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Who counts as a worker? The politics of claim-making in Africa's gig economy

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Abstract

As member states of the International Labour Organization begin negotiations on minimum labour standards for the platform economy, the question of who qualifies as a "worker" has emerged as a central issue. Until now, platform companies have largely operated outside of national regulatory frameworks, circumventing labour and social protections. While there is broad consensus that regulation is necessary, disagreement persists over how platform workers should be classified and what rights they should be entitled to. Employers' representatives argue that workers are independent contractors and should be excluded from fundamental rights at work; while workers' organisations contend that they are disguised employees and should be covered by standard labour protections (ILO, 2025). Research with African platform workers reveals a more complex dynamic. While many platform workers lack autonomy over the labour process, they identify as self-employed and organise politically around this identity (Castel-Branco et al., 2023; Omolo, 2022). How then to extend labour protections to platform workers, without undermining their individual and collective power? This question has been at the heart of longstanding debates about the regulation of the gig economy (Chen, 2023; Meagher, 2021). Drawing on three empirical case studies – domestic work in Angola, platform work in Kenya and street vending in Mozambique – this paper reflects on what we have learnt from past regulatory experiences. The first section explores the contradictions that arise when gig workers are made legible to the state for the purposes of regulation. The second examines the challenges of extending protections to workers who embody contradictory class identities. The third reflects on the implications of regulations for gig workers' individual and collective power. Ultimately, the paper argues that "worker" is a contested political category rather than a fixed technical classification, the outcome of which reflects the balance of power between competing social forces.

Keywords: Labour regulation, precarious workers, class identities, organising, formalisation, Africa

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In 2025, member states of the International Labour Organization (ILO) began negotiations to establish minimum labour standards for the platform economy. The move reflects the recognition of the growing influence of platformisation on the organisation of work and life across the globe (Anwar and Graham, 2022; Chinguno, 2023; Nhleko and Tame, 2023; Woodcock and Johnson, 2018). Until now, platform companies have been allowed to operate largely outside of regulatory frameworks and to circumvent labour and social protections. However, international institutions and national governments are slowly catching up, propelled by the intensification of platform worker protest and organisation. In Kenya, for instance, the government recently approved the National Transport and Safety Authority Regulations for the ride hailing sector that govern the relationship between platform companies, vehicle owners, drivers and passengers (GoK, 2022). Also, they are considering a labour law amendment to extend labour protections to digital workers.

While there is broad consensus on the need for international labour standards, disagreements persist over how platform workers should be classified and what rights they should be entitled to. Employers' representatives argue that digital labour platforms offer "matching services" between consumers and independent contractors rather than the services themselves. Therefore, platform companies should not be held responsible for workers' fundamental rights at work (ILO, 2025). However, workers' organisations contend that platform workers are effectively disguised employees who should have access to standard employment protections, including the right to organise and collectively bargain, fair remuneration and paid leave, occupational health and safety protections and social security. As one of the workers' negotiators recently noted, "the discussion about the platform economy … [is] like a battlefield" (WIEGO, 2025).

Tensions exist not only between employers and workers' organisations, but also between organisations in the global North and global South. In the global North, where formal employment remains the norm, platformisation is associated with the erosion of labour protections and the rise of precarious work. However, in Africa, where most people derive a livelihood from informal employment, the effects have been more uneven. On the one hand, platformisation has imposed new forms of algorithmic management over the labour process (Webster and Masikane, 2020). On the other hand, it has brought a degree of structure, recognition and respectability to some occupations, enabling workers to transcend entrenched social hierarchies (Zollmann, 2025). Given these complex dynamics, it is not surprising that platform workers' organisations have often assumed contradictory political demands (Castel-Branco et al., 2023).

Negotiations to establish an international labour standard for the platform economy have revived longstanding debates over how to extend labour protections to platform workers without undermining their individual and collective agency. This paper explores three interrelated dimensions of this dilemma:

the risks involved in making gig workers legible for the purposes of regulation; the challenge of defining the contours of rights for workers who may embody contradictory class positions; and the shifting nature of political demands through the process of struggle. It draws on lessons from past efforts to legislate worker justice in Africa's gig economy, focusing on the extension of labour protections to domestic workers in Angola, the formalisation of street vending in Mozambique and the regulation of ride hailing in Kenya. Ultimately, the paper argues that what counts as work, who qualifies as a worker and what rights should be guaranteed are political rather than technical questions, the outcome of which reflects the balance of power between capital, labour and the state.

Legibility, visibility and the regulation of gig work

Labour standards are inherently contradictory. On the one hand, they represent the hard-won victories that workers managed to secure through struggle. Their codification into normative frameworks can provide both the legal and moral basis for advancing further claims. On the other hand, they function as part of what Foucault (1975) describes as the "biopolitical apparatus" – technologies of power designed to govern populations without the need to resort to spectacular displays of violence. By defining the terms of engagement between capital, labour and the state, labour standards operate simultaneously as instruments of protection and mechanisms of governmentality, determining whose demands are recognised as legitimate and whose are rendered expendable. The process of making gig workers legible for regulation is inevitably one of simplification, in which particular relations of subordination are rendered explicit while others are entirely ignored. Ultimately, international labour standards are the outcome of political compromises over what constitutes work, who qualifies as a worker and what rights they should be entitled to.

Historically, labour standards assumed that formal (typically male) industrial employment was the normative form of work. This labourist framework excluded the informally employed, who constitute the bulk of the working population on the African continent (ILO, 2018). The roots of informality in Africa lie in the logics of colonial capitalism, which transformed African economies into sites of extraction – extraction of cheap labour, natural resources and rents – to support processes of industrialisation in colonial metropoles (Amin, 1976). In order to sustain this system of "disarticulated accumulation", colonial states imposed racialised labour regimes that legally differentiated between the rights of coloniser and colonised (Mamdani, 1996). While settlers were governed by a biopolitical apparatus grounded in emerging ideas of civil, political and social rights, Africans were subjected to dispossession, forced labour and extreme forms of violence through what Mbembe (2003) describes as necropolitical control. At independence, many African governments sought to reverse the structures of colonial domination through the reorganisation of production, rapid industrialisation and the deracialisation of labour regimes (Cooper,

1996). However, postcolonial ambitions of social transformation were undermined by the pressures of global economic restructuring under neoliberalism (Arrighi et al., 2003).

In response, standard-setting institutions such as the ILO shifted their attention towards the informal sector. Starting in the 1970s, the ILO commissioned several studies aimed at defining, measuring and regulating informal work. For Standing (2008), this newfound interest in the regulation of the informal sector deflected attention from addressing the structural drivers of labour insecurity. Rather than confronting the growing power of multinational corporations, the ILO became embroiled in protracted technical debates over terminologies and statistical categorisations. However, feminist scholars such as Boris and Boris (2019) maintain that the ILO's shift away from labourism – itself the product of research, advocacy and mobilisation by transnational feminist and labour movements – allowed for the expansion of prevailing conceptions of work and worker, creating the grounds for more expansive redistributive claims. These efforts culminated in the adoption of the ILO Convention on Homework – and subsequently the Convention on Decent Work for Domestic Workers – which would serve as the basis of broader debates on the formalisation of gig work and the establishment of minimum labour standards for platform workers.

Until the adoption of the ILO Convention on Decent Work for Domestic Workers, domestic work was widely seen as something other than employment. After all, it consists of intimate tasks associated with women's unpaid care work, is performed within the intimacy of the home and by racialised women who are often perceived as unskilled (Boris and Parreñas, 2010). Despite or perhaps because of the intimate nature of the work, domestic workers were typically subjected to high levels of discipline and control. Tensions were particularly sharp between workers and their female employers, who in many instances were ascribed the role of "middle managers" within the home (Castel-Branco, 2021c). Transnational feminist movements hoped that by instituting minimum wages, paid leave, occupational health and safety provisions and access to social security, domestic work could be reframed as skilled employment, governed by contracts, rights and responsibilities, thereby bringing domestic workers "out of the shadows and into the light" (Albin and Mantouvalou, 2012: 67).

Following the adoption of the ILO Convention on Decent Work for Domestic Workers, many African governments moved to regulate the sector, including Angola, Kenya, Mozambique, Namibia, South Africa and Tanzania. In Angola, domestic workers were granted rights equal to those of other formal sector employees in 2016. However, as in most countries, these rights have been poorly enforced (Castel-Branco, 2021c). For instance, the Angolan government stipulated that all employers must register workers with the National Institute for Social Security. Domestic workers and employers were given the option between a basic and an expanded social security package. The basic package required that an employer contribute

6% and the worker 2% of their monthly earnings, while the expanded package required that the employer contribute 8% and the worker 3%. The advantage of the expanded package was that it included maternity benefits and a family subsidy, in addition to a disability pension, old age pension and survivor's benefits. Although registration with the National Institute for Social Security was mandatory, just over a thousand domestic workers had registered with the scheme by 2019. The primary reason for low levels of compliance is that labour protections are notoriously difficult to enforce because the work takes place in isolation, behind high walls of private homes and outside the purview of labour inspectors. Although labour inspectors are technically responsible for ensuring compliance, they have neither the mandate nor the resources to inspect private homes. While Angola does have a well-developed enforcement framework – including the labour inspectorate, mediation and arbitration centres, and the labour courts – these mechanisms are typically only activated after workers have been dismissed, to secure severance pay. In the absence of effective labour protections, domestic workers cultivate affective relationships with employers to negotiate better working conditions. For this reason, many domestic workers are reluctant to enter into contractual arrangements, because it undermines what Ally (2009: 2) defines as workers' "historically cultivated practices of power", undercutting their ability to leverage intimacy in order to extract additional concessions from employers (Castel-Branco, 2021a).

While international labour standards provide a normative framework for the coordination of labour regulations across the globe, the process of standard setting inevitably involves some degree of what Meagher (2021) terms "social sorting". As Meagher (2021) notes, the process of social sorting is not neutral – it reflects and reproduces asymmetries of power by defining who is eligible for protection and on what terms: "Processes of omission, elimination or delegitimization distinguish the enterprising from the incapable worker and the deserving from the undeserving or inconvenient poor, revealing dynamics of exclusion at the heart of infrastructures of inclusion" (Meagher, 2021: 742). In other words, by delineating the moral and legal boundaries of labour standards, standard-setting processes also foreclose the possibilities for alternative relations of production (Garsten and Jacobsson, 2011; Vosko, 2002). In contexts where the relations of subordination are clearly defined or where workers' demands are coherently articulated, the process of standard setting may be fairly straightforward. However, as the next section demonstrates, this is not always the case.

Contradictory class identities and political demands in the gig economy

The class identities and political demands of boundary groups has long animated debates in labour sociology. Classical Marxist theories of class formation assumed that the process of proletarianisation would inevitably produce a coherent working class, whose material interests would consolidate into a class not only of itself but for itself (Marx, 1867). However, even Marx (1867) acknowledged the contingency

of this process. A century later, Wright (1976) would dedicate substantial attention to unpacking the contradictory class locations of "boundary groups" who embodied more complex relations of production than Marx had originally considered. Wright's key insight was that there were particular occupations – managers, entrepreneurs, academics – who, by virtue of their position in the labour process, identified with the working class in one moment and with capital in the next. Wright's concept of "contradictory class locations" proved particularly useful in making sense of the complex and layered forms of subordination in the informal sector. One of the most influential typologies of the social relations of production in the informal sector was developed by Chen (2012). Chen (2012) distinguished between three categories of worker: own-account operators, who owned the means of production, had autonomy over the labour process and sold their goods directly to market; own-account workers who had partial control over the means of production and the labour process but were effectively caught in employment-like relationships disguised as commercial ones; and informal wage workers, who neither owned the means of production nor had any autonomy over the labour process but were excluded from labour protections nonetheless, due to employer evasion.

Chen's (2012) typology shaped the contours of ILO Recommendation 204 on the Transition from the Informal to the Formal Economy (ILO, 2015). Under pressure from transnational feminist and labour movements, the recommendation applied an expansive definition of work and worker – one that transcended the boundaries between public and private, productive and reproductive, paid and unpaid work (Boris and Boris, 2019). It proposed three pathways towards formalisation: promoting inclusive growth through employment-driven macroeconomic and industrial policy; reducing informalisation through the introduction and enforcement of labour regulations; and supporting small-scale production through business development programmes, access to credit and improvements in basic infrastructure (ILO, 2015).

Although ILO Recommendation 204 is not legally binding, it served as a heuristic tool around which (informal) workers could collectively advocate for improved working conditions. In Mozambique, the oldest organisation of informal workers was the Association for the Mozambican Informal Economy (AEIMO, formerly known as ASSOTI). AEIMO currently represents approximately 20 000 informal workers across the country, organised primarily around local market associations (Castel-Branco, 2023). In 1999, it affiliated with the largest trade union federation, the Organization of Mozambican Workers (OTM), in hopes of strengthening its power and legitimacy. The Mozambican government had always had a thorny relationship with informal traders. Despite venerating the image of the self-sufficient trader – particularly when called to task for not creating sufficient employment opportunities – the government frequently treated informal traders with disdain, displacing them from their work places, confiscating their goods and subjecting them to arbitrary forms of violence (Castel-Branco, 2021b). AEIMO hoped that by

joining forces with the trade union movement, which had well-established relationships with the ruling party, they would be able to strengthen their negotiating position vis-à-vis the state.

Notably, OTM was not AIEMO's first port of call. Initially, the association approached the employers' federation, the Confederation of Economic Associations of Mozambique. After all, most of AEIMO's members were own-account operators who owned market stalls and employed workers informally to manage them. They may have become operators because of the lack of employment opportunities in the formal sector but their class interests were more closely aligned with those of aspiring entrepreneurs than employees. Members were primarily concerned with securing a safe and permanent space from which to operate, accessing credit in order to expand their businesses and pooling resources to reduce their operational costs. In fact, they were vehemently opposed to traditional trade union concerns, such as minimum wages, regular working hours and paid leave. However, the employers' association refused AIEMO entry because it did not recognise informal traders as *bona fide* entrepreneurs. Despite not being their first port of call, OTM accepted AEIMO into the federation in hopes that it would broaden its membership base. Two decades on, AEIMO maintains an ambiguous stance on labour rights, arguing that it represents both the interests of workers and operators.

While ILO Recommendation 204 helped to strengthen the visibility of informal workers, AIEMO argues that the gains have been modest. Informal traders still do not have safe and secure spaces from which to operate, they are frequently harassed by the municipal police and local government and they face numerous barriers to securing loans from financial institutions. One of the few gains, they contend, has been the extension of the national social insurance scheme to informal workers on a voluntary basis. However, because they do not have an employer, they pay both the worker and employer share of contributions, which amounts to 7% of the lowest minimum wage for the sector. The government has experimented with various strategies to recruit informal workers into the scheme, including signing memorandums of understanding with informal workers' organisations. However, little more than 7 000 informal workers are active contributors to the National Social Security Institute. One of the key reasons for limited adherence is that informal workers cannot afford to contribute to the scheme on a regular basis. Not only are their incomes generally lower than established minimum wages but their contributory burden is significantly higher than that of formal workers. Ultimately, if the goal is to provide universal social security coverage to informal workers as part of a broader strategy towards formalisation, the state must assume responsibility for cross-subsidising workers' contributions (Castel-Branco, 2021b).

Much of the contemporary scholarship on the formalisation of the informal economy places the burden on the nation state. Indeed many scholars have called for some version of what James Ferguson (2015) terms a "radical politics of distribution" based on citizenship rather than employment. In a world where a

growing share of the population has been rendered surplus to the accumulation needs of capital, struggles at the point of production are seen to hold less possibility than struggles at the point of redistribution. Proponents of this view see the expansion of tax-financed social security – i.e. cash transfers – as both a sign of and resource for an emergent politics grounded in the notion of a rightful share. Yet, the irony is that demands for state-led redistribution have gained traction at precisely the moment when the redistributive capacity of African states is increasingly constrained. Neoliberal restructuring, the rise of footloose transnational corporations and heightened interstate competition for investment have significantly eroded states' ability to mobilise and redistribute revenue. Across much of the African continent, this has translated into public debt crises and the rollback of social provisioning (Atingi-Ego et al., 2021). However, as the following section explores, the growing global movement to regulate the platform economy may begin to shift some of the burden back onto capital, offering new openings for distributive struggles. The ability to do so will depend on how platform workers articulate their identities and political demands.

Class, struggle and identity formation in platform work

Much of the literature on workers' identities and political demands tends to see class as a stable and bounded category rather than a contested and dynamic process shaped by ongoing struggles over the terms of accumulation and redistribution. In *The Precariat*, Standing (2016) argues that growing labour insecurity has given rise to a new class of workers – the precariat – who embody a distinct set of social relations rooted in the standardisation of non-standard employment. While his analysis captures important features of the contemporary world of work, it denies workers any agency and obscures the role that workers' struggles have historically played in defining the contours of standard employment (Antunes, 2021). As Silver (2003) emphasises, precarity is not a new phenomenon. It has been an enduring feature of capitalist development, as has resistance to it. Throughout history, working-class formations have been made, unmade and remade in response to shifting economic conditions and collective struggles. To be sure, the outcomes of these struggles have often been mediated by racialised and gendered hierarchies of citizenship and rights. Nevertheless, class is best understood as a historically contingent and relational process, which unfolds in response to the restructuring of capital and resistance of labour (Katznelson and Zolberg, 1986).

The rise of digital technologies has renewed scholarly interest in processes of class formation, as debates intensify over the implications of technological innovation for the organisation of work and the power of workers. There is a widespread concern that digital technologies are likely to displace large segments of the global workforce (Frey, 2019). However, a growing body of literature suggests that human labour remains integral to the processes of value production (Anwar and Graham, 2022). Perhaps the most visible

form of human labour in the digital economy is location-based platform work. Location-based platforms mediate the provision of labour for services performed at a physical location, such as e-hailing, food delivery and care services. Although many of the activities are not new – and indeed, in the global South, many of them were already informalised – the platformisation of these activities has enabled the concentration of capital across sectors and geographies (Castel-Branco et al., 2025). The e-hailing sector, for instance, is dominated by a handful of footloose transnational corporations including Uber, Lyft, Bolt and Didi that operate across thousands of African cities. Although homegrown alternatives emerged, such as Little Cab in Kenya, they have struggled to compete with transnational corporations' deep pockets (Castel-Branco et al., 2023).

The concentration of capital has given transnational platform companies inordinate power to shape the labour process and conditions of work in the platform economy. Most platform companies identify as tech intermediaries who provide "matching services" between customers and independent contractors rather than the services themselves (ILO, 2025). This designation has enabled companies to shift the operational costs onto workers and to skirt national regulations, including the obligation to guarantee labour and social protections (Castel-Branco and Dawson 2023). Yet, the "independent contractors" on their platforms are subjected to high levels of scrutiny and control through algorithmic management. Platform companies maintain that algorithmic management is simply a more efficient way of allocating work, determining pay and ensuring high quality services, but this does not amount to an employment relationship (ILO, 2025). However, most scholars agree that the levels of discipline imposed by algorithmic management is akin to digital Taylorism and would only be fathomable in an employment relationship (Webster and Dor, 2023). And indeed, despite arguing that workers were independent contractors, representatives of platform companies argue that platform workers should not have the power to decline an assignment or to disconnect from a platform without retaliation (ILO, 2025).

Over the last decade, there's been an intensification of platform worker protest across the globe. In Kenya alone, there have been over 30 strikes in the e-hailing sector (Digit and CERIC, 2023) – many of them led by the Digital Taxi Association of Kenya. One of the association's early demands was the regulation of e-hailing as part of the transport sector. This demand was strongly resisted by platform companies who argued that the government did not have the mandate to regulate tech intermediaries registered and that any attempt at regulation would ultimately amount to collusion between independent contractors and was in violation of Kenya's competition law (Castel-Branco and Chukunzira, forthcoming). Nevertheless, platform workers' associations were able to successfully mobilise for the regulation of the e-hailing sector, with support from key parliamentary figures. In a last-ditch effort to prevent the implementation of the regulation, Uber took the government to the constitutional court, arguing that the regulation discriminated

against immigrant drivers. However, the constitutional court found their case to be without merit and the National Transport and Safety Authority Regulations came into effect in 2022.

The National Transport and Safety Authority Regulations outline the relationship between platform companies, owners, drivers and passengers in the e-hailing sector. Although it does not establish an employment relationship – indeed, it reinforces the notion that drivers are self-employed – it does include several stipulations in response to drivers' demands. It establishes a cap on commissions of 18%, it holds companies responsible for occupational health and safety conditions, it reaffirms the principle of due process and stipulates that all e-hailing companies must register with the National Transport and Safety Authority, giving the Kenyan government jurisdiction to enforce regulations and the Transport Workers Union the mandate to organise this sector. However, because platform workers are defined as independent contractors, they are excluded from both the statutory rights enjoyed by formal sector workers, such as minimum wages and wage protections, determination of working hours and overtime pay, paid sick, maternity and annual leave, occupational health and safety provisions, protection from discrimination and sexual harassment, due process and dispute settlement procedures, freedom of association and collective bargaining (GoK, 2007a and c). Furthermore, because platform workers are not covered by existing labour governance institutions, they cannot appeal to the National Labour Board, wage councils, labour administration and inspection, and the industrial court (GoK, 2007b). Instead, the regulation is enforced by Kenya's National Transport and Safety Authority.

Importantly, the Digital Taxi Association of Kenya never contested their designation as independent contractors – after all, they too identified as self-employed. On the one hand, they did not have a contractual relationship with the platform companies and thus had no legal basis to identify as employees (Omolo, 2022). On the other, their social imaginaries were not built around the idea of employment. As the leader of the Digital Taxi Association of Kenya explains, e-hailing workers were more concerned with increasing rates and capping commissions than their reclassification: "There's a misconception that we are our own bosses … So, we didn't fight to be recognised as workers. If we would do it again, that would be the first thing we would do" (cited in Castel-Branco et al., 2023: 254). In a context where people cobble together a livelihood from a multiplicity of activities, self-employment is the norm, and maintaining some degree of flexibility is essential to reconciling multiple life roles. Although platform workers' flexibility is effectively constrained by algorithm management, they do exercise some control over when and where to work. While platform workers would like to more clearly define the contours of algorithmic management, they are not opposed to digital mediation per se. Digital mediation gives the work a semblance of order, respectability and dignity, which enables informal workers to transcend class hierarchies and access the geographic spaces of the wealthy previously out of reach (Zollmann, 2025).

Recognising platform workers' contradictory class positions, some scholars have argued that they should be reclassified as dependent contractors in a standard-setting process (Webster and Masikane 2020). The term dependent contractor refers to workers who have a commercial rather than employment relationship with an economic unit but are dependent on that unit for organisation and execution of the work, income or for access to the market (ICLS, 2018). However, some scholars are concerned that by reclassifying platform workers as dependent contractors, they will lose the ability to make employment-based claims at a national level. Indeed, more recent research with platform workers in Kenya suggests that while workers identify predominantly as self-employed, they would overwhelmingly support their reclassification as workers if it would ensure access to labour and social protections. The limited impact of the regulation has convinced workers that without being reclassified as employees, they will struggle to make further claims on platform companies (Castel-Branco et al., 2023). Contact with trade unions has been instrumental to shifting their position. But their support for reclassification should not be conflated with support for unionisation (Castel-Branco and Chukunzira, forthcoming).

Conclusion: Worker as a political category

International labour standards provide a normative framework for the coordination of labour regulation across the globe – a critical concern for the platform economy, given its transnational character. However, international labour standards are, by definition, a compromise between competing social forces, and their institutionalisation can ultimately foreclose the possibilities for more equitable outcomes (Garsten and Jacobsson, 2011; Vosko, 2002). By delineating the scope of workers' legal and moral rights, normative frameworks implicitly define which claims fall beyond their reach. Therefore, it is important to carefully consider the diversity of social relations within the gig economy and the impact that regulation may have on them. Past efforts to define international labour standards for the informal sector offer useful insights into the tensions and contradictions that arise in the process of standard setting. Drawing on three case studies – domestic work in Angola, street vending in Mozambique and e-hailing in Kenya – this paper explored the conundrums that arise when defining moral and legal boundaries of regulations.

One of the main challenges of standard-setting processes is that gig workers often embody contradictory class locations. Their interests may be aligned with those of labour in one moment and with those of capital in the next. On the one hand, this reflects the broader social relations of production. In contexts where standard employment is the exception rather than the norm, workers often cobble together a livelihood from a multiplicity of activities, and flexibility is seen as essential in combining life roles. Consequently, gig workers are ambivalent about becoming employees, particularly where employment conditions are poor or poorly enforced. In the e-hailing sector for instance, some workers join the platform because they have no other option, while others are looking for an escape from the drudgery and

discrimination of salaried employment. On the other hand, it reflects the contradictory nature of the labour process itself. Returning to e-hailing, some platform workers are aspiring fleet owners while others are carless drivers. As a result of contradictory class locations, workers' political strategies and demands are not always straightforward. For instance, Webster and Masikane (2020) found that although there are growing demands to reclassify platform workers as employees, many workers have been reluctant because they value their limited autonomy and fear that regulation might undermine their livelihoods. Instead, the authors propose the recategorisation of platform workers as dependent contractors. According to Schmidt et al. (2023), the recognition of dependent contractor as a legal category may enable the self-employed to hold companies to account, establish collective bargaining agreements, secure at least partial labour and social protections, and ensure the fair distribution of the social surplus. Ultimately, worker is a political category that is continuously in flux, in response to the experience of struggle and contestation.

References

Albin E. and Mantouvalou, V. 2012. The ILO convention on domestic workers: From the shadows to the light. *Industrial Law Journal* 41(1): 67–78. doi:10.1093/indlaw/dws001.

Ally S. 2009. *From servants to workers: South African domestic workers and the democratic state*. 1st edition. Cornell University Press. www.jstor.org/stable/10.7591/j.ctt7zgkc

Amin S. 1976. *Unequal development: An essay on the social formations of peripheral capitalism*. New York, N.Y.: Monthly Review Press.

Antunes R. 2021. *Farewell to work? Essays on the world of work metamorphoses and centrality*. Leiden, Boston: Brill. Available at: https://brill.com/display/title/60378

Anwa, M.A. and Graham M. 2022. *The digital continent: Placing Africa in planetary networks of work*. Oxford University Press.

Arrighi G., Silver B.J. and Brewer, B.D. 2003. Industrial convergence, globalization, and the persistence of the North-South divide. *Studies in Comparative International Development* 38(1): 3. doi:10.1007/BF02686319

Atingi-Ego M., Timuno S. and Makuve T. 2021. Public debt accumulation in SSA: A looming debt crisis. *Journal of African Economies* 30 (Supplement 1): i103–i139. doi:10.1093/jae/ejab023

Boris E. and Boris E. 2019. *Making the woman worker: Precarious labor and the fight for global standards, 1919–2019*. Oxford, New York: Oxford University Press.

Boris E. and Parreñas R. 2010. *Intimate labors: Cultures, technologies and the politics of care*. Stanford: Stanford University Press.

Castel-Branco R. and Chukunzira A. forthcoming. *The Divas Association: women, labour and worker struggle in Kenya's platform economy*. SCIS Working Paper Series.

Castel-Branco R. and Dawson H.J. 2023. The remaking of working classes: Digital labour platforms and workers' struggles in the Global South. doi:10.1332/27324176Y2023D000000008.

Castel-Branco R. 2021a. Improvising an E-state: The struggle for cash transfer digitalization in Mozambique. *Development and Change* 52(4). doi:10.1111/dech.12665

Castel-Branco R. 2021b. 'Se alguém está cansado de viver': A economia informal, o estado e a segurança social. In *Desafios para Moçambique 2021*. Maputo: IESE.

Castel-Branco R. 2021c. The contradictions of formalization: Domesticity and paid domestic work in Mozambique and Angola. *e-cadernos CES* 35. doi:10.4000/eces.6349

Castel-Branco R., Mutoro B. and Webster E. 2023. Building the car while driving it: Organising platform workers in the e-hailing sector in Kenya. *Work in the Global Economy* 1 (aop): 1–15. doi:10.1332/27324176Y2023D000000007

Castel-Branco R., Mokhema S. and Webster E. 2025. Digital platforms and emerging forms of worker struggles. In: V. Satgar (ed.). *Digital capitalism and its limits. Technotopia, power and risk*. Wits University Press. doi:10.18772/22025049407.11.

Chen M. 2012. The informal economy: Definitions, theories and policies. Available at: https://research.hks.harvard.edu/publications/digest/citation.aspx?PubId=8856&type=AA&LookupCode=.

Chen M.A. 2023. The informal economy in comparative perspective: Theory, policy and reality. *The Indian Journal of Labour Economics* 66 (2): 395–420. doi:10.1007/s41027-023-00444-7

Chinguno C. 2023. 'Customer is king': gig work in a small South African city and the varieties of digital control and workers' responses. *Work in the global Economy* 3(2). doi:10.1332/27324176Y2023D000000005.

Cooper F. 1996. *Decolonization and African society: The labor question in French and British Africa*. Cambridge University Press.

Digit and CERIC. 2023. *University of Leeds index of platform labour protest*. Available at: https://leeds-index.co.uk/explore/?country=Kenya&sort=latest.

Ferguson J. 2015. *Give a man a fish: Reflections on the new politics of distribution*. Durham, London: Duke University Press Books.

Foucault M. 1975. *Discipline and punish: The birth of the prison*. Knopf Doubleday Publishing Group.

Frey C. 2019. *The technology trap: Capital, labor, and power in the age of automation*. Princeton, Princeton University Press.

Garsten C. and Jacobsson K. 2011. Transparency and legibility in international institutions: The UN Global Compact and post-political global ethics. *Social Anthropology* 19(4): 378–393. doi:10.1111/j.1469-8676.2011.00171.x

Government of Kenya (GoK). 2007a. *Employment Act of 2007*.

Government of Kenya (GoK). 2007b. *Labour Institutions Act of 2007*.

Government of Kenya (GoK). 2007c. *Labour Relations Act of 2007*.

Government of Kenya (GoK). 2022. *Kenya National Digital Master Plan*. Available at: https://cms.icta.go.ke/sites/default/files/2022-09/Kenya_Digital_Master_Plan_2022-2023.pdf.

International Conference of Labour Statisticians (ICLS). 2018. Statistical definition and measurement of dependent "self-employed" workers. Available at: https://www.ilo.org/wcmsp5/groups/public/---dgreports/---stat/documents/meetingdocument/wcms_636042.pdf.

International Labour Organization (ILO). 2015. *Recommendation R204 – Transition from the informal to the formal economy recommendation, 2015 (No. 204)*. Available at: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:3243110 [Accessed: 29 April 2016].

International Labour Organization (ILO). 2018. *Women and men in the informal economy: A statistical picture*. Third edition. Available at: http://www.ilo.org/global/publications/books/WCMS_626831/lang--en/index.htm.

International Labour Organization (ILO). 2025. Realizing decent work in the platform economy. *International Labour Conference 113th Session, 2025*.

Katznelson I. and Zolberg A.R. 1986. *Working-class formation: Ninteenth-century patterns in Western Europe and the United States*. Princeton University Press.

Mamdani M. 1996. *Citizen and subject: Contemporary Africa and the legacy of late colonialism*. Princeton University Press.

Marx K. 1867. *Capital Vol 1*. New York: International Pubishers.

Mbembé J.-A. 2003. Necropolitics. *Public Culture* 15(1): 11–40.

Meagher K. 2021. Informality and the infrastructures of inclusion: An introduction. *Development and Change* 52(4): 729–755. doi:10.1111/dech.12672

Nhleko T.W. and Tame B. 2023. Taking platform domestic work offline: Using platform leakage to resist precarity in South Africa's domestic sector. *South African Review of Sociology* 53(1): 47–66. doi:10.1080/21528586.2023.2206813

Omolo J. 2022. *Global: We are all workers (platform work) – Kenya Country Case Study*. Nairobi: Transport Workers Union Kenya.

Schmidt V., Webster E., Mhlana S. and Forrest K. 2023. Negotiations by workers in the informal economy. *ILO Working Papers 995216093502676*. International Labour Organization.

Silver B.J. 2003. Forces of labor: Workers' movements and globalization since 1870. *Cambridge Studies in Comparative Politics*. Cambridge University Press. doi:10.1017/CBO9780511615702.

Standing, G. 2008. The ILO: An agency for globalization? *Development and Change* 39(3): 355–384. doi:10.1111/j.1467-7660.2008.00484.x.

Standing, G. 2016. *The precariat: The new dangerous class*. Bloomsbury Publishing.

Vosko L.F. 2002. 'Decent work': The shifting role of the ILO and the struggle for global social justice. *Global Social Policy* 2(1): 19–46. doi:10.1177/1468018102002001093

Webster E. and Dor L. 2023. Recasting workers' power: Work and inequality in the shadow of the digital age. In *Recasting Workers' Power*. Bristol University Press. doi:10.56687/9781529218817

Webster E. and Masikane F. 2020. "I just want to survive": The case of food delivery couriers in Johannesburg. *Southern Centre for Inequality Studies.* Available at: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.wits.ac.za/media/wits-university/faculties-and-schools/commerce-law-and-management/research-entities/scis/documents/I_just_want_to_survive.pdf

WIEGO. 2025. Key Outcomes from the 2025 International Labour Conference and Why They Matter for Workers in Informal Employment. Available at: https://www.wiego.org/blog/2025-ilc-key-findings-informal-employment/.

Woodcock J. and Johnson M.R. 2018. Gamification: What it is, and how to fight it. *The Sociological Review* 66(3): 542–558. doi:10.1177/0038026117728620

Wright E.O. 1976. Boundaries in Advanced Capitalist Societies. Institute for Research on Poverty, University of Wisconsin-Madison.

Zollmann J. 2025. Digitalization and dignity: Digital driving in Kenya. *Information Technology for Development* 31(4): 1–19. doi:10.1080/02681102.2025.2498924