Collective Voice and Organizing in Digital Labour Platforms in Portugal

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Abstract

The use of digital platforms for managing work grew considerably in Portugal, especially in the aftermath of the Great Recession. This new form of digital and platform work intensified the use of an on-demand workforce, not involved in the bargaining process, subject to indecent working conditions, social control and surveillance and the possibility of accessing social benefits, creating new obstacles for organising. Between 2019 and 2021, semi-structured interviews with workers, activists involved in associations and social movements, trade unionists and key informers were conducted. Also desk research involved five case-studies in Portugal, as part of a European research project. Results allowed to establish a typification of digital platform workers and to analyse collective action and voice in the country.

Keywords

digital and platform work – organising – social movements – trade unions – workers'
associations

1   Introduction

In a context of digitalisation and globalisation, the use of online platforms
for managing work led to an intense process of precariousness of labour
relations, creating profound changes regarding the structure of employment,
where collective action and organisation of workers face new obstacles. Digital
platform work is a term used to describe companies that often rely on cloud-
based technologies to mediate or to match workers with consumers, whether
these are ride-hailers, restaurant customers, or homeowners seeking for
repairs or housekeeping (Vallas, 2019). In the last decade, it introduced new
features in the landscape of labour relations, creating new economic activities
and reinventing pre-existing ones (Srnicek, 2017).

Srnicek (2017) designated this rising form of work as platform capitalism,
interchangeably considered as platform work, gig-economy, sharing-economy,
on-demand economy, crowdworking and crowdsourcing. Crowdsourcing is
increasingly acclaimed for providing opportunities for micro-entrepreneurs to
use flexible work through a digital based platform. This type of activity operates
through internet technology to source digital and material contributions from
an on-demand workforce (Howe, 2008). Platforms are not only presented as
a success regarding technological innovation, but as economic actors within
the capitalist mode of production, seeking for new markets and new means
for generating surplus value (Srnicek, 2017). Digital labour platforms operate
creating a marketplace for the mediation and management of work (often
via an app), carried out offline, and for digital services and tasks, carried out
online, for purposes of completion and evaluation (Howcroft and Bergvall-
Kåreborn, 2018). Thus, the gig economy is performed by companies who
use web-based technologies (digital online platforms), where work can be
outsourced to a geographically dispersed crowd (crowdwork) or recruited
through location-based applications that allocate work to individuals in a
specific geographical area (ILO, 2022). In this sense, digital platforms brought
a new form of externalisation of work to an indeterminate and depersonalized
mass of workers who are available, and who work according to a logic of just-
in-time (Abílio, 2020) and just in place demand (Wells et al., 2021).

Controversies regarding the arrival of platforms, more than a decade ago, triggered fierce debates and responses from several groups. To labour supporters, platforms represented a new type of work organisation, management and control, defined here as uberisation (Abílio et al., 2021). In fact, the symbolism of the Portuguese expression 'uberisation of work' became synonymous of the 'new' precariat and/or proletariat, perceived by many as an attack to organized labour. These national debates have been mostly centred in the ride-hailing and food delivery platform services, leaving freelance services, like Airbnb and Upwork, outside the mainstream discussion. In addition, most trade unions have not yet been able to respond to these workers, also lacking general knowledge regarding their specificities and problems.

This article aims to fill that gap and to map the Portuguese landscape regarding digital labour platform workers and to analyse existing collective organisation strategies. It covers five sections: the first one provides an introduction, defining the aims of the research; the second one will draw on the methodology, the third will present an overview regarding the context of digital platform work in Portugal; the fourth section will analyse the five case-studies conducted for this article; and the last section will conclude with the main results and recommendation for policies.

2   Methodology

This research was conducted between May 2019 and February 2021, and the aftermath of the Great Recession and the outbreak of the Covid-19 pandemic. It consisted of a qualitative analysis, with five case-studies which involved desk research, comprising literature review, collecting official documents, and identifying public debates. Thirteen exploratory interviews were conducted, allowing a deeper insight into the operations of the companies, the profiles of the working force and their organising strategies. It was established that the number of digital workers associated with platforms was an important criterion, as existing secondary data and exploratory interviewees revealed that they were growing significantly in Portugal and without a collective voice. Furthermore, it was also taken into consideration the existence of different forms of representation. In Table 1, information can be found regarding fifty-eight semi-structured interviews conducted with platform workers, activists involved in associations and movements, trade unionists and key informers.

Given the context of the COVID-19 pandemic, part of the interviews was adapted to be COVID-safe, primarily using digital media (Skype, Facebook,

TABLE 1   Number and Type of Interviewees per Platform

Platform	Profile				
	Workers	Activists in associations and movements	Trade Unions	Key informers	Total
Upwork (Freelancers)	4	3	3	0	10
Airbnb and Booking	11	5	0	2	18
Glovo and Uber Eats	10	1	4	0	15
Uber—Ride-Hailing	3	2	2	1	8
CallCentres@ Home	1	0	4	2	7
Total	29	11	13	5	58

SOURCE: AUTHORS, DATA FROM INTERVIEWS (2021).

Zoom) and telephone communication. The five case-studies comprised on-demand platforms, such as ride-hailing and food-delivery, and web-based platforms, such as Upwork, Airbnb, and call centres. Primary empirical data was applied for each case study, consisting of extensive literature review and in-depth interviews. As the interviews were conducted, snowball sampling (non-probability sampling) was applied to obtain further significant contacts for this study. Furthermore, non-participant fieldwork observation was also carried out on Facebook and WhatsApp groups for a better understanding of the context and to establish primary contacts as well.

The first case about Airbnb workers was conducted between November 20, 2020, and January 11, 2021. The methodology allowed the integration of relevant secondary sources as national statistics, legal information regarding the legislation for each service and sector, and regional and national inquiries on accommodation. The qualitative analysis of the interviews led to more reliable information, through the report in the first person regarding the experiences obtained by the participants from each service and sector.

Considering the context of the Covid-19 pandemic, this study was conditioned by certain constraints, where the researchers had to adapt their methodology using digital media (Skype, Facebook, Zoom) and telephone communication to conduct their fieldwork.

Some might argue that Airbnb-type of platforms do not use platform workers. After all, Airbnb's own dynamics creates very different self-perceptions towards work and class consciousness. Generally, those involved in these platforms own their means of production, such as rooms, flats and houses, which might be sub-rented. Some of these workers perceive themselves as non-subordinated independent economic agents and entrepreneurs, engaging in a self-employed contractual situation, not assuming as regular platform workers. It can also be underlined that most Airbnb owners are considered as self-employed workers for legal and financial purposes.

Nevertheless, Airbnb owners establish contracts with Airbnb, Booking, and other lodging platforms, to publicize and rent their property. Owners can subcontract through digital platforms or conduct ancillary services and tasks (e.g., managing, reception, cleaning, gardening, laundering), being usually forgotten and/or considered as invisible work. Other platform workers, such as couriers or drivers, might also own, or not, their means of production (motorcycles, bicycles and cars). All platform workers, including call center operators, are evaluated by customers regarding their performance and the provision of their service, affecting their salaries and thus their permanence on these platforms. Furthermore, especially in the Airbnb case, platforms can manage the visualisations of the owners and/or managers' properties. There is also the case where workers can be penalised by the algorithm if they offer the same property simultaneously in two different platforms. In the case of riders and/or couriers, their availability can be downgraded if they are not permanently available or if they decline rides. The algorithm does not intervene in the same way regarding all the services, but workers are dependent on its management and control. Other platforms, such as Uber, Airbnb and Deliveroo, outsource all asset ownership other than software and data analytics, then profit as digitally savvy middlemen. Each type of platform often combines one or more revenue models to make a profit, involving the extraction of surplus-value in the process. Even in the case of Airbnb or call centres, the most important asset for platforms is intellectual property, such as company software, algorithms, and user data, which is being created, not only by customers, but mainly from workers, in an exploitative situation (Srnicek, 2017). The more workers a platform accumulates, the more potential it tends to generate value from its customers and their activities on it, leading to rapid, exponential growth and unprecedented capital accumulation over a relatively

short period of time. Srnicek (2017) also uses a metaphor for data where it can be compared to oil, that is, a resource to be extracted, refined, and used in a variety of ways. In this sense, all these workers are dependent on platforms to sell their labour, independently from using, or not, their means of production. As further discussed in this article, all these workers found themselves trapped in high levels of precarity and dependency during the pandemic, when most platforms unilaterally decided to cancel their services, not providing them with any social or governmental support due to their contractual (false green receipts) and/or informal situation.

3   The Portuguese Context

In countries such as Portugal, digital labour platforms have grown considerably in the aftermath of the financial crisis of 2008, as many people started to look for alternative sources of income due to the high unemployment rates (Chicchi et al., 2020). In 2018 Portugal revealed the largest share of workers in "on location" services (e.g. co-working infrastructures or goods delivery) and it was amongst the "Top 5" regarding digital services (Upwork, Freelance) (Pesole et al., 2018). According to Brancati et al. (2019) Portugal presented the third largest number of platform workers among the fourteen European countries. In comparative terms, the percentage of individuals that have never done any type of work via online platforms is slightly above 10% in Spain, UK, Germany and Portugal, while in France, Sweden, Hungary, Slovakia and Finland it reaches 7%, or lower (Pesole et al., 2018). Furthermore, the Online Labour Observatory Index reports that the top online occupations in Portugal are creativity and multimedia, software development and technology, writing and translation (Kässi and Lehdonvirta, 2018). In comparative terms, the ratio between men and women varies from 0.18 in Finland to 0.91 in Portugal, where nearly as many women as men spend at least ten working hours on platforms or earn 25% of their income through platform work (Pesole et al., 2018).

   There are two main regulatory interventions that affect digital platform work in Portugal: the 'Uber law', enacted in 2019 (Law No. 45/2018) (Amado and Moreira, 2019), comprising the ride-hailing service, establishing a labour relation mediated by an intermediary company; and the Municipal Regulation of Local Accommodation for Lisbon, in 2009, which is a regulatory mechanism for tourist accommodation (Airbnb). Regarding other digital labour platforms in the country there are not any significantly oriented legislative marks.

Concerning Portuguese research on digital platform work, there is some literature, especially in the sphere of how platforms change value chains and relationships between companies, also contributing to the economies of scale. Also, public debates have centred their attention on Uber and Airbnb platforms (Pugliese, 2016; Brochardo et al., 2017; GEP, 2017; Estanque et al., 2018; Gouveia, 2018; Amado and Moreira, 2019; Rebelo, 2019; Teles and Caldas, 2019; Leonardi and Pirina, 2020). Nevertheless, little is known about other platforms and gig workers who often compete, having little or no access to rights, facing difficulties in accessing a salary, meal allowance, and social labour benefits, such as unemployment, healthcare, insurance against accidents and pension schemes.

4 Platform Work in Portugal: Case Studies

4.1 *Ride Hailing in Portugal: Traditional Union Mobilisation*

Uber is not only the largest ride-hailing platform in Portugal but is also a significant actor in the development of the wider platform economy in the country (IMT, 2020). It became a business working model, and a symbol for the gig economy, designating this economic trend as *Uberização* or Uberisation. In 2018 it named the regulatory 'Uber Law', which took a long time to be approved by the Portuguese parliament. This law does not allow the direct recruitment of drivers by digital platforms, creating the category of ride-hailing 'TVDE' operating companies to mediate between the platforms and its drivers (Amado and Moreira, 2019).

Ride-hailing platform services in Portugal started with passenger cars and are moving into heavy goods (a sector with 70 000 workers) and heavy passenger vehicles (with digital platforms for rentals, both for casual use and tourism). Besides Uber, there are two main passenger transport platforms operating in Portugal: Bolt and FreeNow. The Portuguese legislation created the category of ride-hailing operating companies (TVDE-operating companies), mediating between platforms and ride-hailing drivers. In 2021 registration figures indicated approximately 8200 TVDE-operating companies, 9 registered platforms registered and 29,543 licensed drivers performing Uber-like activities in Portugal. Pre-pandemic numbers revealed that there were more taxi drivers (25 677) than ride-hailing licensed drivers (23 167) at a national level. However, this distribution was reversed in larger cities. The districts of Lisbon and Porto have more TVDE drivers than taxi drivers: more than half of TVDE drivers are concentrated in the district of Lisbon, where their number (12 436) exceeded

that of taxi drivers (9427) by 32%, while in the district of Porto there are 16% more TVDE (3927) than taxi drivers (3322).

At the end of 2017, Uber opened a technology centre in Lisbon, hiring 400 employees, for testing new services and enhancing dialogue with policy makers (Leonardi and Pirina, 2020). It also provided support for Uber rides in Europe and serving users, as well as drivers and restaurants through the Uber Eats food-delivery application, contributing for the improvement of Uber's services, policies and internal processes.

Up until now, there have been two active trade unions in the ride-hailing service. One of them is much more active: the traditional Union of Road and Urban Transport Workers of Portugal (STRUP), being affiliated to the confederation CGTP and to FECTRANS, the main federation of transport trade unions in Portugal; and the other is the Trade Union of TVDE Drivers Portugal (SMTVDE), more recently established and non-affiliated, even though little is known about it. Besides trade unions, there are two business associations concerned with the TVDE service: the Business Association of Operators of TVDE (AEO-TVDE), aiming at representing the interests of ride-hailing operators with bigger fleets; and the Socio-Professional Association of Partners and Transport Drivers in Uncharacterised Vehicles (APMVD), representing operators with fewer cars, including drivers using their own vehicles.

According to the interviewees, ride-hailing drivers face several issues regarding inadequate legislation, payment, long working hours, difficulties not only in finding collective voice but buying and maintaining a car. The Portuguese legislation does not include a specific legislative labour framework for digital platforms (Rebelo, 2019). The presumption of employment contract (Article 12 of the Labour Code), approved in December 2021, should be updated and enriched regarding other indexes that could facilitate the inversion of the burden of proof. Platforms also use a brand image in the market which identifies it, while platforms set fees for the work to be carried out, establishing maximum and minimum limits (Amado and Moreira, 2019). The interviewed drivers revealed significant discontentment regarding Uber Law's outcomes. A former female car owner, and a part-time renter (paying 55% to the owner), mentioned that the more regulations are created by policymakers, the less revenue will be obtained, hindering the organisation of workers.

Despite the continuous profits from Uber, Portuguese workers face significant problems regarding the loss of revenue in their activity resulting from the demands of the Uber law (insurances, licenses and registrations), competition from an increasing number of new drivers and partners, and issues related with the Covid-19 pandemic. Nevertheless, Amado and Moreira

(2019) argue that there is a high number of operators carrying out this type of passenger transport.

Another important aspect is related with the access and the maintenance of a vehicle using the Uber platform, that is, the means of production. Here, the diversity of situations is important as it reflects the existence of both business associations and trade unions in the sector. Most of the interviewed drivers, rented their cars to a contractor or shared their daily profits, seeking specific representation of their interests as workers.

However, the diversity of self-perceptions amongst drivers constitutes a significant problem to collective organisation. Multiple collective voices reflect the lack of common positions and organisational strength in the workforce, trade unions and associations (AEO and APMVD). A young female driver pointed out that after paying off her car credit she could support herself and her way of living. She also mentioned that several workers reacted negatively, by calling her a communist, to a spontaneous survey that she conducted on Facebook, concerning ride-hailing earnings. She interpreted this reaction as linked to a common wrong perception about trade unions in Portugal, often perceived as political organisations, especially by the left political parties.

Ride-hailing drivers are facing difficulties engaging in collective action, especially due to the division created by the undefinition and overlap of interests regarding associations (AEO-TVDE and APMVD), which do not fully represent them, but employers and workers. According to a unionised ride-hailing driver, organising is very difficult in this sector. In addition, two other interviewees mentioned that the solution to engage in collective action would go through the creation of an independent union.

In June 2020, the major transport trade union STRUP had no ride-hailing members, only a few taxi drivers who worked for cooperatives and private companies. According to the STRUP union leader, digital platform workers need organising. When ride-hailing workers had labour problems, they tried to solve them individually with the platform companies, instead of using a collective organisation. However, as mentioned, this position changed due to STRUP's engagement with TVDE drivers shortly after this interview occurred. In fact, STRUP led a campaign to mobilise rank-and-file TVDE drivers in the summer of 2020. A working group including TVDE drivers was assembled by STRUP to state the main problems and demands of ride-hailing workers, which was very active from the point of view of traditional unionisation standards. They were able to gather support from the main Federation of Transport and Communications Unions (FECTRANS), from its confederation CGTP-IN and even from the Portuguese Communist Party. The addressed issues were the following ones:

– A Collective Labour Contract (CCT) for the sector to be applied to all drivers;
– Fees and price regulation;
– Limitation of the total number of licences for ride-hailing vehicles;
– Review of the age limit for vehicles (towards a possible increase);
– Professional training;
– Prevent workers from being permanently deleted from the platforms if certain criteria were met or rules were broken;
– Mandatory presence of a representative of the platform to deal with drivers/operators;
– Review of the evaluation system by users;
– Review of the dimensions of the vehicle identification badge;
– Guarantee of conditions for the transportation of children;
– Creating parking spaces;
– Elimination of the monopoly held by insurance companies;
– Ensuring effective enforcement of the law and working hours;
– Review the deduction in VAT on diesel.

The union leader also mentioned that they were received by a member of the Parliament, who was involved in drafting the first Uber Law (Law No. 45/2018). There was an increased awareness regarding the fact that the Collective Labour Contract of taxis could be extended to ride-hailing drivers, as the trade union aimed strategically. Overall, the union expects to be included in the future round of negotiations regarding the revision of the Uber law, as a social partner representative of the sector.

4.2   *Food Deliverers: Searching for Representation*
In 2017 Uber Eats and Glovo started operating in Portugal and it has been continuously and substantially growing. Uber Eats is the largest company in the food service (30% market share), followed by Glovo (with 20%). Its business model is based on a digital platform allowing tight control of the entire operation between end consumers, couriers and restaurants. Restaurants present their menus on the app, consumers select and place their order(s), an Uber Eats or Glovo courier collects it from the restaurant and proceeds with the delivery to the consumer. At the end of each service, the consumer has the possibility to rate his/her experience regarding the delivery, that is, to rank the restaurant and the courier.

Uber Eats has the following income fluxes: commission paid by the restaurant to Uber Eats (15–40% of the total cost and a delivery fee paid to couriers); 25% is retained by Uber Eats and the fee comprises three elements: collection fee, delivery fee, and distance charge (per kilometre), which may

vary according to the location, distance, and availability of each driver. The dynamic fee (surge pricing) is set by the algorithm at peak times. Platform couriers are paid for each service and choose where and when to work, as well as the means of transportation they use (car, motorbike, bicycle), either owned or rented. Uber Eats and Glovo highlight flexibility as the first advantage of the activity to potential candidates interested in doing courier work. The activation of the app outside the higher demand period implies less income per hour of service. The only regulation regarding food delivery-based platforms is the presidential decree No. 3-A/2021 that reduces temporarily the commissions paid to platforms up to 20%.

Regarding the profile, food deliverers are mostly male, young, migrant from Asia or the Global South, and independent or self-employed workers. The union density in the hotel and restaurant sector is below 10%. These traditional workers are affiliated in the General Confederation of Portuguese Workers—National Inter-Union (CGTP) and they define themselves as class and mass organisations, that is, CGTP and its structures follow a strategy of confrontation with the employers (class struggle) which relies, mainly, on their implementation at the workplace level.

Platform food deliverers are not part of the traditional trade union membership. Their low status and high turnover are obstacles to unionisation, reducing unions' inclination to invest in their organisation. Nevertheless, the visual exposure in the streets of major cities and the 'bogus self-employment' situation, without accessing any labour rights and collective representation, may motivate unions to make an investment. In relation to the latter, an interviewed CGTP representative mentioned that:

> If we look at the definition of employee in the Labour Code, it is easy to see that these platform workers are employees.

In that sense, there is a subordinated situation, as workers need the platform to carry out their service, receiving instructions and/or tasks which must be followed to maintain their logged status. This leader also mentioned that CGTP defends the legal regulation of work through digital platforms at a national not EU-level, and that it should be complemented by specific collective agreements for different types of workers, such as ride-hailing drivers, couriers and others. CGTP's strategy aims to put pressure on the government and on the parliament to regulate platform work to legislate the dependent worker status, as well as to explain to these workers that they are objectively victims of over-exploitation. The interviewee also mentioned that the CGTP Employment Department

will publish on the website the hourly price calculations of digital platforms workers, to show that their earnings are very low.

This research identified two active unions in the field: Sindicato dos Trabalhadores na Indústria de Hotelaria, Turismo e Similares do Norte (STIHTSN) and Sindicato dos Trabalhadores na Indústria de Hotelaria, Turismo e Similares do Sul (STIHTSS). These two regional unions are based in Porto and Lisbon, and have approximately 9000 and 5000 members, respectively. STIHTSN's actions in the milieu of couriers started in 2016, after an accident involving a Glovo worker. During an informal conversation, on January 25, 2021, its president noted that repeated attempts to dialogue with the couriers did not reach the desired results. The vulnerable position of migrant workers reduces their willingness to organize and to mobilise. Another leader from the STIHTSN denounced the existence of a network of account holders on the platforms, enabling them to irregular migrants who do not have the necessary documents to register. Both interviewees stated that this subcontracting scheme has created a greater dependency which is conducive to over-exploitation and intimidation. On November 18, 2020, a leader from the STIHTSS reported that it has been possible to organise some meetings with a small number of participating couriers (approximately 10). Both union leaders understand that the use of social media, such as Facebook and WhatsApp, are of greater importance for couriers, even though they have not yet managed to join their social media groups.

In 2007 Precários Inflexíveis, an Association for combating precariousness, was created, aiming to represent all precarious workers in Portugal (Soeiro, 2015). Its members have an internal reflection which dialogues with political and union partners about possibilities for defending digital platform workers. Their strategy is centred on the demand for the recognition of the status of the couriers as dependent workers, while also trying to introduce new dynamics in attempting to organize them.

The (scarce) data on the evolution of the intermediary platforms' business in the sale of goods or the provision of catering and similar services in Portugal, as well as observations provided by the interviewed unionists, confirmed a strong increase in the number of couriers during the pandemic. During the first lockdown, their visibility in urban areas gained centrality as they became frontline workers, also providing a relevant factor for improving the conditions regarding public health and pressurizing the government to legislate. This relevance given towards couriers also has the potential to increase their self-esteem and willingness to claim for better working conditions, which may facilitate their unionisation process.

4.3 *Upwork and the Rise of Alternative Movements*

Digital freelancers work with established digital platforms which help them bid for tasks and projects, as well as to get customers. Many freelancers with residence in Portugal, or with Portuguese nationality, earn their projects through Upwork and/or Freelance platforms. According to the interviewees, most freelance workers use Upwork in detriment of Freelance. They operate in areas suited for this type of work, such as software development, translation, marketing, design and web design, photography, illustration, among others (Lemos, 2019). A couple of interviewed digital nomad bloggers and photographers reported they had to work online for one year until they could start receiving any counterpart or payment. But there are cases of those who simply cannot succeed.

Our non-representative sample comprised 83% of women, where 50% were non-nationals, residents or passing by Portugal, and 83% white Caucasians. The interviews conducted with Upwork freelancers revealed that they were young and highly qualified professionals regarding their education status (Master level, ISCED 7), although one of them was already in his mid-forties. We estimate that the majority of Upwork workers are data programmers and IT engineers, followed by web designers, marketeers, and other professional areas. Many are freelancers have self-perceptions of entrepreneurs, advocating ideas of digital nomadism and travel around the globe. They also tend to work separately from home, in coworking spaces, cafés, lodgings, rural houses, that is, where a stable internet connection is present. In some cases, there are micro companies that are used for bigger projects. Many revealed that it took them two years to earn a living wage, as international competition from countries with lower living standards drives prices too low in bids for tasks or projects. Also, two interviewees mentioned their unpredictable incomes, long working hours and high intermediary commissions up to 15%.

Our fieldwork did not detect any traditional form of collective representation, business associations, employers' associations, trade unions, nor any works councils. There were no collective agreements relevant for this analysis. However, we have inquired other traditional trade unions that could potentially represent freelancers working for digital platforms: the independent union Sindicato Nacional de Atividade Turística, Tradutores e Intérpretes (SNATTI) that represents self-employed workers in the tourist activity sector, translators and interpreters; the Union of Workers and Technicians in Services, Commerce, Restaurants and Tourism (UGT member); Sindicato Democrático dos Trabalhadores dos Correios, Telecomunicações, Media e Serviços

(SINDETELCO) and Sindicato Nacional da Indústria e da Energia (SINDEL) (UGT member); Sindicato dos Trabalhadores do Comércio, Escritórios e Serviços de Portugal (CESP) (CGTP member). These unions did not appear to be interested in the collective representation of these digital workers. SNATTI's president stated that, as far as he knows, his union does not have members engaged in digital labour platforms. According to an interviewed UGT leader, their affiliated trade unions are mostly concerned with workers in traditional companies in their respective sectors, even though some members are also freelancers. He also mentioned that it is very difficult to organize these workers who are geographically dispersed and lack a sense of a collective group for they perceive themselves as entrepreneurs.

There are also other movements/associations that could be interested in the collective representation of digital freelancers. Precários Inflexíveis, Plataforma 15 de Outubro, and Movimento sem Emprego had a remarkable level of participation regarding the anti-austerity demonstrations against precariousness in Portugal, during the period of 2011 and 2012 (Lima and Artiles, 2013). Furthermore, there is the traditional youth organisation of CGTP— Interjovem—that has been involved in promoting activities and protests to raise general awareness of the precarious working conditions of young people. However, it is not clear to what extent these organisations are interested in representing freelancers, or digital workers. The lack of concern and concrete concepts on how to represent these workers is most certainly the rule for unions and other associations and movements (Rego, 2018). Unionisation is also traditionally lower in high-tech sectors and among younger professionals.

Unsurprisingly, the interviews conducted with digital freelancers revealed that they were not aware of the existence of any trade union, nor movement/ association that represented their interests in the country. One of them, a 46-year-old translator, mentioned that he never had contact with any form of collectivism throughout his 15-year career. Certain Facebook pages, apps and websites offer guidance to deal with the issues that Upwork freelancers face. Some interviewees revealed difficulties regarding earning a salary, conflicts with customers (as Upwork tends to favour them), social security payments, unemployment benefits, health insurance and retirement plans, although it is difficult to access the full coverage of these concerns among workers. Younger freelancers revealed difficulties regarding bureaucratic work to regulate their professional practices.

Four interviewed Upwork activists mentioned that they were keen on having collective voice as an alternative to trade unions and movements/associations. Two of these freelancers revealed motivations to create their own movements based on social media, and to engage in face-to-face and online talks, writing

books and joining social gatherings. Digital freelancers might look for alternative movements by creating groups where guidance and information about minimum prices is shared. Furthermore, most Upwork freelancers can either work atomized, in networks of similar/complementary professionals, or through online companies in Upwork. Many reported that they see their voice represented in many informal groups, including those oriented to socialize and exchange information about freelancers' platforms, such as Meetups, named as Digital Nomads in Lisbon and Porto. These movements include forums such as Grow Remote Portugal, Grow Remote Europe, Remote Work and Digital Nomadism, among others, and also prepare activities to pass information, socialize and share experiences, such as the Remote Leaders Meetup.

One female interviewee was an activist leading an alternative movement, having worked for two years for Upwork as a communications/marketing manager. After that, she organised a website and a Facebook group about digital nomads, and now she is a counsellor for aspiring digital nomads. Digital freelancers engage in gathering and sharing information about prices, tasks and projects, platform working conditions, reputation, etc. The intensity of these online activities can function as a substitution for the network offline freelancers need to survive in the traditional economy, because they are often separated and isolated from companies' culture, organisational processes, and face difficulties in developing personal contacts.

Most of the interviewed Upwork freelancers mentioned hybrid forms regarding their digital businesses, where their income came both come from Upwork and customers that received references from past digital gigs or traditional jobs. In the platform, they offered professional specialisations for more complex projects. This portfolio of strategies allows freelancers to have knowledge about work arrangements in Upwork, information about payment, providing reputation, and others.

These workers comprehend a smaller and younger segment of the digital labour market, revealing trust in their mobility and employability, believing that they can build their successful businesses. Therefore, it can be argued that, for most freelancers, any form of traditional collective association seems unnecessary.

4.4   *Airbnb: New Business Associations*

Since 2014, that Airbnb and the hospitality industry have been growing exponentially. The predominant types of accommodation are apartments, villas or private houses, and small collective lodging establishments (hostels/dormitories). According to the interviewed president of the Association of Local Lodging Establishments in Portugal (ALEP), the labour force of this

sector (80%) comprises individual entrepreneurs, self-employed, with two or three units per acquisition on average, where 20% are micro-enterprises, whose employees are also managing partners, and 2% to 3% are employers with more than 100 units, with 15 to 30 employees.

The Portuguese local lodging platform service is a unique case study at the European level due to its labour regulation in the field of tourism. It was a pioneer in the regulation of local accommodation (short-term rental) and was the first country in the world to create a regulatory mechanism for tourist accommodation, namely the Municipal Regulation of Local Accommodation for Lisbon. The figure of local accommodation was created in 2008 by the Decree-Law No. 39/2008, allowing the provision of temporary services in private accommodation and small collective establishments that do not meet the requirements for tourist developments. However, the increase in demand for new types of tourist accommodation, the emergence of peer-to-peer online platforms gave relevance to local accommodation in the tourism and the economic sectors, resulting in the creation of a specific legal diploma for this activity (Decree-Law No. 128/2014, amended by Decree-Law No. 63/2015, of 23 April). Being recognized as a form of alternative tourism, Airbnb enhanced the dynamics of the cities and revitalized the economy after the 2008 financial crisis. The Airbnb business model is based on hosts who are property owners, with non-proprietary workers, sometimes taking on tasks such as management, administration and cleaning activities on behalf of the hosts. Our interviews were predominantly conducted with property owners. Airbnb workers tend to be highly skilled holding an academic degree, and without any prior training in the tourism sector. There is also a mismatch between the qualifications of these workers, especially academic ones, and their job roles in Airbnb, where most of them perform multiple interrelated tasks, requiring total availability, such as management, administration, check-in and check-out, cleaning, laundry, technical maintenance and ancillary activities. However, it should also be noted that among them there is a group of intermediate and invisible workers, mostly subcontractors and small companies, sometimes family-run, who carry out tasks such as cleaning, laundry, electrical maintenance, plumbing, gardening and food supply. These invisible workers are generally either subcontracted through temporary work agencies or are under an internship program set up by the Employment Centre.

Our interviewees were between 39 and 56 years of age. Despite being workers who use digital platforms as a marketplace to boost their business, their relationship with the property and the socio-economic status differs greatly from other digital platform workers, such as Uber and Glovo. Workers in this service especially comprise freelancers and managers, who establish

their working hours and own their means of production. They do not perceive themselves as traditional digital platform workers, but as independent self-employed entrepreneurs, sole proprietors, and people with a management contract (that is, managing partners) under the regime of green receipts or invoices. These consist of a contractual figure attributed to independent workers and freelancers, even if that situation might not be confirmed. During the interview conducted with the President of the Azores Local Accommodation Association (ALA), he stated that in the Azores, there are also some retirees who list their houses, in addition to their main residence, to gain additional income. Most of these retirees manage the properties themselves and do not engage in subcontracting. This contrasts with the average Airbnb listing in mainland Portugal.

Airbnb, Booking, VRBO (former HomeAway), and TripAdvisor platforms, are the most common in Portugal and operate on a semi-exclusive basis. Airbnb penalizes those who advertise the same property simultaneously on other platforms by not promoting them. There are those who prefer to use a Channel Manager to operate all platforms simultaneously. According to the interviewees, Booking attracts the greatest number of customers. It charges a 15% commission, plus 1.1% of the payment processing fee regarding search results. Since December 2020, Airbnb has charged 15% to the host while the guest only pays for the lodging, allowing guests to have full clarity over the final price, thus increasing customer satisfaction and competitiveness.

Finding collective voice among this diversity is very difficult for there are neither employers' organisations, nor specific trade unions in this sector. The core is characterized by a high rate of self-employed and freelance workers (owners and managers) who are not in a dependent employment relationship (employer–employee). The employers' associations in the hotel sector sometimes claims that they also represent the Airbnb sector; however, their focus is centred on the reality of traditional hotels, with no significant efforts to recruit local lodging or Airbnb members.

In terms of trade unions in the hospitality sector, Airbnb workers do not fill their target recruitment base, as the vast majority perceive themselves as managers and/or independent workers. Delegated tasks can be performed by subcontracted workers whose members should be unionized, even though these tasks do not constitute their core work. Alternatively, these tasks can be subcontracted to specialized companies that belong to employers' associations. The low turnover of Airbnb hosts and property owners is often connected to the fact that they rarely find themselves in a situation of unemployment or underemployment. They investment their time and money into their property and cultivate a well-established commercial activity. This longevity of hosts/

property owners on Airbnb explains the new form of collective organisation taking place in this service and the significant numbers considering unionisation. Nevertheless, there is a very relevant change occurring in business associations, which have never been involved in any social dialogue process or collective agreement regarding Airbnb.

ALESC (Local Lodging Clarifications Association) was created in 2014 with the objective of promoting discussion and clarification of topics related to Airbnb. It arose from a growing need for information on the part of managers and owners from this service, namely in terms of legal and tax frameworks. It operates through a website and a Facebook page with 70,000 members, acting as an association of small entrepreneurs and workers, disengaged from any political involvement, and supporting ALEP. It also allows workers to obtain information regarding legislation customers, and to organize in social protests and debates about negotiations with the government. In fact, some of the main Airbnb issues were first presented and discussed in ALESC's group and then presented to the government through ALEP's action. ALESC was created by ALEP's first vice-President. These groups and associations play a crucial role for they fill the gap that unions are not yet able to fill.

ALEP was created in 2015, following a process of changes in the autonomous legal regulations that started on November 27, 2014, coinciding with the fact that Airbnb was becoming a topic of controversial public debate. According to ALEP's President, the association provides support to anyone who joins or who is involved in Airbnb; but for more specific legal information or issues, membership is required with an annual fee of 80 euros, including public liability insurance, only mandatory for mainland Portugal. This interviewee also claimed that the association represents approximately two-thirds of the activity of members who own between one to three properties. In terms of representativeness, ALEP provides support for operators/members to engage with government authorities, city councils and tourism entities, intervening at the national level. It has delegations in mainland Portugal and in the Autonomous Region of Madeira.

ALA has 173 associates, representing 3000 beds and 10% of owners in the Airbnb sector in the region. The latter acted as a major driver for the entire local and regional economy, especially in the aftermath of the 2008 crisis, serving as a route out of the economic downturn and creating a new dynamizing economy in several sectors. It also helped expanding the number of beds available in the tourism sector, which was necessary following its increase resulting from the 'liberalisation' of the Portuguese airspace. In Madeira, the Airbnb sector does not have its own employers' association yet, only the presence of ALEP.

The representation of Airbnb by traditional employers' associations or trade unions was not evident from our interviews. This research suggests that these traditional organisations are only interested in claiming broad representation to foster their lobbying activities with governments and other institutions in the tourism sector. An interviewed expert in trade unions mentioned that unions are not interested in the Airbnb sector because most workers are managers and entrepreneurs, small or large business owners, who are not in a dependent employment relationship. Also, Airbnb workers do not consider themselves represented by unions either, because self-perceived employers or entrepreneurs do not fit into the schemes of traditional trade union work. In this sense, these workers felt the need to create their own structures as employers' associations. The traditional hotel sector dominates the sectoral agenda through their own employers' associations and unions. As a result, Airbnb workers believe they cannot speak for the service, focusing on the interests and representative structures that relate to the local lodging subservice alone.

With the pandemic, digital platforms reduced their range of customer support channels, and proceeded with the unilateral cancellation of the reservations of their host customers. There were also situations of lack of eligibility for accessing social benefits, especially resulting from independent contractual situations, affecting self-employed workers, with exclusive activity in the Airbnb rental contracts, and those who did not present organized accounting.

4.5   *Callcentres@Home: Trade Union Competition*

Since the beginning of the 21st century, Portugal became an attractive country to install call centres, mainly due to the inexpensive and qualified workforce, governmental support, suitable digital infrastructures, and geographical location (Roque, 2018). Recent accounts reveal that the phenomenon spread from big cities to small-to-medium size ones across the country, attracted by municipal taxes, lowering labour costs, qualified workforce and local monopsonies.

Call centre workers are mostly young and middle-aged adults, mainly women, who may hold several skills or qualifications, such as a degree, but rarely use it while performing their tasks. Their contract status varies from being an independent (green receipts), to an effective and temporary precarious worker with renewable contracts (Roque, 2010). Most receive the minimum wage with the possibility of achieving performance bonuses provided by the reward policy of the company. Poor working conditions regarding precarious contracts, lack of ergonomic and safety and health conditions, moral harassment, control

and surveillance, intensive work pace, and lack of breaks illustrate the world of call centers. The majority is also outsourced by temporary work agencies who offer short-term and flexible contracts, allowing easy dismissals or seasonal replacement with other workers more profitable to the companies (Paul and Huws, 2002; Roque, 2017). In this sense, high levels of turnover are a characteristic of the service industry, hindering unionisation (Roque, 2010). Also, there is collective agreement that covers the call centre service, excluding social dialogue (Roque, 2019).

Since 2014, that the independent Sindicato dos Trabalhadores de Call Center (STCC) has been frequently promoting actions, protests, and strikes. It is noticeable to see that STCC has been influencing traditional trade unionism, especially through cyberactivism. Besides STCC, there are other five trade unions in this sector:

– Sindicato Nacional dos Trabalhadores das Telecomunicações e Audiovisuais and Audio-visual (SINTTAV; CGTP-IN member);
– Sindicato Das Indústrias Elétricas Do Sul E Ilhas (SIESI; CGTP-IN member);
– Sindicato dos Trabalhadores do Comércio, Escritórios e Serviços de Portugal (CESP; CGTP-IN member);
– Sindicato dos Trabalhadores das Indústrias Transformadoras, Energia e Atividades do Ambiente do Centro-Sul e Regiões Autónomas (SITE CSRA; CGTP-IN member);
– Sindicato Nacional dos Trabalhadores dos Correios e Telecomunicações (SNTCC; CGTP-IN member).

According to two interviewed unionists, STCC and SINTTAV are the most representative and active ones, but SIESI and CESP have been responsible for relevant industrial actions. STCC is the only one specialized in call centre workers' activity in Portugal.

During the pandemic, society in general realized that many tasks and services were kept on functioning through call centres. That lead to a change in the public perception of the working conditions in this service. A critical turn occurred when a strike called by STCC draw light into the behaviour of many companies in this service, as its president mentioned:

> Our strike, in late March 2020, called attention to the fact that most call centres refused to allow their workers to move into telework, forcing them to continue to work together in the companies.

There were several examples of strikes. In 2019 SIESI demanded higher salaries, the increasing of holidays and the direct hiring of outsourced workers. According to this union, 90% of Randstad workers joined the strike. Workers

at corporate call centers also had a national strike day in late October 2019. SINTTAV went on strike, between December 22 and December 31, 2019, to protest against temporary work agencies that refused to negotiate with unions (Boavida and Roque, 2023). Between late December 2020 and early January 2021, call centre workers went on strike demanding direct hiring, an end to false temporary work and the recognition of call centre operator as a profession. As the STCC President mentioned:

> Our strikes during Christmas and New Year intended to claim the same regulations about telework that existed in the labour code, demanding the creation of a profession with regulation, the dignification of our work, and a subsidy for telework.

According to a representative from SINTTAV, during the pandemic there were several digital strategies conducted on WhatsApp and Facebook to deal with telework, allowing workers to access the same information, increasing transparency and impartiality, revealing much of the unions and delegates' work. Nevertheless, STCC has been adopting this strategy since 2014, while conducting virtual plenaries and negotiations during the pandemic.

During the first lockdown, in March 2020, Teleperformance forced its 10,500 operators to work during the weekend, threatening them with the refusal of transitioning to telework (Boavida and Roque, 2023). According to STCC some companies created unsafe and precarious working conditions, as in the case of allowing workers who had tested positive for Covid-19 to enter the workplace alongside healthy workers and without informing the whole community of workers (Roque, 2020). Furthermore, SINTTAV was concerned with teleworking regulations drafted by companies with the consent of the works councils, not trade unions, where supervision was intensified. Some call centers were prone at using social media, especially through Skype and WhatsApp, to control workers in a more pervasive way, for the main systems of call answering continued to be provided by digital platforms and by the console (algorithm). Nevertheless, the consequences resulting from the transition to telework are still at stake, namely issues regarding costs, performance bonuses, salaries and moral harassment.

5   Conclusions and Recommendations

Our fieldwork demonstrated that the institutional power of digital platform workers in Portugal is practically non-existent, especially among Upwork and

Airbnb workers. Unions consider labour standards in these platforms as a threat to their collective contracts, especially because they are more prone to deal with traditional sectors. However, the presence of an active trade union could lead to collective voice and to the possibly of better prospects at work. In this article it was demonstrated that besides the low involvement of unions in workers' struggles, especially in the case of Airbnb, Upwork and couriers, there is the willingness of workers to organise and manifest their solidarity. Call centre workers have been striking and organising with the help from trade unions. STCC has had a special role in using social media, apps, and online platforms; Upwork freelancers have organised through social media and apps, business hubs and groups to struggle for their activity and to gain their customers in a deregulated sector; Airbnb workers are organising and debating their issues, also through social media and their business associations, that during the pandemic managed to inform their associates by organising online conferences and plenaries; couriers have been struggling with several strikes and have presented their demands to the government, with the help from STRUP and Precários Inflexíveis; finally, ride-hailing workers have also been striking on a more intense basis, since 2019, delivering their specifications to their platforms' headquarters, demanding that commissions and fees should not be fixed, nor imposed by the platforms. Inspection activities by the Authority for Working Conditions should also be oriented to check contractual status of the non-proprietary workers, as in the case of Airbnb, and a more protectionist action regarding all digital platforms.

The 'Uber Law' (Law No. 45/2018) presented too many faults, especially regarding the exact rigor in job creation and sustainability of companies that invest in the country, leading to a complete loss in salaries for it does not cover all the costs. A regular labour contract for all platform workers could provide access to the legal minimum wage, meal allowance and a working schedule, that is, decent working conditions. New categories of workers covered by collective bargaining (platform workers, outsourcing workers, and economically dependent self-employed) should be created, with consequences in their taxes and social security, since they cannot access social benefits, but also the recognition of specific functions and issues related with these services. Also, the rating system, operated by the customer, allegedly in an unfair way, should be impartially reviewed to stop workers from being penalised or dismissed/disconnected. The parameters established by the algorithms that control the labour process should also be clearer, not so pervasive in control, nor opaque and volatile to the worker.

Legislation regarding digital platforms has been in discussion not only at a European level, but also in Portugal. In some countries, such as Spain, platform

labour rights have been changed, demanding the implementation of the presumption of employment. From the platform workers' point of view, some prefer to remain as self-employed for they value platform work for its flexibility to balance their income, to engage in other commitments and other activities, to work simultaneously for several platforms and to remain independent, such as in the case of local lodging (Airbnb), freelancers (Upwork), and couriers (Boavida et al., 2023). Nevertheless, the Commission's proposal marks the beginning of a policy process with room for constructive inputs and learnings before the final directive is adopted aiming at an agenda for decent work.

Acknowledgements

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