

THE SOLIDARITY CENTER PODCAST

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

Host: Shawna Bader-Blau, Solidarity Center Executive Director

Guests: Veena Dubal, law professor, University of California, San Francisco College of Law;

Lawal Ayobami, platform driver in Nigeria; Mery Laura Perdomo, labor attorney;

Olumide Babalola, attorney; Yuli Ramirez, president, FRENAPP; Nobphadach Saleesuk, app driver in Thailand

Shawna Bader-Blau:

Platform app workers are making significantly less money than they earned six or seven years ago. But one group in particular has seen precipitous declines.

Veena Dubal:

Uber's own research suggests that women, on average, earn less than men by about seven percent. So it's not that Uber considers gender in how they set these wages, but it is that the structure of the algorithms tends to recreate traditional forms of discrimination.

Shawna Bader-Blau:

Welcome to My Boss is a Robot, a podcast from the Solidarity Center. We're breaking down the nitty-gritty of platform work. We're taking on the many problems that exist in the gig economy and are also paying special attention to the many hardworking people who contract with these big ride-sharing and delivery apps like Uber, Didi and Rappi.

I am Shawna Bader-Blau, executive Director of the Solidarity Center. In this episode, we take a closer look at how these algorithms rip off their workers by replicating wage discrimination that sees women and other marginalized workers get less pay. First, we're going to take a moment to talk about the women who use these apps. The pressures of being a woman worker in the app-based economy are complex and nuanced. They often face sexual discrimination or worse. Take for instance, Lawal Ayobami, a female app driver in Lagos, Nigeria.

Lawal Ayobami:

As a woman on the job, some go as far as molesting you, like saying he doesn't want me to work again, I should come and keep him company. I'm like, "What kind of company do I want to keep you?" I have to call the security of where I was dropping the man, "Please come and help me take the man out of my car because I have another ride waiting for me." And he refused to leave. Imagine if I was in an isolated area. This man might actually want to go extra on me.

Shawna Bader-Blau:

Ayobami says she's propositioned 20 percent of the time.

Lawal Ayobami:

If I pick maybe 10 men in a day, let's say two they want to see if they can have you their way with you. And I always tell them that if you are proposing that right now, you are telling me to be doing another thing instead of me trying to work legitimately for myself. So I'm not in for that. So I'll respect you, I respect this time. Let us leave it professionally, like I took you to where you're going to right now, and it's end just there.

Shawna Bader-Blau:

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When the pandemic hit, normal businesses worldwide laid off their employees and big app companies like Rappi, added drivers to its mobile fleet as fast as they could.

Mery Perdomo:

Rappi is one of the biggest platforms in Latin America. Rappi was born in Colombia and during COVID, its profits skyrocketed. Now it's present in pretty much every single country in Latin America, and it has lots of workers in Mexico.

Shawna Bader-Blau:

That's Mery Perdomo, a labor lawyer based in Columbia. She spoke to us through a translator.

Mery Perdomo:

Together with Uber, I would say that they are the two biggest multinational and Rappi's case, the multi Latina corporation and the most profitable and the one with the biggest presence all across the Latin American area. So Rappi delivers food, but it has another business on top of the food delivery, which is that it provides data. And that's where a big part of its value comes from because they know what people eat, when they eat it, what their preferences are, how much they're willing to pay for certain products, and that's become a big, big part of their business in identifying the products that people want. And then of course, providing them and knowing how to market them. So besides the delivery, they're mining this data and that means that they can control what they offer, how they provide it, and that will affect that. It's going to become pretty much an oligopoly.

Shawna Bader-Blau:

Not only do the app companies mine data on customers, their algorithms use data to influence their drivers. Veena Dubal is a professor of law at the University of California, San Francisco College of Law. She does research on precarious work and technology and coined the phrase, algorithmic wage discrimination.

Veena Dubal:

And what this term describes is a wage setting process that firms engage in which people, individuals, are allocated different hourly wages based on data that is both personal and impersonal. But what it essentially means is that individuals get variable digital hourly wages based on black box algorithms that firms build. So that means that if you and I are doing the same work at the same time in the same way with the same skill, we would still very likely get different hourly wages based on the data that the firms have about us and based on the fact that we're different people. And it sort of throws out the idea of equal pay for equal work, which is both sort of a moral and legal assumption we have in the US about how work should work.

Shawna Bader-Blau:

She explained how algorithmic wage discrimination works.

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Veena Dubal:

Say two Uber drivers are sitting next to each other at the airport. They both get fares that are similar at the same time, that are similar lengths to a similar place, but they're base fare is dramatically different. And then in addition to that, one Uber driver, say Marta, has been given a bonus offer. So Uber has said, "If you complete 100 rides this week, we're going to give you \$100." But Diego, that same week, who's the other driver, hasn't gotten a bonus offer. Now he doesn't know why he didn't get a bonus offer. Marta doesn't know why she did get a bonus offer, and neither of them know what's going to happen next week or tomorrow.

Shawna Bader-Blau:

Marta's hourly wage is dramatically different than Diego's hourly wage, even though they were working at the same place at the same time. But it's important to understand that this discrepancy is not based purely on demand. It's based on a plethora of other data and algorithms that determine how drivers get their fares. Professor Dubal says that not only are the wages different, the percentage differences might also be really extreme. We're talking as high as an 80 percent difference in hourly wages from day to day and even week to week.

Veena Dubal:

And what is most striking is that they cannot predict what those hourly wages might be. And so it is not just the indignity of two different workers doing the same work at the same time, earning dramatically different earnings. It is also the fact that going to work, you have no idea whether or not your wages are going to look the same as they did yesterday, as they did last week, as they did last month.

Shawna Bader-Blau:

In the first episode of this series, we heard how app workers are currently making much less money than they used to. And Professor Dubal says that over the past six or seven years, driver's wages decline precipitously overall. She also says this trend is worrisome because it's more than just a reduced paycheck.

Veena Dubal:

And so that means that we have very unpredictable work. It means that workers have a hard time finding common cause because if one driver is earning \$25 an hour and another driver is earning less than the minimum wage per hour on average, then they might not agree on what a good wage policy or a wage standard should be. So it causes division among workers.

Shawna Bader-Blau:

Not only that, women are more likely to be affected by algorithmic wage discrimination. Uber's own research suggests that women, on average, earn less than men by about 7 percent.

Veena Dubal:

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It's not that Uber considers gender in how they set these wages, but it is that the structure of the wage setting process, the structure of the algorithms, tends to recreate traditional forms of discrimination. Again, replicating the gender wage gap.

Shawna Bader-Blau:

What does this mean for the future of employment? What kind of world are we creating where the primary ways people put food on the table and pay their rent become completely unpredictable and disconnected from what we traditionally understand about work?

Veena Dubal:

I think conservatives and liberals and progressives sort of generally believe that the harder you work, the longer you work, the more you should earn. These are ideas that are deeply baked into how we understand employment to function. And in this context, Uber's own research shows that people who work longer hours actually earn less per hour. We know that longevity in the profession, people who have been Uber drivers for a really long time, those people aren't necessarily earning more money. All of these sort of basic ideas about work are being disrupted invisibly by algorithmic wage setting processes that could very easily spread to other sectors of the economy, disrupting traditional ideas of how wages should be and are set, and really disconnecting work from security in a way that's quite dystopian.

Shawna Bader-Blau:

Professor Dubal says the way drivers anticipate rides is a lot like a gambling addiction, where a driver might get a really good fare that gives them hope and inspires them to keep on driving. But the app company algorithms and systems use data to learn more about their driver's habits, like what rides they're willing to accept and what rides they won't. They have also figured out how much money drivers need to make. Professor Dubal tells this chilling story.

Veena Dubal:

A friend of mine, she is an L.A. based driver. She got a really bad home loan mortgage, so she has a primary job that is a good civil servant job. But she is also the primary breadwinner in her family, and she has a kid and her mortgage was going to go under. And so she started driving for Lyft after work on Fridays and Saturdays. So of course this meant that time that she normally spent to recreate with her wife and her child, she couldn't do anymore, because now she's spending her evenings, her spare time, trying to earn money to meet her monthly loan payment.

So she starts driving and the first few months she's like, "This is awesome. This is great. I know I just need to drive for three hours, 8 to 11 in L.A. on Fridays, same thing on Saturdays, and I'm going to earn the extra money I need to earn." But she said what was really striking was after doing this for a month, her wage just dropped a little bit and then the second month her wages dropped a little bit more. And then the third month she realized she was having to drive five hours a night to earn the same amount that she had been earning in three hours in the previous month.

And what she said was that the system figured out that she was trying to earn a certain amount, wanted to keep her in the system for longer, and so was giving her lower fares. Now, driving between 11 and 2

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a.m. for a woman is pretty dangerous in any urban environment. Every single driver that I have talked to that is a woman has experienced some kind of sexual harassment or sexual assault. And when you add alcohol, when you add late nights into the picture, you're more likely to experience this. And she said it was very unsafe. She did experience multiple instances of sexual harassment, and she just was like, "This is so terrible that now I have to experience this for longer than I did before." And she's like, "Why don't I deserve a predictable wage like every other person that has a part-time job?"

Shawna Bader-Blau:

Next, we explore the hostility directed to platform workers. Where does it come from and why is it so vitriolic? In our research for this project, we discovered another big problem in the app driver community. There's a pervasive hostility directed toward its drivers. Like so many issues connecting platform workers around the world, it's a common experience that links all the workers we spoke to, female or male.

Lawal Ayobami:

You see a lady looking down you like you're just an ordinary driver.

Nobphadach Saleesuk:

The most often is the verbal and the insult, and the vendors perceive riders as below them.

Yuli Ramirez:

We see that there's this stigma. Whenever people see a delivery worker, that there's this face they make as if they were not part of society, as if they were just marginal.

Lawal Ayobami:

People try to mess up with your psyche like they want to, let's say ridicule you.

Nobphadach Saleesuk:

And sometime the vendors, when they're not happy with us, they make the order very slow. Sometimes they take one to two hours intentionally just because they're not happy with us.

Shawna Bader-Blau:

You just heard app drivers from Thailand to Nigeria to Ecuador. Their mistreatment is a common theme and it's hard to know or make any firm assertions to determine where the negativity comes from. But on the ground, gig workers and app drivers are now seen as lesser.

Mery Perdomo:

There's actually a study that established that these workers are a new social class. They see themselves as something different from the classic working class.

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Shawna Bader-Blau:

Mery Perdomo.

Mery Perdomo:

That's why it's been so hard to unionize them because they no longer fit the stereotype of the worker who works in a factory from eight to five and then goes home and has a minimum salary. In Latin America, we know them as the precarious workers. So we've gone from the proletariat, to use the Russian term, to the precariat, basically. And these people, they don't even have the basic rights of the workers of the proletariat. They have no contract, they have no recognition from the states, they have no social security whatsoever. So these workers are working in extremely precarious conditions. And on top of that, they see themselves as something separate from the working class.

Olumide Babalola:

Artificial intelligence, colonization,

Shawna Bader-Blau:

That's Olumide Babalola, a Nigerian human rights lawyer.

Olumide Babalola:

For as long as Africa continues to rely on the Western world for its economy, the idea of colonization or colonialism might not go away anytime soon.

Shawna Bader-Blau:

The biggest exploitative practices committed by many of these new app companies take place in what is commonly referred to as the "Global South," or countries that have a history of economic injustice and exploitation. They're often tagged as developing nations in our global hierarchy. For many who work in these countries, they seem to be more likely to be exploited by the companies who run these apps.

Olumide Babalola:

The moment you look at the terms of use of most of these companies, it's even funny that they say that they are governed by the laws of a certain country, European country.

Shawna Bader-Blau:

The old ways of colonialism, historically ruled by the northern elite, have a disturbing way of rearing its ugly head.

Olumide Babalola:

Although we now have African versions. We have African versions of these apps. But the foreign versions are still the most popular and still the most reliable as we speak. So yes, for as long as we

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continue to borrow ideas from the Western world, the idea of colonialism, economic colonialism or neocolonialism, whichever way one wants to see it, will still be around.

Shawna Bader-Blau:

The practice of companies cutting corners to find the cheapest possible labor is as old as the history of time. Just because a robot is now in charge doesn't hide this ugly truth.

Yuli Ramirez:

We were not employees, we were just slaves. We were just doing what the phone told us to do.

Shawna Bader-Blau:

Platform work in developing countries may not be slavery explicitly, but for workers like Yuli Ramirez, an app driver and Ecuador, it can often feel that way. She spoke to us through a translator.

Yuli Ramirez:

And we were working 12 hours a day, seven days a week. We had no social life whatsoever. I didn't even have time to take my daughter to the park.

Shawna Bader-Blau:

Last year, the MIT Technological Review devoted an entire investigative reporting series based on the concept of colonization. The headline: Artificial Intelligence Is Creating a New Colonial World Order.

Olumide Babalola:

Whether people on ground view it as colonialism depends on who is viewing it. An average man who just wants to get a taxi and go wherever, yes, would at the back of his mind in Africa know that this is some foreign thing, or pardon me, a white man's way of helping the black man. Pardon me. But that's the way an average person would look at it.

Shawna Bader-Blau:

The stark reality is that AI colonialism seems to be chipping away at many of our modern advancements we've made in labor movements around the world. Decades of hard fought battles won to reform labor law with corporate giants are eroding away.

The good news is workers are organizing around the world to change laws and dismantle the power. Here is Professor Dubal with the last word.

Veena Dubal:

So in the UK there is a small organized group of drivers. They're the App Drivers & Couriers Union, the ADCU. They're really this amazing militant group of workers that have been organizing and that sued Uber specifically to say that they were actually workers who deserved access to an hourly wage floor and to basic protections, like holiday, days off, pension, contributions, et cetera.

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And that group learned while they were suing Uber, that data was such a key way in which Uber was able to fight them in court because Uber had all this data that they didn't and that they couldn't even see or look at. And so what one of the drivers did, James Farrar, was formed this separate organization called Worker Info Exchange. And what he's been doing is trying to sue companies like Uber under GDPR, which is the Data Protection Act in Europe. And of course, the UK is no longer part of the EU, but they have their own data protection laws, and he's been able to do it in other EU nations. But what I hope that these workers in Europe are going to succeed in doing is showing that because really small pieces of information are going into wage setting, because it is so complicated, because it is so personalized, we shouldn't allow this kind of wage setting process to occur at all, that there should be a ban on what I have called algorithmic wage discrimination.

Shawna Bader-Blau:

The next time you have food delivered to your house or apartment, when you see the worker, make sure to treat them kindly and make sure to give them a nice tip, too.

Next time on My Boss is a Robot: Perhaps you are an unhappy app driver, alone, and don't know what to do. Well, it's time to get organized. We've got our union building toolkit with some experts of the trade. That's next time on My Boss is a Robot. I'm Shawna Bader-Blau.