

An Indian-Australian research partnership

**Project Title:** At Risk of Precarity? Exploring the Moderating Effect of the Legal Infrastructure on Health and Wellbeing of Platform Economy Workers in India and Australia

**Project Number** IMURA0999

**Monash Main Supervisor**  
(Name, Email Id, Phone) Dr Toan Le  
Department of Business Law and Taxation  
Email: [toan.le@monash.edu](mailto:toan.le@monash.edu) *Full name, Email*

**Monash Co-supervisor(s)**  
(Name, Email Id, Phone)

**Monash Head of Dept/Centre** (Name,Email) Professor Carolyn Sutherland  
Head of Department  
Email: [carolyn.sutherland@monash.edu](mailto:carolyn.sutherland@monash.edu) *Full name, email*

**Monash Department:** Business Law and Taxation

**Monash ADGR**  
(Name,Email) *Full name, email*

**IITB Main Supervisor**  
(Name, Email Id, Phone) Dr. Rahul Suresh Sapkal  
Assistant Professor  
Centre for Policy Studies  
Email: [rahuls@iitb.ac.in](mailto:rahuls@iitb.ac.in) *Full name, Email*

**IITB Co-supervisor(s)**  
(Name, Email Id, Phone) *Full name, Email*

**IITB Head of Dept**  
(Name, Email, Phone) Professor Shihir K Jha  
Head of Department  
Centre for Policy Studies  
[head.cps@iitb.ac.in](mailto:head.cps@iitb.ac.in) *Full name, email*

**IITB Department:** Centre for Policy Studies

**Research Clusters:**

**Research Themes:**

<p><b>Highlight which of the Academy’s CLUSTERS this project will address?</b> <i>(Please nominate JUST <u>one</u>. For more information, see <a href="http://www.iitbmonash.org">www.iitbmonash.org</a>)</i></p>	<p><b>Highlight which of the Academy’s Theme(s) this project will address?</b> <i>(Feel free to nominate more than one. For more information, see <a href="http://www.iitbmonash.org">www.iitbmonash.org</a>)</i></p>
---	---

1	<i>Material Science/Engineering (including Nano, Metallurgy)</i>	1	<i>Artificial Intelligence and Advanced Computational Modelling</i>
2	<i>Energy, Green Chem, Chemistry, Catalysis, Reaction Eng</i>	2	<i>Circular Economy</i>
3	<i>Math, CFD, Modelling, Manufacturing</i>	3	<i>Clean Energy</i>
4	<i>CSE, IT, Optimisation, Data, Sensors, Systems, Signal Processing, Control</i>	4	<i>Health Sciences</i>
5	<i>Earth Sciences and Civil Engineering (Geo, Water, Climate)</i>	5	<i>Smart Materials</i>
6	<i>Bio, Stem Cells, Bio Chem, Pharma, Food</i>	6	<b>Sustainable Societies</b>
7	<i>Semi-Conductors, Optics, Photonics, Networks, Telecomm, Power Eng</i>		
8	<b>HSS, Design, Management</b>		

## The research problem

*Define the problem*

The world of work is changing rapidly. A drive for greater flexibility has triggered the growth of “atypical” forms of employment and new app-based work arrangement. These new forms of work arrangements are posing serious challenges to workers’ health and his/her wellbeing in both developed (King, 2019) and developing (Samant, ILO 2019) countries. In Australia and India, app-based workers (includes drivers and delivery workforce) are working under dangerous conditions and low income (Allman, 2021). Classified as “business partners”, they are nevertheless subjected to algorithmic management, technological control of the labour process and ratings system and the policies of platform companies that may result in the termination of their engagement agreement (Anwar and Graham, 2020). Despite the apparent harsh working conditions, the platform economy attracts an increasing number of drivers and ride-hailing services. The impact of job-loss caused by the coronavirus pandemic have led to more people turning to this form of atypical employment for some form of income support (Feng, 2020). The precarious working conditions of app based workers appear to have been contributed by uncertainty in whether the Labour Law applies to this group of workers. The app-based workers do not fit neatly within the existing legal definition of employees, as the degree of control and subordination of drivers by platform companies is not absolute as that in a traditional employer-employee relationship.

The rise of this segment of workforce can be interpreted as a manifestation of deceleration in the growth of full-time jobs and changing dynamics of technology and domestic legal institutions that shape workplace outcomes in globalizing markets. As Deakin (2002) pointed out, the normative model of employment for any given country reflects the interplay between conventions and governance mechanisms which link work organization and the labour supply. In this way, the Standard Employment Relationship (SER) shaped employer-employee relationships and migration patterns as well as familial obligations, household forms, and firm-level strategies. These crucial ingredients of the SER’s success were buoyed by a legal regime governing labour relations built on what Langille (2002) calls the ‘platform’ of the employment contract, through which workers had to establish that they were ‘employees’ in order to benefit fully from labour protection (Cranford et al. 2005; Valle’e 2005). However in the early 2000’s, with the rise of global production networks and supply chain conglomerations as well as gradual withdrawal of state interventions into market activities, the SER has shifted towards non standard forms of employment, particularly precarious employment (Vosko, 2010). As pointed out by Sapkal and Sundar (2017), precarious employment falls outside the purview of the SER. In almost all economies precarious work has been able to take

root because of weaknesses, omissions and gaps in both national and international labour law (ILO, 2011). Moreover, lack of effective enforcement of labour law pushes vulnerable groups into the margin of precarity, increasing health and social security risks due to its accompanying financial insecurity, worsened social relations, social status, and career paths, and physical and psychological hazards (WHO, 2008). Policy makers have made some efforts to recognize precarious work as an employment category and to consider its negative health effects at an international level (ILO, 2015). However, at the national level the effort to understand the negative impact of precarious employment on health is rather slow (Vosko, 2010 and Sapkal and Sunder, 2017). This has resulted in an important knowledge gap, since there are some indications that the governance of globalizing economies is to a large extent dependent on the legal infrastructure in both developed and developing countries (see, for example, Berliner et.al., 2015; Distelhorst et.al. 2015). Therefore, this study focuses on the extent to which the legal infrastructure in India and Australia moderates the negative health and wellbeing effects of precarious work performed by platform economy workers in both countries. .

This means that despite knowledge on the negative health and well being effects of flexible work arrangements, three questions remain unanswered: what is it about precarious work that generates negative effects, what are the most vulnerable categories of workers, and to what extent does the impact of precarious work on health and wellbeing depend on the legal context in which it is embedded. The goal of this study is to answer these three questions.

## Project aims

### *Define the aims of the project*

The aim of this project is three-fold. Firstly, it is to carefully conceptualize precarious employment and to assess its components' impact on app-based workers' physical and psychological health. In this aspect, it will assess how issues of low and unstable income, long working hours, lack of occupational health and safety, algorithmic and other forms of labour process controls, and an inadequate feedback and dispute resolution mechanism impact on the precarious health and well-being of drivers. In particular, the aim is to conduct a comprehensive survey into the physical and mental health impact of working as an app-based driver in Australia and India. It will track the physical and mental health of drivers during the entire duration of the project to provide a deep understanding of the health issues experienced by these drivers. The second aim is to identify and localise which vulnerable categories of workers are particularly affected by the precarious employment negative health effects (e.g. women, youths, migrants, disabled people, and marginalized community members and their family).

The third aim is to appraise the effectiveness of the existing legal infrastructure in India and Australia to moderate the negative health effects of precarious work. Aspects of the legal infrastructure that are expected to moderate the negative health effects are the following: 1) employment protection legislation, 2) regulation of working conditions, 3) enforcement of labour regulations, and 4) private litigation. The appraisal of the legal infrastructure will enable the investigators to explore regulatory solutions that take into account the local contexts of India and Australia and to be responsive to the needs of ride-hailing drivers documented and analysed in the research study. Comparing precarity and vulnerability of drivers in India and Australia may also assist international organisations such as the International Labour Organisation to develop international labour standards on occupational health and safety for the platform transportation industry.

## Expected outcomes

*Highlight the expected outcomes of the project*

We expect at IIT Bombay the student will provide following outcomes

1. Three/four content based empirical-based chapters (based on the objectives of the project) for publishing in the high ranking journals
2. Submission of policy briefs to respective sample countries' labour and welfare departments and conducting knowledge dissemination workshops with ILO-ACTRAV and ITUC Belgium.
3. Starting off the open data portal for sharing data on precarious employment between developed and developing countries (subject to approval).

## How will the project address the Goals of the above Themes?

*Describe how the project will address the goals of one or more of the 6 Themes listed above.*

The proposed project falls under the research cluster of Humanities and Social Sciences and covers the research theme of sustainable societies as defined in the Sustainable Development Goals. Our project also uses the normative parameters defined under SDG's namely good health and wellbeing, reduced inequality and decent jobs and economic development.

## Potential RPCs from IITB and Monash

*Provide names of the potential research progress committee members (RPCs) and describe why they are most suited for the proposed project*

Dr. Sarthak Gaurav IIT Bombay  
Dr. Vishnu Phabhir Vishnu Poruthiyil  
Dr. Petra Mahy, labour law scholar.  
Dr. Catrina Denvir, labour scholar.

## Capabilities and Degrees Required

*List the ideal set of capabilities that a student should have for this project. Feel free to be as specific or as general as you like. These capabilities will be input into the online application form and students who opt for this project will be required to show that they can demonstrate these capabilities.*

Required:

Masters degree in Social Science/Law From recognised Indian/Foreign University and other admission requirement of IIT Bombay

Knowledge of social science research methods

Interested to conduct legal research in labour law

Experience in conducting interviews and field survey

## Necessary Courses

*Name three tentative courses relevant to the project that the student should complete during his/her coursework at IITB (the student will require to secure 8 point in these courses)*

Introduction to Economics

Constitutional Law and Public Policy

Quantitative and Qualitative Research Methods

## Potential Collaborators

Please visit the IITB website [www.iitb.ac.in](http://www.iitb.ac.in) OR Monash Website [www.monash.edu](http://www.monash.edu) to highlight some potential collaborators that would be best suited for the area of research you are intending to float.

ActionAid India and Australia

FES India and Australia

IFAT (Indian Federation of App Bas Transported Workers)

Select up to **(4)** keywords from the Academy's approved keyword list (**available at <http://www.iitbmonash.org/becoming-a-research-supervisor/>**) relating to this project to make it easier for the students to apply.

Humanities