



The gig economy in Chile: Examining labor conditions and the nature of gig work in a Global South country

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ABSTRACT

While there is growing literature regarding the impact of the gig economy in countries of the Global North, the way it operates in Latin America and the Caribbean remains underexplored. This article describes platform work in Chile, especially in the context of COVID-19, which has highlighted the essential role of geographically tethered digital platforms in facilitating essential goods and services in times of social distancing and quarantine. While the gig economy has provided employment for those outside traditional labor markets, its supposedly ‘collaborative’ employment structures obscure the different costs of precarity and informality transferred from platforms to workers (Ravenelle, 2019). Based on 35 interviews with gig workers using the Fairwork framework to evaluate working conditions in the gig economy, this article examines digital labor relations, both on paper and in reality; the conditions and limitations gig workers face daily; and their perceptions regarding such platforms. We discuss the contradictory experiences felt by platform workers, dependent on the platform in some ways, and independent in others. We argue that the inherently contradictory conditions and circumstances of platform work have become even more salient for gig workers in the context of COVID-19: risks increasingly fall on workers as platforms continue to stress their ‘choice’ to do so. This article reveals that the nature of the linkage between platform and worker is eminently a labor relationship, with clearly established elements of worker dependence.

1. Introduction

The term “gig economy” has reached consensus as a labor market characterized by the independence - and uncertainty - of the activities performed by its workers, and for which supply of and demand for labor are organized by digital and algorithmic infrastructure (Graham & Woodcock, 2018). Thus, while operating as merely “intermediary” or “ghost employer” (Gandini, 2018), the digital platform mediates the supply of labor and the demand for professional services and establishes a “capital-labor” relationship with the worker.

Distinct from other more traditional forms (e.g., employment agencies or online job search forums) (Koutsimpogiorgos, van Slageren, Herrmann, & Frenken, 2020), digital platform intermediation to organize labor activities through algorithms and rating systems using digital data extracted from transactions and communications is, indeed, what some consider the basis of “platform economy” (van Doorn & Badger,

2020). The platform economy “encompasses a wide array of digitally mediated economic transactions involving the exchange of goods and services” (Vallas & Schor, 2020 p. 16.2), including the transaction of varied services provided temporarily by “gig workers”. One of the advantages of this economy is the low barriers to entry that allow sectors traditionally excluded from the labor market to gain access (Drahokoupil & Piasna, 2017), such as women and international migrants (Alderman, 2020; Bajwa, Knorr, Di Ruggiero, Gastaldo, & Zendel, 2018; Graham, 2020; Patuzzi & Benton, 2019). Employment in the “gig economy”, however, is most notable for the legal status it affords: although considered independent, worker autonomy is controlled by platforms through evaluations, monitoring, and algorithms. For this reason, lawsuits have been brought to reclassify these activities as those of an employee in some countries.

In Chile, a country with 19 million inhabitants, the platform economy –understood as the economic transactions digitally mediated–is

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increasing steadily. For instance, about 3.3 million households, equivalent to approximately 10 million people, used online delivery, ride-hailing and shopping platforms between May 2019 and May 2021 (Bravo & Castillo, 2021). Meanwhile, in relation to “gig work” activities organized or mediated by platforms, it was estimated that 189,100 people had earned income on digital platforms in the previous 24 months, equivalent to 2.1% of Chile’s working population (Bravo & Castillo, 2021). Other reports stated platform workers make up around 2.3% of the working population (approximately, 205,000 workers), indicating that the number of platform workers has grown by 54% from September 2020 to June 2022 (Fuentes & González, 2022).

Why study the “gig economy” in Chile? In studies on other countries of the Global South, workers have been shown to experience low wages, control, and discrimination due to power asymmetries that favor platforms (Graham & Anwar, 2019). For highly unequal and segregated social contexts, as is the Chilean reality (Araujo, 2020) such cultural aspects require further research. Specifically, social and economic inequalities in the Chilean labor market may be reinforced by increasing precariousness in labor activities (Stecher & Sisto, 2020), or by the configuration of new labor subjectivities in retail, mining, and the public sector (Stecher & Soto Roy, 2019). The growing reliance on subcontracting (Stefoni, Leiva, & Bonhomme, 2017) may also facilitate abuses and foster labor precariousness, lower wages, greater uncertainty, atypical contractual forms, low bargaining power, and job insecurity (Stecher & Sisto, 2020). Thus, policy or theoretical definitions of job quality or “decent work” must be urgently reevaluated (Burchell, Sehnbruch, Piasna, & Agloni, 2014), especially in markets with none addressing it (National Productivity Commission, 2019). Finally, in the particular social and cultural context of Chile, frictions from information management in traditional labor markets may be exacerbated into increased discrimination as a result of algorithms in “gig economy” platforms (Adams-Prassl & Berg, 2017; Beerepoot & Lambregts, 2015; Galperin & Greppi, 2017).

The “gig economy” in Chile is thus here presented as a case study from an emerging labor market, in contrast with Global North countries (Hoang, Blank, & Quan-Haase, 2020; Moreschi, Pereira, & Cozman, 2020; Ravenelle, 2019; Rosenblat, 2019; Woodcock & Graham, 2020). As of writing, there are approximately ten platforms operating in the country: led by hail-riding apps like Uber and Cabify, the slow rise of gig work has increased in the last two years to include delivery of food (e.g., PedidosYa, Rappi) and supermarket products (e.g., Cornershop, a Chilean designed app, operating in six countries and recently purchased by Uber). There has especially been a rise in consumer demand during and after the pandemic (mostly restaurants). Migrants from the region have been the ones who have mostly covered this higher demand, primarily working in food-delivery apps. The significant increase in the number of migrants in Chile in the last two decades, predominantly from Venezuela (INE and DEM, 2021), has coincided somehow with this emerging labor market.

In the context of the health and economic crises resulting from COVID-19, labor conditions of platform workers – whose numbers have increased as a result – gained salience in the public agenda. According to Chile’s National Statistics Institute (*Instituto Nacional de Estadística*, INE), in 2020 unemployment reached 13% from May to July. At the same time, a recent media article mentioned the “historic” increases in platform workers: 20% in PedidosYa, and 78% for Cabify. The COVID-19 pandemic further exposed the precariousness of gig economy workers – in Chile and worldwide – who go without minimum safety conditions, access to unemployment, or health insurance benefits (Bonhomme, Arriagada, & Ibáñez, 2020; Katta & Ustek-Spilda, 2020). In 2021, approximately one in every four workers in Chile were considered informally employed (Statista, 2022). This means they received payment (and are not considered as “unemployed” or “inactive” by the official statistics measurements), but are not registered, regulated, or protected by existing legal or regulatory frameworks. In this sense, “gig workers” appear as active or employed individuals receiving payment,

independently of the regulatory status of their activities.

In effect, both a pandemic-triggered economic downturn and cyclical variations in traditional labor markets significantly influence the supply and demand of gig economy labor (Farrell, Greig, & Hamoudi, 2018; Hoang, Blank, & Quan-Haase, 2020). Therefore, this article provides greater transparency on the dynamics and relationships among gig economy actors in order to promote better working conditions and mitigate the power asymmetries that this market reproduces.

2. Regulating gig work in Chile

Since 2019, legislation has attempted to regulate app-based work, including the issue of employment status (for a detailed description of these projects, see Fairwork, (2021)). In June 2021, discussions regarding the employment relationship between platforms and workers were ongoing in both the judicial and legislative arenas. At that time, there was no specific regulation governing platforms and platform workers, but three bills with varying approaches were being considered. Eventually, after negotiations and input from a technical commission, one of the bills introduced by a group of senators was modified and became Chile’s current law, known as Law No. 21.431, which regulates platform work. This law, effective from September 1, 2022, aims to address the classification of labor relationships in the platform economy and establishes basic labor standards for platform workers.

Law No. 21.431 includes a section dedicated to platform work in Chile’s Labor Code and introduces two types of contracts and labor relations categories within the platform economy. The first category is for “dependent platform workers” who are entitled to a comprehensive range of labor protections tailored to the sector’s realities. The second category is for “independent platform workers” who maintain their status as independent contractors but receive basic protections under the new law.

The classification into these categories is based on the presence of essential elements of an employment relationship, such as subordination and dependency. However, in an industry where employment can easily be disguised as entrepreneurship and power imbalances persist, the lack of more direct intervention, like a presumption in favor of employment status seen in Spanish and Californian legislations, may undermine the effectiveness of the legislation. Employers may choose the category with fewer protections to reduce costs, as platform websites often promote independent work without mentioning the dependent category (for a detailed description of the regulation see Leyton, Arriagada, Bonhomme, and Ibáñez (2022)).

Although the new platform law in Chile introduces some protections, such as rules on remuneration, working hours, discrimination by automatic systems, and data portability, it may not significantly address the issue of misclassification. The law defers to general rules to classify workers as dependent or independent, allowing platforms to choose how they hire workers. This approach, combined with the unequal bargaining power between workers and platforms, may not bring about substantial change in the status quo of misclassification.

The interpretation of the new platform law by the Labour Inspectorate emphasizes updating legal techniques for distinguishing between dependent workers and independent contractors in light of technological and organizational changes. It also sets boundaries for the role of platforms in coordinating workers’ activities. The enforcement authorities, particularly the Labour Inspection Directorate, will play a crucial role in applying the law, and lessons from other countries with platform work legislation should be considered.

In conclusion, while the new platform law in Chile improves working conditions to some extent, it may not adequately address issues such as misclassification. Enforcement and ongoing debates will determine the practical effectiveness of the law, and further measures may be needed to achieve fairer work in the Chilean platform economy.

3. Methods

Assessed through interviews and evidence provided by platform executives, we evaluate labor experiences and working conditions in the Chilean gig economy using the Fairwork framework, which consists of five dimensions (or principles):

- 1) *Fair Pay*: workers, irrespective of their employment classification, should earn a decent income in their home jurisdiction after taking account of work-related costs;
- 2) *Fair conditions*: platforms should have policies in place to protect workers from foundational risks arising from the processes of work, and should take proactive measures to protect and promote the health and safety of workers;
- 3) *Fair contracts*: terms and conditions should be transparent, concise, and provided to workers in an accessible form. The party contracting with the worker must be subject to local law and must be identified in the contract. If workers are genuinely self-employed, terms of service are free of clauses which unreasonably exclude liability on the part of the platform.
- 4) *Fair management*: there should be a documented process through which workers can be heard, can appeal decisions affecting them, and be informed of the reasons behind those decisions. There must be a clear channel of communication to workers involving the ability to appeal management or deactivation decisions. The use of algorithms is transparent and results in equitable outcomes for workers. There should be an identifiable and documented policy that ensures equity in the way workers are managed on a platform (for example, in the hiring, disciplining, or firing of workers).
- 5) *Fair representation*: platforms should provide a documented process through which worker voice can be expressed. Irrespective of their employment classification, workers should have the right to organize in collective bodies, and platforms should be prepared to cooperate and negotiate with them.

We interviewed workers from 7 different platforms in Santiago, Chile ($N = 35$) in 2021 (before the regulation approval). The majority of interviewees were male (31). Workers were between 24 and 59 years old. A total of 20 interviewees were Chileans, with the rest Venezuelans. Half had a university degree or incomplete university studies, while the rest had technical degrees or high school. A questionnaire based on the Fairwork framework was applied by telephone and/or in person, including questions regarding working times, income, knowledge of their terms & conditions, contracts, and representation. We used a grounded theory approach by combining data collection and analysis (Glaser & Strauss, 1967) in order to refine the concepts and categorical themes presented in the analysis.

4. Results

4.1. Being a gig worker in the COVID-19 sanitary crisis

The results are presented from the particularity of the COVID-19 health crisis, which has affected worker reflections on their activities. First, during the sanitary crisis, the demand for grocery shoppers, food and deliveries increased unexpectedly, and some platforms changed their terms and conditions: this affected worker salary and labor routines. Second, workers have experienced risks from being exposed to contagions, and do not receive platform support for health insurance or equipment to work in safe conditions. They also suffer limitations because of lockdowns. For example, the government declared a “state of emergency”, limiting civil and labor liberties. Some policies against COVID-19 only allowed “essential workers”, and so gig workers were initially only able to work with a special permission for two to three hours before 10:00 p.m. In May, the Minister of Economy announced that the Government decided to extend the schedule for food and

medicine delivery until midnight. Given these restrictions, Carmen, decided not to deliver for supermarkets during the pandemic, and Rodrigo had to take special steps to work during lockdowns:

“I haven't worked because of the quarantine. I didn't want to take chances, especially in supermarkets where the contagion rate is so high” - Carmen, delivery worker.

“We have a sort of license for when we're out on the street and show them to the police, where it's our name and ID number and that we belong to Uber Eats and that allows us to work during quarantine” - Rodolfo, delivery worker.

According to our interviewees, gig workers had no choice to pause platform work during the pandemic. Workers either risked deactivation from the app because they were not available to take orders or had to deal with potential contagion without resources provided by the apps (e.g., masks or alcohol gel).

For instance, Felipe (professional, 36 years old) works for different applications doing shopping in supermarkets and pharmacies. *“I'm risking my skin! On top of that I'm in Vitacura, where the coronavirus was born! [NB: first detected in Chile] It's super risky,”* he says. According to his experience, despite receiving thousands of notifications regarding how to proceed with the delivery of products to users (e.g., keeping a distance of two meters, washing hands with alcohol gel), in practice none of the applications have given him masks or gloves. Under such conditions, contracting the virus is imminent (see Bonhomme et al., 2020; Katta & Ustek-Spilda, 2020), especially in crowded supermarkets with queues of more than an hour and a half. That waiting time—according to our interviewees—was not remunerated, limiting workers' earnings. Although workers reported that some platforms delivered alcohol gel, it was already gone by the time they went to pick it up. Others commented that, although some apps had recently offered to reimburse safety items purchased, they made it clear that this was optional and distanced themselves from any responsibility.

Although apps began to provide limited emergency funds for workers who contracted COVID-19 in April 2020, there are not always minimum standards of decent work for gig workers in Chile. During the COVID-19 pandemic, however, deliverers are particularly unprotected, all while facing an unusually high demand due to quarantine, a luxury they cannot afford. They were at the frontlines, yet their labor had no recognition (Bonhomme et al., 2020).

4.2. Worker perceptions regarding the nature of the linkage with the platform

Considering the lack of contracts that regulate the relation between the platform and the worker, these relations are sustained by a terms & conditions document that workers must accept. However, there are different perspectives from workers to define and describe their relationship with the platform. Some of them considered it an “employer”, some find more valuable the freedom or time flexibility they can obtain doing this type of work. Interviewees had mixed perceptions in relation to the nature of the linkage with the platform. Independently of contract wording – which usually describes them as “collaborator” – some workers expressed how the app creates a dependent relation, organizing routines and acting as intermediary between themselves and the clients. Others, however, felt a freedom from schedule or control, like their own “boss”. Felipe, an Uber driver, described this ambiguity, while Rodolfo emphasized how he felt that he took all the responsibility when driving:

“If it were an employer, it would be a good employer. It's not an employer, we have a ‘partner’ situation, but we're not really partners ... There's no contract. If I have a problem, they listen to me and get back to me. They're generally helpful and answer quickly.” - Felipe, driver.

“There's no relationship of dependence (regarding contract). We are not their employees - we are service providers. They made sure to emphasize it

a lot. In one part, it says that you are responsible for the passenger. If we get charged with negligence, the pains of hell fall upon us.” - Rodolfo, driver.

The majority feel like workers, but have some difficulties understanding and defining the type of relation they establish with apps and platforms. Others see it quite simply, because there is no interaction with workers or counterparts from the app. However, they describe the need for some communication and support, to have some feedback about their work. Manuel, a grocery store shopper, describes this ambivalence, as does Enrique, a driver:

“I'd like someone who you could contact, like a face for the company. Somebody who can get things done, not just give the normal useless answers. To have a connection in case you have a real problem: an accident, getting robbed, your stuff gets taken, or like what happened to me with the concierge or other arrogant people you bump into. You expect some form of support... but here you're like helpless.” - Manuel, grocery store shopper.

“We have to do to everything they say. We can't question anything or say no. They've got the power. You can't choose anything. I feel like their employee, beyond what the [Terms] say.” - Enrique, driver.

These experiences clearly show an opportunity for regulating worker conditions, the relationship they have with the platforms, and what they can expect from platforms. Beyond payment, which is the only thing to adequately meet expectations, platform workers in Chile feel a need for a counterpart, someone to provide guarantees and support in the case of accidents, robbery, or personal problems.

4.3. Do gig workers in Chile feel listened to by platforms?

According to interviewees, there are no formal worker organizations for communicating with platforms. The lack of formal instances of communication between workers and platforms leave workers without recourse to change their working conditions. As one shopper describes, his platform does not provide any space for communication between platform and workers, or among workers:

“They tell you ‘you can't work with anyone, you are a shopper, and you work by yourself, don't talk to anyone...’ They discourage communication among shoppers.” - Francisco, grocery store shopper.

Accordingly, food delivery workers in Chile have begun denouncing working conditions, demanding safety and dignity at work. There were three strikes in April, July, and August (El [Mostrador, 2020](#)) and no indication of subsiding as the economic recession deepens. Their demands were in relation to fair payment, and for protective equipment.

First, strikes were motivated by changes in platform conditions and payments. PedidosYa (6000 delivery workers) decided to change payment from \$USD 2.40 dollars (\$1865 CLP) to close to \$USD 0.85 (\$650 CLP). Workers organized collectively through a Twitter account alluding to the platform (“*Riders Unidos Ya*”). Later two labor complaints were filed against PedidosYa after the company informed the 19 plaintiffs named (mostly migrants) that they could no longer provide services to the platform. The former distributors demanded to be recognized as workers, accusing of having been fired without justification, and claiming anti-union practices. Indeed, a large number of those “disconnected” from the application were part of a union. As a video circulated on social media during a strike said:

“we (workers) are not supposed to have bosses, but the app can disconnect us without giving us explanations (...) the app tells us that we decide how much we want to work, but the truth is that you have to ride your bike a lot to get a decent salary” (El [Mostrador, 2020](#)).

Worker participation in strikes resulted in a deactivation of the platform, for which other companies in the platform market took notice – especially the potential consequences for impeding organization and

for further regulations of gig work.

During the pandemic, workers have also been victims of robbery of their bikes or motorcycles during their activities, for which they also sought recourse in their demands. In these cases, they rely on informal support networks with peers to feel safe during their activities. These networks are organized mostly on WhatsApp during waiting times outside restaurants. For instance, Jenny who is a food delivery worker, usually tries to ride her bike in a group, especially on the way back at night, when there is more risk of accidents or possible assaults. That calms her down to feel safe.

The lack of worker representation to articulate their demands through formal channels (e.g., associations) shows an urgent need for reform in seeking to diminish these power asymmetries. Similarly, lack of cooperation among workers – especially when platforms demand they have to work alone – needs to be addressed to create networks of cooperation. Indeed, there have recently been some cases of emergent cooperation networks through WhatsApp or Facebook, especially among delivery workers.

5. Conclusions

This article gave a brief account of platform workers' labor experiences in Chile. We showed the contradictory experiences felt by workers: independent from some aspects of the platforms, and dependent on others. We argued that the inherently contradictory conditions and circumstances of platform work has become more salient for gig workers in the context of COVID-19: the risks of employment fall increasingly on workers as platforms continued to stress their ‘choice’ in deciding to work or not work. Through these labor experiences, we revealed that the nature of the linkage between the platform and the worker is eminently a labor relationship, with clearly established elements of working dependence. For instance, platforms can exert control mechanisms over workers' activities, through algorithms that facilitate the extraction, management, data processing and rating systems of service and consumption experiences ([Gran, Booth, & Bucher, 2020](#)). From geolocations, general identification (gender, age, profession), to evaluations of the activity performed (ratings on the delivery time and quality of a service or task assigned) ([Castelluccia, Le Métayer, & European Parliament, 2019](#)). In this context, the conditions of the pandemic in Chile –in the form of economic uncertainty, very long and strict lockdowns, and the impossibility for different services to be open to the public—worked as a perfect scenario to reinforce the gig economy in the country. Delivery platforms have provided displaced workers the possibility for extra income, and for their users the access to some goods and services otherwise restricted by the stricter lockdown stages. The new surge in demand has seen platforms saturated with new workers, many of whom are transfers from the formal economy ([Fairwork, 2021](#)).

At least in Chile, the only real means to diminish platform-worker power asymmetries have been protests and lawsuits. There is further need for worker organization, media awareness, and public discussion to regulate this market and worker activities. The COVID-19 pandemic has only increased visibility of the inequalities in this market: the pressure put on workers, the lack of regulated working times, the impossibility of negotiating wages, and the nonexistent support from platforms for insurance and better working conditions. This visibility translates into greater concern for customers and workers. On the one hand, customers are more aware of the ‘essential’ nature of platform workers. On the other hand, workers have also become more aware of the problems with their labour conditions. For instance, they have been resisting in different ways the control platforms exert over them. As described in different studies, workers create support networks to diminish the power asymmetries facilitated by platform algorithms ([Gutiérrez & Atzeni, 2022.](#); [Gandini, 2018](#); [Wood, Graham, Lehdonvirta, & Hjorth, 2019](#)).

The Chilean labor market already reinforces a series of social and economic inequalities through growing precarity in labor ([Stecher & Sisto, 2020](#)), seemingly deepened by gig work. This is especially in the

case of migrants, who are oftentimes in a more vulnerable position compared to nationals. Since 2018, migratory policies have become increasingly restrictive, and as it gets more difficult to get a visa, many migrants considered the food-delivery apps as an opportunity to earn money just by signing the terms and conditions. However, the apps that provide easier ways of entry, do not offer social protection. On the contrary, Chilean gig workers tend to work more in ride-hailing platforms that offer more stability by providing short-term contracts that ensure workers' legal and social protection and which require workers to declare their income and pay taxes. Migrants' access to those platforms is more difficult than Chileans since they need a visa to get a driving license, among other requirements. Thus, like other countries, the convergence between precarious work, low income and migrant workers is growing (Mcdowell, Batnitzky, & Dyer, 2009) in Chile. The complex processes and algorithms behind the platform hide the reproduction of inequalities that threaten job continuity and access to work for many, and studies have already shown that migrants often face discrimination due to these algorithms (Galperin & Greppi, 2017). More evidence is needed to explore differences in access and labor conditions for both migrants compared to local nationals, and women compared to men, in the emerging Chilean gig economy.

On a final note, the Chilean platform law could have done more to strengthen workers' rights in areas such as algorithmic management and workers' access to algorithm criteria. By following the example of the Spanish 'rider law,' which grants platform worker organizations the right to demand access to algorithm information, the Chilean law could have better protected workers (Leyton et al., 2022). While the new law allows dependent and independent platform workers to join unions and engage in collective bargaining, there are limitations to its implementation. The collective bargaining procedure provided by the law, known as the "unregulated" procedure, lacks basic protections for workers and does not grant them the right to strike. This may render the new right to collective bargaining ineffective in practice, as workers are not adequately protected from employers' retaliation.

Declaration of Competing Interest

There is no conflict of interest on this research.

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