. I'm Shauna Bader-Blau.