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Exploring the Role of AIS Scholars in Framing the Concept of “contractor” and “employee” in the Gig Economy

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Abstract

In this session, we propose to engage the AIS scholars in policy debates regarding the digital variability that exists in different types of gig work¹ enabled by digital platforms (e.g., Uber, Upwork, MTurk). We argue that AIS members are uniquely positioned to contribute to framing our shared understanding of the variability of the types of gig work and workers, enabled by digital platforms. Gig work enabled by digital platforms consists of income-earning activities outside of traditional, long-term employer-employee relationships. Rapidly growing during the last decade, the gig economy is forecasted to continue its explosive expansion over the next five years. PriceWaterhouseCooper forecasts the gig economy to grow from \$15 billion in 2013 to \$335 billion in 2025². In response to the changing labor market landscape, the legislators, regulators and judicial officials around the world are trying to re-interpret, re-define, and re-imagine current policies and labor laws to create a legitimate and credible space for gig workers by re-conceptualizing the notion of what constitutes an “employee” and what constitutes a “contractor.” The regulatory efforts in crafting definitions for “employee” (versus “contractor”) in the gig economy is complicated by how the nature of work (e.g., degree of modularization and digitization of task) and its environment (platform owners’ role in worker compensation and governance) is enabled by digital platforms. One example of such a regulatory complication associated with defining “employees” in the digital context is exemplified by a recent law enacted by the US state of California, titled Assembly Bill (AB) 5. This law was enacted in January 2020 and established a three-part test for classifying workers as a “contractor” rather than “employee.” The execution of this law has yielded mixed results, which are particularly acute when comparing platforms that enable physical versus digital tasks. Some digital platforms, such as Uber have publicly argued that they are merely software companies and have continued to operate within the state of California as they had before AB 5 was passed. Others, such as digital provider Vox Media have laid off California based staff in an effort to comply with the law. The degree of digitization of gig work and its environment is germane to our shared understanding of these issues. Through our critical discourse and discussion at this AMCIS2020 TREO talk session we hope to make a call for action, and to inspire AIS members to contribute to framing of these critical issues.

¹ Oxford Dictionary, 2019. A labor market characterized by short term contracts or freelance work as opposed to permanent jobs

² PriceWaterhouseCooper. 2013. The Sharing Economy: Sizing the Revenue Opportunity.