



ENHANCING REPRESENTATION

FOR PLATFORM WORKERS

**TRIPARTITE WORKGROUP ON REPRESENTATION
FOR PLATFORM WORKERS REPORT**



8 RECOMMENDATIONS

BY THE TRIPARTITE WORKGROUP ON REPRESENTATION FOR PLATFORM WORKERS

Process for a Platform Worker Representative Body to Obtain Mandate to Represent Platform Workers

1. A Platform Worker representative body can obtain mandate through direct recognition or secret ballot
2. All Platform Workers can vote in a secret ballot, except those who are very new or who are inactive
3. Voting will be done electronically and conducted by MOM
4. A Platform Worker representative body obtains the mandate when it has majority support from the Platform Workers who voted, subject to a 20% quorum of eligible Platform Workers

Scope of Negotiations and Formalising Negotiated Agreements

5. Platform Worker representative bodies and Platform Operators should be given the flexibility to determine areas for negotiation
6. Negotiations will be guided by a set of principles agreed by the Tripartite Workgroup
7. A collective agreement must be certified at the Industrial Arbitration Court

How Disagreements between Platform Worker Representative Bodies and Platform Operators will be Resolved

8. Unresolved collective disputes can be surfaced to MOM for conciliation, and if conciliation fails, to the Industrial Arbitration Court for arbitration

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11 July 2023

Dr Tan See Leng

Minister for Manpower and Second Minister for Trade and Industry

Dr Koh Poh Koon

Senior Minister of State for Manpower and for Sustainability and the Environment
Advisor to the Tripartite Workgroup on Representation for Platform Workers

Dear Ministers,

REPORT OF THE TRIPARTITE WORKGROUP ON REPRESENTATION FOR PLATFORM WORKERS

The Tripartite Workgroup on Representation for Platform Workers (TWG) was set up in August last year to co-create a representation framework tailored to Platform Workers. This follows the recommendation of the Advisory Committee on Platform Workers to give Platform Workers the right to seek formal representation. The Tripartite Workgroup comprises Platform Workers, Platform Operators and Government representatives.

2. Today, the National Taxi Association, National Private Hire Vehicles Association and National Delivery Champions Association (collectively, the “Associations”) actively work to understand the challenges that Platform Workers face and champion their interests. Platform Operators also recognise the need to address the needs and interests of the Platform Workers. There had been constructive dialogue between the two parties, and tripartite partners are of the view that this process of dialogue can be further strengthened by establishing a framework that provides clarity on how parties can obtain the mandate to represent Platform Workers, the processes for negotiating the different parties’ interests, and the processes for resolving disputes. This recognition is important to ensure that industrial relations in this growing sector remains harmonious.

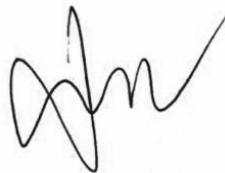
3. We are therefore pleased to present the TWG’s report, which reflects a shared vision to design a framework that will better enable Platform Workers to negotiate for their interests. We have proposed eight recommendations which we consider necessary to enhance representation for Platform Workers in a manner that is sustainable and takes into account the unique features of the sector. The recommendations are the outcome of spirited discussions between TWG members who represent varied interests and have brought their expertise and perspectives to bear.

4. The TWG also acknowledges that the platform economy is still evolving, and there will be a need to continually review and update the regulations underpinning industrial relations in this sector. Trust between tripartite partners is therefore critical, and there should continue to be dialogue and engagement on this important issue. Nevertheless, we are confident that these recommendations are a significant step in the right direction, and set the foundation for tripartism in the platform sector.



Mr Poon Hong Yuen

TWG Co-Chairperson
Deputy Secretary (Industry and International),
Ministry of Communications and Information
[Former Deputy Secretary (Workforce),
Ministry of Manpower]



Ms Cham Hui Fong

TWG Co-Chairperson
Deputy Secretary-General,
National Trades Union Congress
(NTUC)



Mr Sim Gim Guan

TWG Co-Chairperson
Executive Director, Singapore
National Employers Federation
(SNEF)

PREFACE

Tripartite Workgroup Members

Platform Operators



Mr Yee Hon Wai
Vice President and Head
of Digital Mobility Service
ComfortDelGro Taxi
(Representative from taxi
sector)



Mr Yee Wee Tang
Managing Director
Grab
(Representative from
ride-hailing sector)



Mr Darryl Chua
Operations Director
foodpanda
(Representative from
food delivery sector)



Mr Alex Lin
Managing Director
Lalamove
(Representative from
goods delivery sector)

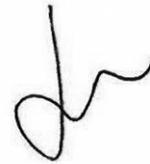
Labour Movement



Mr Ang Hin Kee
Advisor to National Taxi Association
(NTA) & National Private Hire Vehicles
Association (NPHVA)
National Trades Union Congress (NTUC)



Ms Yeo Wan Ling
Advisor to NTA, NPHVA and National
Delivery Champions Association (NDCA)
Director, NTUC U SME and
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Ms Jean See Jinli
Executive Secretary to NDCA
Director, NTUC Freelancers and Self-
Employed Unit (UFSE)
Former Executive Secretary to NTA



Mr Goh Yong Wei
President, NDCA



Mr Goh Say Sing Joseph
General Secretary, NPHVA

Government



Mr Lee Chung Wei
Divisional Director, Workplace Policy and Strategy Division
Ministry of Manpower



Mr Kandhavel Periyasamy
Divisional Director, Labour Relations and Workplaces Division
Ministry of Manpower



MINISTER
MINISTRY OF MANPOWER
SINGAPORE

12 July 2023

Dear *Co-Chairpersons and Members*

Thank you for your letter of 11 July 2023 submitting the final report of the Tripartite Workgroup on Representation for Platform Workers (TWG).

2. The platform economy has grown and evolved significantly in the last few years. Platform Operators and Platform Workers have a symbiotic relationship and provide useful services to society. However, in recognition of the need to enhance protections for Platform Workers, we set up the Advisory Committee on Platform Workers in 2021 to look into strengthening protections for Platform Workers. The Committee then recommended the set-up of a TWG with deep expertise and knowledge of the platform ecosystem and industrial relations, to co-create a representation framework.

3. We thank the TWG for its carefully considered recommendations. The proposed representation framework is unique and reflects the strong spirit of Tripartism in Singapore's industrial relations landscape. They will go a long way in enhancing representation for Platform Workers and laying the foundations for strong and harmonious industrial relations, which have been a bedrock of Singapore's economic progress and prosperity.

4. The Government accepts all eight recommendations by the TWG. The Government and the Ministry of Manpower will work closely with our tripartite partners and other stakeholders such as the Platform Operators to ensure a smooth roll-out of the proposed recommendations. The moves will require legislative changes and we expect implementation to commence from the later part of 2024. More details will be announced soon.

5. On behalf of the Government, we thank you for your dedication and tireless effort in developing these recommendations. The TWG has set the foundations for a collaborative relationship between the key stakeholders in the platform ecosystem, and we look forward to further collaboration when we roll out the legislative changes.

Yours sincerely,

Handwritten signature of Dr Tan See Leng in black ink.

Dr Tan See Leng
Minister for Manpower
Second Minister for Trade and Industry

Handwritten signature of Dr Koh Poh Koon in black ink.

Dr Koh Poh Koon
Senior Minister of State for Manpower and
Sustainability and the Environment

EXECUTIVE SUMMARY



EXECUTIVE SUMMARY

- 1 The Advisory Committee on Platform Workers had identified enhancing representation as a key area of protection for Platform Workers. Platform Workers refer to delivery workers, private-hire car drivers and taxi drivers who use online platforms to match them with demand for their delivery and point-to-point transport services, but who are not employees of the companies operating these platforms. Platform Workers and the companies that operate these platforms (“Platform Operators”) have an interdependent relationship. The Advisory Committee recommended that Platform Workers should have the right to seek formal representation through a new representation framework designed for Platform Workers. This provides avenues for Platform Workers to negotiate for their interests, and for Platform Operators to have clear dispute resolution processes. This is in turn crucial for building strong industrial relations between Platform Workers, Platform Worker representative bodies and Platform Operators.
 - a. To propose a framework for a representative body to seek mandate to represent Platform Workers collectively;
 - b. To propose the scope of issues that can be negotiated between a Platform Worker representative body and a Platform Operator; and
 - c. To propose a dispute management framework to efficiently address disputes between negotiating parties.

Tripartite Workgroup on Representation for Platform Workers

- 2 Following the recommendation by the Committee, the Tripartite Workgroup on Representation for Platform Workers (TWG) was convened in August 2022 to work out the representation framework for Platform Workers.
- 3 The TWG’s Terms of Reference are:
 - a. To propose a framework for a representative body to seek mandate to represent Platform Workers collectively;

- 4 The Committee brought together the following stakeholders as members of the TWG:
 - a. Platform Worker representatives nominated by the National Trades Union Congress from the National Taxi Association, National Private Hire Vehicles Association, and National Delivery Champions Association (collectively called “Associations”) represented the interests of the Platform Workers.
 - b. Platform Operator representatives nominated by the Singapore National Employers Federation representing the interests of Platform Operators in the ride-hailing, taxi, food delivery and goods delivery sectors.
 - c. Government representatives from MOM who provided insight on the policy and operational considerations for designing a representation framework for Platform Workers.

Considerations for the Recommendations

- 5 **It is important to provide an avenue for Platform Workers to be heard and to be able to seek recourse.** The TWG considered that the absence of a process for Platform Worker representative bodies to obtain mandate to represent Platform Workers’ interests, and the geographically dispersed nature of platform work make it challenging for Platform Workers to collectively

represent their interests to the Platform Operators. Therefore, the recommendations should provide Platform Workers with an effective and practical way to organise themselves and negotiate for their interests, including in instances where individual Platform Workers feel that they have been wrongfully penalised by the Platform Operator and want to seek recourse.

6 For a sustainable platform sector, it is important that Platform Operators treat Platform Workers fairly while being able to manage the way they work.

Platform Operators' use of incentives, penalties, and technology has been key to organising labour, safeguarding the welfare and safety of Platform Workers, consumers and merchants, and enabling the flexible work patterns valued by both parties. However, this also imposes control over Platform Workers. Recommendations should thus take into account the value and impact of the business models that are sustained by a flexible workforce, as well as recognise the importance of ensuring fair treatment of Platform Workers who are core to the success of these business models.

7 It is important to preserve harmonious industrial relations in the platform sector. The TWG recognised the importance of harmonious industrial relations in securing win-win outcomes for Platform Workers, Platform Operators and the users they serve. Industrial harmony has been a bedrock of Singapore's economic prosperity, and should continue to be a feature of the platform sector.

8 Recommendations should take reference from the representation framework for employees, while accounting for the differences between platform work and employment. The representation framework that sets out the rules of engagement between employee unions and employers has worked well in preserving industrial harmony in the employment landscape. It therefore serves as a good reference point for Platform Workers. Nevertheless, the representation framework for Platform Workers should take into account the differences between platform work and employment to be fit for purpose.

9 It is important for the representation framework to provide clarity on the conduct of industrial relations in the platform sector, while retaining sufficient flexibility to keep up with the evolving nature of platform work. The TWG viewed that the recommendations should provide clarity on how Platform Worker representative bodies and Platform Operators can engage each other, and the mechanisms supporting these engagements, to provide certainty to the industry. Given the nascent and evolving nature of the platform sector, tripartite partners also agreed that the framework for Platform Workers should not be overly prescriptive.

Recommendations on the Process for a Platform Worker Representative Body to Obtain Mandate to Represent Platform Workers

10 The TWG recognised that to be able to amplify their voice and better negotiate for their interests vis-à-vis Platform Operators, a group of Platform Workers should be able to demonstrate that they represent their colleagues in such negotiations, if they wish to. Therefore, **the TWG recommends that a Platform Worker representative body can obtain mandate through direct recognition or secret ballot.** In the interest of fostering harmonious industrial relations in the platform sector, the TWG agreed that direct recognition was preferred to a secret ballot. Platform Worker representative bodies and Platform Operators can at any time enter into a non-binding Memorandum of Understanding (MOU) - an important step in advancing the collaborative relationship between the two parties with the common goal of advancing the welfare of Platform Workers. This could thereafter culminate in direct recognition accorded to a Platform Worker representative body by a Platform Operator.

- 11** For the secret ballot, the TWG considered that all Platform Workers should generally have a say in whether a representative body represents them. The TWG also considered that it was fair to focus on Platform Workers with a greater stake in the negotiated outcomes. To balance these considerations, **the TWG recommends that all Platform Workers can vote in a secret ballot, except those who are very new¹ or who are inactive².**
- 12** However, given that Platform Workers are geographically dispersed and transient compared to typical employees, the TWG viewed that adequate effort should be made to ensure that Platform Workers eligible to vote in a secret ballot are informed of the ballot and have access to it. Hence, **the TWG recommends that voting be done electronically and conducted by MOM.** MOM will determine ballot details and facilitate the ballot process. MOM will also disseminate factual information on the ballot and the Platform Worker representative body to eligible voters.
- 13** Relatedly, given the challenge of organising a mass of geographically dispersed and transient Platform Workers, the TWG considered that the requirement in the employment sector for an employee union to obtain majority support from the class of employees it seeks to represent should take into account the unique nature of the platform sector. As such, **the TWG recommends that a Platform Worker representative body has obtained mandate when it has majority support from the Platform Workers who voted, subject to a 20% quorum of eligible Platform Workers.**



Group photo at the first meeting of the Tripartite Workgroup on Representation for Platform Workers (30 August 2022).

Recommendations on the Scope of Negotiations and Formalising Negotiated Agreements

- 14** As a list of negotiable or non-negotiable items will be outdated quickly given the evolving nature of the sector, **the TWG recommends that Platform Worker representative bodies and Platform Operators be given the flexibility to determine areas of negotiation.** This means that all matters pertaining to a Platform Worker and Platform Operator such as contractual terms and working conditions can be negotiated between the representative body and Platform Operator, if both agree to do so. If there is disagreement between the representative body and Platform Operator on the scope of negotiations, MOM will conciliate, taking reference from the principles agreed by the TWG to guide negotiations (see below).
- 15** As the law will not stipulate what Platform Worker representative bodies and Platform Operators can or cannot negotiate for, **the TWG recommends that negotiations be guided by a set of principles.** Representative bodies and Platform Operators nevertheless remain free to raise any matter for negotiation as long as both parties agree. The principles are:
- a. Parties are mutually committed to the business success of Platform Operators, and the welfare of Platform Workers. Platform Operators should be able to maintain their competitive advantage in setting payment rates and allocating tasks dynamically. At the same time, Platform Workers should be assured that they are allocated tasks and paid fairly.
 - b. Platform Operators should be able to provide information and explain policies impacting Platform Workers in a manner that would enable Platform Workers to make informed decisions about how to

¹ Platform Workers who are “very new” refer to those who signed up to the platform within the continuous period of three months immediately before the Platform Worker representative body informed the Platform Operator of its intent to represent the Platform Workers.

² Platform Workers who are “inactive” refer to those who have not taken a single job on the platform for the continuous period of three months immediately before the date that the representative body informed the Platform Operator of its intent to represent the Platform Workers.

structure their work. Platform Operators need not divulge their proprietary information.

- c. The flexibility that is valued by Platform Workers and Platform Operators should be preserved.
 - d. Platform Operators should retain the ability to make use of technology to encourage and maintain Platform Workers' service standards while at work. Platform Workers should have access to fair, timely and appropriate avenues of recourse.
- 16 If a collective agreement is reached between a Platform Worker representative body and Platform Operator, it is important to hold both parties accountable to the negotiated collective agreement to build trust and good faith in the negotiation process. Therefore, the **TWG recommends that a collective agreement must be certified by the Industrial Arbitration Court.** This means that the collective agreement will be binding on both parties.

Recommendation on How Disagreements between Platform Worker Representative Bodies and Platform Operators will be Resolved

- 17 To help Platform Worker representative bodies and Platform Operators resolve a dispute and provide clear outcomes to dispute, the **TWG recommends that unresolved collective disputes³ between both parties be surfaced to MOM for conciliation, and if conciliation fails, to the Industrial Arbitration Court for arbitration.**

Conclusion

- 18 The unique tripartite process of co-creating the representation framework for Platform Workers has facilitated a deeper understanding of the needs and challenges of Platform Workers and Platform Operators among TWG members. This has set the foundation for open discussion and collaboration so that representative bodies and Platform Operators can take the relationship forward.
- 19 Such a strong collaborative foundation is key, as everyone will have a part to play in securing win-win outcomes for all. When the representation framework is rolled out, Platform Workers will need to be aware of the Platform Worker representative bodies through which they can voice their interests and needs. They will be supported by Platform Worker representative bodies, who are committed to building closer relationships with Platform Workers and Platform Operators founded on trust and collaboration. Platform Operators must also continue to act on their commitment to the welfare of the Platform Workers through collaborating with representative bodies in good faith.
- 20 Together, this helps to build a more inclusive society, in line with the vision of the Forward Singapore exercise – a society with stronger safety nets and collective support, that will strengthen assurance for Singaporeans.
- 21 The TWG's recommendations provide a clear pathway for Platform Workers to represent themselves, and a dispute resolution process to resolve disagreements between Platform Worker representative bodies and Platform Operators. These seek to preserve peaceful industrial relations that have been a bedrock of economic success in Singapore.

³ Collective disputes refer to disagreements between (a) employee unions and employers, and (b) Platform Worker representative bodies and Platform Operators on collective agreements.

► Summary of TWG's Recommendations

Process for a Platform Worker Representative Body to Obtain Mandate to Represent Platform Workers

Recommendation 1

A Platform Worker representative body can obtain mandate through direct recognition or secret ballot

Recommendation 2

All Platform Workers can vote in a secret ballot, except those who are very new or who are inactive

Recommendation 3

Voting will be done electronically and conducted by MOM

Recommendation 4

A Platform Worker representative body obtains the mandate when it has majority support from the Platform Workers who voted, subject to a 20% quorum of eligible Platform Workers

Scope of Negotiations and Formalising Negotiated Agreements

Recommendation 5

Platform Worker representative bodies and Platform Operators should be given the flexibility to determine areas for negotiation

Recommendation 6

Negotiations will be guided by a set of principles agreed by the TWG

Recommendation 7

A collective agreement must be certified at the Industrial Arbitration Court

How Disagreements between Platform Worker Representative Bodies and Platform Operators will be Resolved

Recommendation 8

Unresolved collective disputes can be surfaced to MOM for conciliation, and if conciliation fails, to the Industrial Arbitration Court for arbitration

Background and Approach of the Tripartite Workgroup on Representation for Platform Workers

01



- 1** In August 2021, the Minister for Manpower Dr Tan See Leng set up the Advisory Committee on Platform Workers to look into strengthening protections for Platform Workers. Platform Workers refer to delivery workers, private-hire car drivers and taxi drivers who use online platforms to match them with consumers, but who are not employees of the companies operating these platforms. Platform Workers and the companies that operate these platforms (“Platform Operators”) have an inter-dependent relationship. Platform Operators rely on Platform Workers to meet the demands of consumers, while Platform Workers avail themselves of flexible work opportunities through these platforms. The popularity of platform services has resulted in an increase in the number of Platform Workers to around 88,000⁴ in 2022. It was therefore timely for tripartite partners to review the adequacy of protections for Platform Workers.

Recommendations on Representation by the Advisory Committee on Platform Workers

1.1 Advisory Committee on Platform Workers’ recommendation to strengthen representation

1.1.1 The Committee recommended that Platform Workers should not be classified as employees, as Platform Workers enjoy more flexibility compared to employees. The Committee also observed that Platform Workers experience less flexibility and autonomy compared to typical self-employed persons as Platform Operators exert management control over them to ensure consistent delivery matching efficiency, which is a key part of Platform Operators’ value proposition. Therefore, the Committee recommended requiring Platform Operators to provide greater protections to Platform Workers by:

- a. Ensuring adequate financial protection for Platform Workers in case of work injury;
- b. Improving retirement and housing adequacy of Platform Workers; and
- c. Enhancing representation for Platform Workers

1.1.2 Enhancing representation for Platform Workers was identified as a key area of protection for Platform Workers. Beyond financial protection in case of work injury, and retirement and housing adequacy, there are other issues Platform Workers may face at work. These are best addressed through a process that enables Platform Workers and Platform Operators to negotiate bilaterally. For instance, a group of Platform Workers may want more clarity on a Platform Operator’s policies around payments and allocation of jobs, while others may prioritise a Platform Operator’s improvement of processes to handle individual grievances. Today, employee unions play the role of representing employees’ interests. However, Platform Workers are not employees, and are unable to form unions under present legislation. There is thus a need to consider how we can establish a framework for Platform Workers to better represent and negotiate for their interests.

⁴ Source: Supplementary Survey on Own Account Workers, Manpower Research and Statistics Department, MOM, 2022. The figure represents “regular” Platform Workers who have worked as a Platform Worker for at least six months in a one-year period. It also includes taxi drivers, regardless of whether they used online-matching platforms.

1.2 Considerations of the Committee for Representation

1.2.1 The Committee took into account the following considerations when developing its recommendations on enhancing representation for Platform Workers:

- a. The representation process and scope should reflect Singapore's tripartite model, premised on strong tripartite collaboration to preserve harmonious industrial relations;
- b. There should be a clear process to determine who can act as Platform Workers' representative bodies, so that Platform Workers and Platform Operators are assured that the representative bodies have the mandate to speak and negotiate on the Platform Workers' behalf;
- c. The scope of issues under negotiation should reflect the key concerns and interests of Platform Workers and Platform Operators, and the unique circumstances of platform work;
- d. There should be clear dispute resolution mechanisms in place so that disagreements between the Platform Workers' representative bodies and Platform Operators can be resolved efficiently and amicably; and
- e. There should be sufficient flexibility for the representation framework to evolve in tandem with industry trends.

1.3 The Committee's Recommendations on Representation

1.3.1 In view of the considerations, the Committee recommended to:

- a. Give Platform Workers the right to seek formal representation through a new representation framework designed for Platform Workers; and

- b. Set up a Tripartite Workgroup on Representation for Platform Workers (TWG) comprising representatives from Platform Workers, Platform Operators and the Government to co-create the framework.

Approach of the Tripartite Workgroup on Representation for Platform Workers (TWG)

1.4 Terms of Reference of the TWG

1.4.1 Taking reference from the considerations and recommendations from the Committee, the TWG was convened in August 2022 so that Platform Workers and Platform Operators can work out the representation framework. The TWG's Terms of Reference are:

- a. To propose a framework for a representative body to seek mandate to represent Platform Workers collectively;
- b. To propose the scope of issues that can be negotiated between a Platform Worker representative body and a Platform Operator; and
- c. To propose a dispute management framework to efficiently address disputes between negotiating parties.

1.4.2 Other aspects of the representation framework for Platform Workers will be determined by MOM, in consultation with tripartite partners. These include issues such as the registration process for Platform Worker representative bodies, the processes for a representative body to support individual Platform Workers in resolving grievances, and regulations around industrial action.

1.5 Tripartite Composition of the TWG

1.5.1 The TWG is co-chaired by tripartite partners Mr Poon Hong Yuen, Deputy Secretary, Ministry of Communications and Information (MCI) [former Deputy Secretary, Ministry of Manpower (MOM)], Ms Cham Hui Fong, Deputy Secretary-General of the National Trades Union Congress (NTUC), and Mr Sim Gim Guan, Executive Director of the Singapore National Employers Federation (SNEF). The TWG also comprised members nominated by NTUC from the National Taxi Association, National Private Hire Vehicles Association, and National Delivery Champions Association (collectively called “Associations”), who represented the interests of Platform Workers, Platform Operator representatives nominated by SNEF from the ride-hailing, taxi, food delivery and goods delivery sectors and Government representatives from MOM who provided insight on the policy and operational considerations for designing a representation

framework for Platform Workers. This ensured that a comprehensive range of views were considered, and their collective expertise and experience in tripartism and industrial relations were tapped on to shape a strong and sustainable representation framework (refer to **Appendix A** for the detailed list of TWG members). Through NTUC and SNEF, the TWG also engaged a wider pool of Associations’ members and Platform Operators beyond the TWG, so that the diverse interests and concerns of stakeholders were taken into consideration when developing the recommendations.

1.6 Key Stakeholders’ Views

1.6.1 TWG Platform Worker representatives and Platform Operator representatives were aligned in their commitment to both the welfare of Platform Workers and the sustainability of platform services. Platform Operators benefit when Platform Workers are well taken care



First meeting of the Tripartite Workgroup on Representation for Platform Workers (30 August 2022).

of and services are provided effectively and efficiently; at the same time, Platform Workers benefit from more work prospects if Platform Operators' businesses are well-run.

1.6.2 TWG Platform Worker representatives emphasised the need for Platform Worker representative bodies to have a legally-empowered voice to negotiate with Platform Operators, on issues such as improving earnings, welfare and the work prospects of Platform Workers. TWG Platform Worker representatives also felt that maintaining strong and harmonious industrial relations was important, and that a culture of fairness and transparency, where the needs and concerns of Platform Workers are heard and given due consideration, was key to achieving this.

1.6.3 TWG Platform Operator representatives agree that the welfare of Platform Workers should be well taken care of. To achieve this, TWG Platform Operator representatives shared that it was important to ensure that they can continue to match the demand and supply of platform services dynamically and efficiently, as this was fundamental to the sustainability of the platform sector and work opportunities. If Platform Operators are unable to do this well, Platform Workers will be impacted. As Platform Operators invest heavily in technology and proprietary algorithms to achieve effective and efficient matching, Platform Operators need to protect commercially-sensitive information and assets in order to maintain their competitive advantage. TWG Platform Worker representatives acknowledged the need to protect proprietary information but highlighted the need to work together to ensure that workers are treated fairly.



Engagement with Platform Operators (9 May 2023).

Considerations for Recommendations

2 Taking into account these views, the TWG agreed that the representation framework for Platform Workers should reflect the following considerations.

2.1 Consideration 1: It is important to provide an avenue for Platform Workers to be heard and to be able to seek recourse

2.1.1 Today, many Platform Operators have internal processes for Platform Workers to provide feedback, submit enquiries and raise grievances. Associations also play an important role in engaging Platform Workers to better understand their needs and in sharing such feedback with the Platform Operators.

2.1.2 Nevertheless, there are challenges that limit Platform Workers from collectively voicing and negotiating their interests. First, there is currently no process for Platform Worker representative bodies to obtain mandate to represent Platform Workers' interests in negotiations with Platform Operators. Second, the dispersed nature of platform work makes it challenging to organise Platform Workers.

2.1.3 Therefore, the recommendations should provide Platform Workers with an effective and practical way to organise themselves and to negotiate for their interests.

2.2 Consideration 2: For a sustainable platform sector, it is important that Platform Operators treat Platform Workers fairly while being able to manage the way they work

2.2.1 Platform Operators rely on incentives, penalties, and technology to maintain service standards across a geographically dispersed pool of Platform Workers who perform their tasks without direct supervision. Platform Operators have shared that this approach is key to matching Platform Workers to jobs efficiently and effectively,

safeguarding the welfare and safety of Platform Workers, consumers and merchants, as well as enabling the flexible work patterns valued by both Platform Workers and Platform Operators.

2.2.2 At the same time, the use of incentives, penalties and technology imposes control over Platform Workers, by influencing the hours that Platform Workers choose to work, for example. This can in turn affect their earnings, health and safety.

2.2.3 Recommendations should therefore take into account the need for Platform Operators to match Platform Workers to consumers efficiently and to maintain service standards, so that platform services continue to be in demand and provide work opportunities for Platform Workers. At the same time, recommendations should recognise the importance of ensuring fair treatment of Platform Workers to protect their welfare.

2.3 Consideration 3: It is important to preserve harmonious industrial relations in the platform sector

2.3.1 Harmonious industrial relations are key to securing win-win outcomes for Platform Workers, Platform Operators and the users they serve. International developments have shown how weak industrial relations between Platform Workers and Platform Operators can result in workplace conflicts and disruptions to work, which are detrimental to all. Industrial harmony has been a bedrock of Singapore's economic prosperity, and should continue to be a feature of the platform sector.

2.4 Consideration 4: Recommendations should take reference from the representation framework for employees, while accounting for the differences between platform work and employment

- 2.4.1 The existing representation framework that sets out the rules of engagement between employee unions and employers has worked well in preserving industrial harmony. It has allowed Singapore to avoid acrimonious relationships between employers and workers, which have resulted in disruptions to livelihoods in other countries. This has benefitted employees, employers and the broader society.
- 2.4.2 In comparison, the platform sector is a relatively new industry, with no defined rules for industrial relations. As we set out to create a representation framework for Platform Workers, the representation framework for employees can serve as a good reference point.
- 2.4.3 That said, there are some differences between platform work and employment. For instance, the nature of platform work, where workers are neither bound by set working times nor places of work, has implications on the way that Platform Workers organise themselves.
- 2.4.4 The representation framework for employees should therefore be adapted to platform work, taking into account the differences between platform work and employment. This will ensure that the representation framework for Platform Workers is fit for purpose.

2.5 Consideration 5: It is important for the representation framework to provide clarity on the conduct of industrial relations in the platform sector, while retaining sufficient flexibility to keep up with the evolving nature of platform work

- 2.5.1 In the absence of a consensus or set of norms around representation for Platform Workers globally, it is important that the recommendations provide sufficient clarity on how Platform Worker representative bodies and Platform Operators can engage each other, and the mechanisms supporting these engagements, including any dispute resolution processes.
- 2.5.2 At the same time, given the nascent and evolving nature of the platform sector, tripartite partners also agree that the representation framework for Platform Workers should not be overly prescriptive. For instance, the representation framework should leave room for parties to work out mutually agreeable outcomes through negotiation.

Organisation of the Report

2.6 Chapter Overview

- 2.6.1 The report is organised as follows:
- a. Three key aspects of the representation framework for Platform Workers:
 - i. Process for a Platform Worker representative body to obtain mandate to represent Platform Workers.
 - ii. Scope of negotiations and formalising negotiated agreements.
 - iii. How disagreements between Platform Worker representative bodies and Platform Operators will be resolved.
 - b. Conclusion

Process for a Platform Worker Representative Body to Obtain Mandate to Represent Platform Workers

02



Context

2.1 How Employee Unions Obtain Mandate to Represent Employees

2.1.1 Under the representation framework for employees, registered employee unions can obtain mandate to represent employees by:

- a. Receiving direct recognition from the employer to represent the employees working for the employer; or
- b. Securing majority consent from the class of employees it seeks to represent, via a secret ballot.

2.1.2 Direct recognition and secret ballot are common practices in other countries for employee unions to seek mandate to represent their employees. The mandate obtained gives employee unions the legitimacy to be the voice of the employees when representing their interests in negotiations with the employer.

2.2 Existing Situation in the Platform Sector

2.2.1 The Labour Movement has been actively working with Platform Workers to better understand their challenges and champion their interests. The National Taxi Association, National Private Hire Vehicles Association, and National Delivery Champions Associations (collectively called “Associations”) serve as the voice of the Platform Workers in the taxi, ride-hailing, and delivery sectors respectively. These Associations engage Platform Operators on the earnings, welfare and work prospects of Platform Workers, and to voice feedback from and resolve the concerns of Platform Workers vis-à-vis Platform Operators.

2.2.2 However, as Platform Workers are not employees, they cannot form unions under present legislation to represent their interests in negotiations with Platform Operators. There is no process to determine whether an Association has the mandate to be the voice of the Platform Workers,

and this is an obstacle to moving the relationship between the Associations and Platform Operators beyond an informal dialogue.

2.2.3 Instituting a clear process for Associations to obtain mandate to represent Platform Workers will make it clear to Platform Operators which party is legally empowered to represent the interests of their Platform Workers.



Considerations for Determining How Platform Worker Representative Bodies Obtain Mandate

2.3 Consideration 1: Platform Workers should have a way to organise to negotiate for their interests as a group

2.3.1 As Platform Workers are subject to management control by Platform Operators, they should have a way to organise and better negotiate for their interests vis-à-vis Platform Operators. Platform Workers should not be discriminated when doing so.

2.4 Consideration 2: The process for Platform Workers to organise should take into account the geographically dispersed and transient nature of platform work

2.4.1 The nature of platform work is in some ways different from the nature of employment. For instance, Platform Workers are geographically dispersed and can choose when and how much to work. These differences make it more challenging to organise Platform Workers, compared to employees.

2.4.2 The representation framework for Platform Workers should take into account such differences between platform work and employment.

2.5 Consideration 3: The process for obtaining mandate should set a firm foundation for collaborative relationships between Platform Worker representative bodies and Platform Operators

2.5.1 The process of TWG discussions has laid the foundations for a collaborative and amicable relationship between Platform Worker representatives and Platform Operator representatives. It is important that the representation framework continues to foster this spirit of partnership to build strong industrial relations in the platform sector. This is the best way to achieve win-win outcomes for all parties and for the platform sector.

Recommendations on the Process for a Platform Worker Representative Body to Obtain Mandate to Represent Platform Workers

2.6 Recommendation 1: A Platform Worker representative body can obtain mandate through direct recognition or secret ballot

2.6.1 The TWG recommends that Platform Worker representative bodies obtain mandate to represent Platform Workers by:

a. Receiving direct recognition from the Platform Operator to represent the Platform

Workers contracted with the Platform Operator; or

b. Securing consent from the Platform Workers it seeks to represent via a secret ballot.

2.6.2 The TWG agreed that direct recognition was preferred to a secret ballot, as direct recognition sets a better tone for a collaborative relationship.

- 2.6.3 With the mandate, Platform Worker representative bodies and Platform Operators can access other features of the representation framework, such as processes to formalise negotiated collective agreements and dispute resolution pathways.
- 2.6.4 Regardless of whether mandate has been obtained, Platform Worker representative bodies and Platform Operators can at any time enter into an agreement on areas of partnership through a non-binding Memorandum of Understanding (MOU). An MOU would be an important step in advancing the collaborative relationship between the two parties. This could thereafter culminate in direct recognition being accorded to a Platform Worker representative body by a Platform Operator.
- 2.6.5 To safeguard the interests of Platform Workers, a Platform Worker representative body must be registered with the relevant Government authority before it can obtain mandate to represent Platform Workers.
- 2.7 Recommendation 2: All Platform Workers can vote in a secret ballot, except those who are very new or who are inactive**
- 2.7.1 The TWG considered that, as much as possible, all Platform Workers should have a say in whether a representative body represents them in negotiations with their Platform Operator. However, the TWG also recognised that a Platform Worker would need to have had sufficient experience working for a particular Platform Operator to be able to make an informed choice in a ballot.
- 2.7.2 On balance, the TWG recommends that all Platform Workers registered under the Platform Operator be eligible to vote in a secret ballot, except those who are “very new” or who are “inactive”.
- 2.7.3 Platform Workers who are “very new” refer to those who signed up to the platform within the continuous period of three months immediately before the Platform Worker representative body informed the Platform Operator of its intent to represent the Platform Workers.
- This means that if a representative body served a recognition claim on the Platform Operator on 1 April 2023, Platform Workers who had signed up with the platform on or after 1 January 2023 would not be eligible to vote.
 - This mirrors existing regulations for employees, where an employee who has been employed for less than three months from the date the employer was informed is not entitled to vote.
- 2.7.4 Platform Workers who are “inactive” refer to those who have not taken a single job on the platform for the continuous period of three months immediately before the date that the representative body informed the Platform Operator of its intent to represent the Platform Workers.
- This means that if a representative body served a recognition claim on the Platform Operator on 1 April 2023, Platform Workers who had not taken a job between 1 January to 1 April 2023 will not be eligible to vote.
 - This accounts for the fact that the nature of platform work is flexible and it is easy for anyone to sign up as a Platform Worker for a Platform Operator. Representation may not be relevant for inactive Platform Workers. These workers would also have much less stake in the outcome of the ballot compared to active Platform Workers who work more regularly. The TWG therefore agreed to exclude inactive Platform Workers from the ballot.
- 2.7.5 Overall, this ensures that the base of voters in a ballot consists of those who have sufficient stake in the outcomes.

2.8 Recommendation 3: Voting will be done electronically and conducted by MOM

- 2.8.1 The TWG considered that because Platform Workers are geographically dispersed and transient compared to typical employees, it may be more challenging for Platform Workers to be made aware of a secret ballot and its implications. Adequate effort should therefore be made to ensure that Platform Workers eligible to vote in a secret ballot are informed of the ballot and have access to the ballot.
- 2.8.2 The TWG therefore recommends that a secret ballot for Platform Workers be done electronically to maximise Platform Workers' access to the ballot:
- a. MOM will conduct the ballot and ensure that all votes are kept secret.
 - b. MOM will disseminate factual information on the ballot and on the Platform Worker representative body to eligible voters on a best-effort basis. These details include the date and purpose of the ballot and instructions to access the e-voting platform.
 - c. Contact information of the eligible voters shall be provided by the Platform Operators to MOM and used strictly for the purposes of the ballot; it will not be shared with other parties.
- 2.8.3 Similar to the secret ballot process for employees, the TWG recommends that MOM determine the ballot details and facilitate the ballot process for Platform Workers. For example, MOM will determine the duration and date of the ballot, in consultation with the Platform Worker representative body and Platform Operator

involved. MOM will take into consideration the circumstances of the ballot, for instance, the number of Platform Workers involved, and the possibility that some Platform Workers may need time to learn how to navigate the e-voting process. The intent is to ensure that all eligible Platform Workers have a reasonable amount of time to exercise their right to vote, given their varying work patterns.

2.9 Recommendation 4: A Platform Worker representative body obtains the mandate when it has majority support from the Platform Workers who voted, subject to a 20% quorum of eligible Platform Workers

- 2.9.1 As Platform Workers are geographically dispersed and do not have fixed working hours or days, the TWG recognised that it would be more challenging to organise this group of workers compared to employees, who can generally be engaged as a group in one workplace setting. Furthermore, the eligibility criteria for voting has been set to be inclusive, which increases the difficulty of getting a sufficient proportion of Platform Workers to vote (See Recommendation 2).
- 2.9.2 The TWG therefore decided that a Platform Worker representative body would obtain mandate if it has obtained majority support from all Platform Workers *who voted*, instead of all eligible Platform Workers. However, at least 20% of all eligible Platform Workers must have voted for the ballot to be valid.
- a. This means that if 1,000 Platform Workers were eligible to vote at a secret ballot, at least 200 of them must have voted for the ballot to be valid. If 200 Platform Workers voted, the representative body would have obtained mandate if more than 100 of them voted in support of the representative body.

► Summary of Recommendations

No.	Description
Recommendation 1	A Platform Worker representative body can obtain mandate through direct recognition or secret ballot
Recommendation 2	All Platform Workers can vote in a secret ballot, except for those who are very new or who are inactive
Recommendation 3	Voting will be done electronically and conducted by MOM
Recommendation 4	A Platform Worker representative body obtains the mandate when it has majority support from the Platform Workers who voted, subject to a 20% quorum of eligible Platform Workers

Scope of Negotiations and Formalising Negotiated Agreements

03



Context

3.1 Scope and Conduct of Negotiations between Employee Unions and Employers

3.1.1 Once an employee union obtains the mandate to be the legitimate voice of the employees it seeks to represent, the union can begin negotiating collective agreements with the employer on behalf of the employees. These negotiations may cover a wide range of matters, for example the terms of employment, or working conditions. However, there are certain matters that are considered “management prerogatives” – employee unions cannot include these matters when negotiating collective agreements. These matters include which employees are to be retrenched. Employers have the right to make decisions on management prerogatives without the need to negotiate with employee unions, as they relate to how the employers manage their businesses. Employee unions may seek recourse if employers exercise their discretion on management prerogatives improperly.

3.1.2 The negotiated outcomes between employee unions and employers are formalised through a collective agreement that is certified by the Industrial Arbitration Court and is binding. If there are any disputes regarding the collective agreement, it can be conciliated at MOM and as a final resort, arbitrated at the Industrial Arbitration Court.

3.2 Existing Situation in the Platform Sector

3.2.1 Today, Associations and Platform Operators engage in dialogue with over a wide range of issues. Over the course of TWG discussions, TWG members shared their respective views on the key issues that negotiations would likely cover, as we introduce a representation framework for Platform Workers.

a. **Payment rates and job allocation.** The TWG recognises that Platform Operators’ policies on payment rates and job allocation have significant impact on the livelihoods of Platform Workers. These policies also play a central role in how Platform Operators optimise the matching of demand and supply, which is critical to the success and sustainability of the business. When determining payment rates and job allocation, Platform Operators consider multiple factors such as the demand for services and the supply of labour, proximity to pick-up, and the overall performance of Platform Workers. TWG Platform Worker representatives highlighted the importance of ensuring that payment rates and job allocation are fair and take into account the effort, overall performance and necessary expenses incurred by a Platform Worker to perform the job.

Given the complexity of the matching process, and how it differs amongst various Platform Operators, the TWG agreed that negotiations on payment rates and job allocation should focus on desired outcomes for Platform Workers and Platform Operators, instead of operational details such as matching algorithms. For example, the Platform Operator’s processes should not result in discrimination in payment rates and job allocation. At the same time, Platform Operators should be able to set payment rates and allocate jobs to maintain a competitive advantage.

- b. **Timely information sharing.** The TWG agreed that given the nature of platform work, where Platform Workers tend to multi-home⁵ and earnings can be significantly affected by changes to policies on incentives and penalties, it is important for Platform Workers to be provided information in a timely manner so they can make informed decisions about their work.

TWG Platform Worker representatives viewed that Platform Workers should be provided information to help them understand how they are paid. For example, earnings statements should reflect the different components that make up their earnings. In addition, they viewed that factors determining how Platform Workers are paid and allocated jobs should also be clear and made known to Platform Workers.

TWG Platform Operator Representatives were aligned with sharing information that was necessary for Platform Workers to understand and organise their work, as long as Platform Operators' anti-fraud abilities and competitive advantage are not compromised.

Platform Operators should be open in discussing policy changes with Platform Worker representative bodies and to give Platform Workers adequate notice before the changes take effect, so that all parties can be assured that the interests of Platform Workers have been taken into account, and that the policies are properly understood. Platform Worker representative bodies can also play a role in communicating such information to Platform Workers.



⁵ Multi-homing refers to a situation where a Platform Worker works for more than one Platform Operator at the same time.

- c. Access to avenues for recourse.** The TWG agreed that it is in everyone's interest for individual grievances to be resolved amicably and fairly. The TWG acknowledged the important and constructive role that Platform Worker representative bodies play in representing Platform Workers and helping them access the appropriate channels of recourse. They also play an important role in taking up the grievances of individual Platform Workers with the Platform Operators, and ensuring that Platform Operators have clear and fair policies relating to expected behaviours and standards and channels of recourse.
- d. Flexibility of platform work.** The TWG agreed that the ability of Platform Workers to choose when, how long and who to work for should be preserved. Similarly, the ability of Platform Operators to engage Platform Workers in a dynamic manner based on business needs is a defining feature of the sector and should be preserved. It serves the interests of both Platform Operators and Platform Workers to retain such flexibility.
- e. Safeguarding health and safety.** Platform work involves being out and about transporting passengers or delivering food and goods. Platform Workers are therefore exposed to higher health and safety risks than workers in other jobs. The TWG agreed that Platform Workers should be able to perform their work in a manner that is safe and does not harm their health. TWG Platform Worker representatives also viewed that Platform Workers should have the necessary resources such as training and support from Platform Operators to address the risks involved in their work.
- f. Use of technology.** The TWG agreed that the use of technology is central to the business models of the Platform Operators, which rely on a significant number of geographically dispersed Platform Workers. Its usage is critical in maintaining compliance with local laws and regulations, as well as service standards and metrics, and as the primary channel of engagement between Platform Workers and Platform Operators for work. At the same time, it is important for technology to be used in a reasonable and transparent manner, so that Platform Workers know how technology is used to monitor their work performance, and that their confidentiality and privacy are preserved. Proprietary information belonging to Platform Operators should also be safeguarded for anti-fraud reasons and to maintain competitive advantage.
- 3.2.2** The TWG discussions reflected the complexities in the platform sector, and reinforced the need for negotiations to be underpinned by an outcomes-based approach that focuses on solving problems in a win-win manner, supported by a spirit of trust and transparency. Given the varied areas of interest, the TWG agreed that the scope of negotiations should be kept flexible, based on what both parties agree to negotiate.
- 3.2.3** The TWG also noted that there was currently no process for both parties to formalise negotiated agreements, and to hold parties accountable to their agreements. A process to formalise negotiated agreements so that they are well documented, binding, and backed by a dispute resolution process will provide greater certainty to both parties, and take the collaborative relationship one step forward.

Considerations for Determining Scope of Negotiations and how Negotiated Agreements should be Formalised

3.3 Consideration 1: A list of negotiable or non-negotiable items will be outdated quickly given the evolving nature of the sector

3.3.1 As the platform sector continues to evolve rapidly, the issues that representative bodies and Platform Operators need to negotiate on will also evolve in tandem. It is therefore not advisable to set out in law a list of negotiable or non-negotiable items, as such legislation would likely be unable to keep pace with changes and run the risk of losing relevance.

3.4 Consideration 2: Platform Worker representative bodies and Platform Operators are best placed to determine the scope of negotiation, based on mutual agreement

3.4.1 As evident from para 3.2.1, the interests of the representative bodies and Platform Operators can be wide-ranging, and vary across representative bodies, Platform Operators, and sub-sectors. It is therefore best for each representative

body and each Platform Operator to mutually determine the areas of negotiation between both parties, based on issues of material concern for them both at that specific juncture. This helps to build trust, particularly in a nascent sector, and provides more flexibility for both sides to find solutions to issues.

3.5 Consideration 3: Collective agreements between a Platform Worker representative body and a Platform Operator should be lodged with an authoritative body

3.5.1 If a Platform Worker representative body and Platform Operator agree to establish a collective agreement, it is important to hold parties accountable to the negotiated collective agreements to build trust and good faith in the negotiation process. Collective agreements should therefore be lodged with an authoritative body, and be binding on both parties. There should also be a clear dispute resolution process should disputes arise over the collective agreements.

Recommendations on Scope of Negotiations and how Negotiated Agreements should be Formalised

3.6 Recommendation 5: Platform Worker representative bodies and Platform Operators should be given the flexibility to determine areas for negotiation

3.6.1 Given the above, the TWG recommends that the law not stipulate what representative bodies and Platform Operators can or cannot negotiate on.

3.6.2 This means that any matter pertaining to a Platform Worker and Platform Operator, such as contractual terms and working conditions, can be negotiated between the representative body and Platform Operator, as long as both parties agree.

3.6.3 If there is disagreement between representative bodies and Platform Operators on whether a

particular issue should be negotiated, MOM will conciliate the dispute (see Recommendation 8 for more details), taking reference from the principles agreed by the TWG to guide negotiations (see Recommendation 6 for more details). The intent is to support parties to resolve any disagreements amicably and facilitate collaboration towards win-win outcomes. If conciliation fails, the dispute can be surfaced to the Industrial Arbitration Court for arbitration, where the decision is final.

3.7 Recommendation 6: Negotiations will be guided by a set of principles agreed by the TWG

3.7.1 As the law will not stipulate what representative bodies and Platform Operators can or cannot negotiate, the TWG agreed that it would be useful to set out principles that serve as a reference for how negotiations should be conducted. This will set and align expectations, and preserve the collaborative spirit built through TWG discussions. Representative bodies and Platform Operators nevertheless remain free to raise any matter for negotiation.

3.7.2 Taking into account the nature of platform work, the TWG recommends that negotiations be guided by the following principles:

a. Parties are mutually committed to the business sustainability of Platform Operators, and welfare of Platform Workers. Platform Operators should be able to maintain their competitive advantage in setting payment rates and allocating tasks dynamically. At the same time, Platform Workers should be assured that they are allocated tasks and paid fairly.

b. Platform Operators should be able to provide information and explain policies impacting Platform Workers in a manner that enables Platform Workers to make informed decisions about how to structure their work. Recognising the sensitivity of certain information, both in terms of security and commercial sensitivities, Platform Operators need not divulge proprietary information.

c. The flexibility that is valued by Platform Workers and Platform Operators should be preserved.

d. Platform Operators should retain the ability to make use of technology to encourage and maintain Platform Workers' service standards while at work. Platform Workers should have access to fair, timely and appropriate avenues of recourse.

3.8 Recommendation 7: A collective agreement must be certified at the Industrial Arbitration Court

3.8.1 The TWG recommends that if a collective agreement is reached between parties, it must be certified by the Industrial Arbitration Court. This will make the collective agreement binding, so that parties are held accountable to the agreement. This is the case for collective agreements between employee unions and employers.

▶ Summary of Recommendations

No.	Description
Recommendation 5	Platform Worker representative bodies and Platform Operators should be given the flexibility to determine areas for negotiation
Recommendation 6	Negotiations will be guided by a set of principles agreed by the TWG
Recommendation 7	A collective agreement must be certified at the Industrial Arbitration Court

How Disagreements between Platform Worker Representative Bodies and Platform Operators will be Resolved

04



Context

4.1 Dispute Resolution for Collective Disputes between Employee Unions and Employers

- 4.1.1 Disagreements between employee unions and employers on collective agreements are known as “collective disputes”. These disputes may arise in the process of negotiating a collective agreement, the interpretation of a collective agreement, or the implementation of what has been agreed to.
- 4.1.2 Under the representation framework for employees, collective disputes that cannot be resolved between both parties will be surfaced to MOM for conciliation. If the dispute cannot be resolved through conciliation, it will be brought to the Industrial Arbitration Court (IAC), which is presided over by a judge, for arbitration. Decisions by the IAC are final.
- 4.1.3 Today, most collective disputes are resolved at the conciliation stage which aims to help parties reach an amicable resolution.

4.2 Existing Situation in the Platform Sector

- 4.2.1 Today, there are no channels to facilitate dispute resolution between Associations and Platform Operators. There is therefore a risk that a disagreement may result in a stalemate that does not advance the interest of either party, or worse, creates an acrimonious relationship between an Association and Platform Operator. A dispute resolution process overseen by a neutral party can help Associations and Platform Operators overcome roadblocks, and guide parties towards an amicable agreement.

Consideration for Determining How Disputes should be Resolved

4.3 Consideration: There should be an authoritative and neutral party through which Platform Worker representative bodies and Platform Operators can resolve disputes

- 4.3.1 This will help both parties reach a landing and avoid unresolved disputes. Should it be difficult to reach an amicable agreement, and a decision either way needs to be taken, the process and decision should also provide for finality and certainty, so that parties can move on.



Recommendation on How Disagreements between Platform Worker Representative Bodies and Platform Operators will be Resolved

4.4 Recommendation 8: Unresolved collective disputes can be surfaced to MOM for conciliation, and if conciliation fails, to the Industrial Arbitration Court for arbitration

4.4.1 The TWG considered the importance of resolving a dispute and providing clear outcomes to the dispute. Given that the existing process for employee unions and employers has worked well in resolving disputes today, as evidenced by the very few cases of industrial action⁶, the TWG decided to adopt it for the platform sector.

4.4.2 The TWG thus recommends that the representation framework allow for collective disputes between a Platform Worker representative body and a Platform Operator to be surfaced to MOM for conciliation. If conciliation fails, the representation framework should allow for such disputes to be surfaced to the IAC for arbitration.

4.4.3 The TWG is confident that these processes will continue to foster harmonious industrial relations in the platform sector. Nevertheless, should a party decide to undertake industrial action, it should be subject to similar regulations as that for industrial action by employees. MOM will decide on the approach to regulate industrial action in the platform sector.

4.4.4 Besides collective disputes, the TWG recognises that there may also be unresolved individual grievances between a Platform Worker and Platform Operator. Representative bodies will be able to assist and represent their members to resolve their individual grievances with the Platform Operators. MOM will decide on the details, taking reference from the existing framework for employee unions to do so. For example, the option to refer unresolved grievances to MOM for conciliation, and if conciliation fails, to raise the grievance for arbitration at the IAC.

⁶ Industrial action refers to a strike, or a concerted act by a group of workers which would result in any limitation or restriction on, or delay in the performance of any duties connected with their work.

► Summary of Recommendations

No.	Description
Recommendation 8	Unresolved collective disputes can be surfaced to MOM for conciliation, and if conciliation fails, to the Industrial Arbitration Court for arbitration

Conclusion - Strengthening Tripartism in the Platform Sector

05





5.1 Collaboration is key to securing win-win outcomes for all stakeholders in the platform ecosystem

- 5.1.1 The TWG represents a unique approach - bringing together Platform Workers, Platform Operators and the Government to co-create the most critical aspects of the representation framework for Platform Workers, building relationships and engendering mutual trust in the process.
- 5.1.2 The process has facilitated a deeper understanding of the needs and challenges of Platform Workers and Platform Operators among TWG members. These include Platform Workers' pain points and how a Platform Worker representative body can add value to the platform ecosystem, as well as the need to balance business sustainability and the expectations of Platform Workers, merchants and consumers, who are all stakeholders in the platform ecosystem.
- 5.1.3 Importantly, the TWG process has set the foundation for open discussion and collaboration, so that representative bodies and Platform Operators can continue to take the relationship forward and achieve win-win outcomes when we move towards the implementation of the recommendations. Everyone has a part to play. Platform Workers will need to be aware of the Platform Worker representative bodies through which they can voice their interests and needs. They will be supported by Platform Worker representative bodies, who are committed to building closer relationships with Platform Workers and Platform Operators founded on trust and collaboration. Platform Operators must also act on their commitment to the welfare of the Platform Workers through collaborating with the representative bodies in good faith.
- 5.1.4 As the platform economy continues to grow and evolve, the representative framework may also need to be reviewed to stay relevant. It is our hope that future reviews will continue to be based on a collaborative, constructive, problem-solving approach. For this to happen, it is imperative for all stakeholders to continue building on the strong foundations for a collaborative relationship that was nurtured through the TWG.
- 5.1.5 Finally, developing tripartism in the platform economy helps to build a more inclusive society, in line with the vision of the Forward Singapore exercise - a society with stronger safety nets and collective support, that will strengthen assurance for Singaporeans.



5.2 A clear representation framework for Platform Workers will help to maintain industrial harmony

- 5.2.1 International developments have shown how a breakdown in communication or lack of trust between Platform Workers and Platform Operators can result in disruptions to the livelihoods of Platform Workers, business operations of Platform Operators and services rendered to the broader public.
- 5.2.2 The TWG's recommendations provide a clear pathway for Platform Workers to represent themselves, and a dispute resolution process to resolve disagreements between Platform Worker representative bodies and Platform Operators. These seek to preserve peaceful industrial relations that has been a bedrock of economic success in Singapore.
- 5.2.3 Given that the representation framework for Platform Workers takes reference from the one for employees which has worked well in maintaining industrial harmony, the TWG is of the view that the recommendations will put us in good stead amidst an evolving platform sector.

Appendix A -

Composition of Tripartite Workgroup on Representation for Platform Workers

Advisor	Dr Koh Poh Koon Senior Minister of State, Ministry of Manpower & Ministry of Sustainability and the Environment	
Co-Chairpersons	Mr Poon Hong Yuen Deputy Secretary, Ministry of Communications and Information (MCI) [former Deputy Secretary, Ministry of Manpower (MOM), effective until Jun 2023]	Ms Cham Hui Fong Deputy Secretary-General, National Trades Union Congress (NTUC) Mr Sim Gim Guan Executive Director, Singapore National Employers Federation (SNEF)
Members		
Platform operators	Mr Alex Lin Managing Director, Lalamove Mr Darryl Chua Operations Director, Foodpanda Mr Yee Wee Tang Managing Director, Grab	Mr Tommy Tan Chief Operating Officer, ComfortDelGro Taxi (effective until Jan 2023) Mr Yee Hon Wai Vice President and Head of Digital Mobility Service, ComfortDelGro Taxi (effective from Jan 2023)
Businesses	Mr Lam Yi Young Chief Executive Officer, Singapore Business Federation (effective until Dec 2022)	
Labour movement	Mr Ang Hin Kee Advisor to National Taxi Association (NTA) & National Private Hire Vehicles Association (NPHVA), NTUC Assistant Director-General and Director, Governance, Risk & Compliance Division Ms Yeo Wan Ling Advisor to NTA, NPHVA and NDCA (National Delivery Champions Association), Director, NTUC U SME and U Women and Family	Ms Jean See Jinli Executive Secretary to NDCA, Director, NTUC Freelancers and Self-Employed Unit (UFSE), and Former Executive Secretary to NTA Mr Goh Yong Wei President, NDCA Mr Joseph Goh Say Sing General Secretary, NPHVA
Government	Mr Lee Chung Wei Divisional Director, Workplace Policy and Strategy Division, MOM	Mr Kandhavel Periyasamy Divisional Director, Labour Relations and Workplaces Division, MOM

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