

India's Social Security Code, 2020: A Catalyst for Promoting and Protecting Platform Labour

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In a historic move, India has recently revamped its labour governance architecture, attuning it to the evolving future of work. The resultant labour codes, especially the Code on Social Security (CoSS), 2020, serve as a potential blueprint for the world to 're-regulate' work and labour relations. CoSS 2020 affords much-needed legitimacy to all types of work arrangements, and in fact delinks social protection from standard employment relations. This article examines the possibilities offered by CoSS 2020 and argues that its operationalisation stands to uplift workers across all sections of the labour market. It takes up the case of the digital platform economy in India to illustrate where the Code succeeds, in the context of various faltering attempts across the developed world to regulate digitally mediated labour. In doing so, this article makes a clear case for catapulting labour relations and workers entitlements to the 21st century and calls for a renewed policy response, crafted by centering worker welfare and labour justice.

Keywords: *Platform Economy, Labour Governance, Labour Reforms, Code on Social Security (CoSS) 2020, Gig Work, Platform Labour, Platform Workers, Future of Work*

1. Introduction: Digital Platforms Herald a New Era of Work

The ubiquity of smartphones and the widespread availability of affordable data have revolutionised how we live, move, and work. The last decade marked the rapid growth of digital platforms making our lives convenient on the one hand, and unlocking millions of remunerative opportunities for job-seekers on the other (Ramachandran & Raman, 2019; Raman, 2020). Having meals, groceries, medicines, etc. delivered to one's doorstep, and ordering a bike-taxi, auto-rickshaw, or taxi-cab at the click of a button, are but a few examples of the hyperlocal economy we live in today (Raman, 2020).

The aforementioned jobs of driving and delivery are location-specific, and form one of the two broad categories of digital platform-based work; the other being online web-based platform labour. As per the latest ILO report on the future of work, 'World Employment and Social Outlook 2021' (WESO 2021, henceforth), online web-based platforms allow businesses to outsource tasks such as financial and

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legal services, design, data entry and data analytics, among others, or even micro-tasks such as transcribing interviews, checking data entries or traffic on websites, etc. (ILO, 2021). These jobs are global, in the sense that a worker in the global South can cater to the needs of a business in the global North. On the contrary, location-based platforms offer hyperlocal jobs centered on driving and delivery, for instance, as well as providing professional home services such as cleaning, plumbing, electrical work, and beauty or wellness-based services, among others. The latter are offered at the customer's location, and require workers to be mobile, and open to providing such location-centric services.

Globally, platform work witnessed a surge over the past decade: the number of web-based platforms tripled while the number of taxi and delivery platforms grew nearly tenfold (Jha, 2021; ILO, 2021). Overall, the number of digital platforms increased from 142 in 2010 to 777 in 2020, as per the ILO's WESO 2021 report, generating a revenue of at least USD 52 billion in 2019 alone. These digital platforms of labour are primarily concentrated in the US (29%), India (8%), and the UK and Northern Ireland (5%). Consistent with India's position and strength as a global software hub, the country constitutes 20% of the online web-based platform workforce, catering primarily to businesses in the global North. This translates to a significantly higher share of web-based workers in India compared to other emerging economies. Notably, India's share of total supply of global labour rose by around eight percentage points between 2018 and 2020, making Indians the largest providers of global labour (*ibid*).

This ever-expanding form of labour has demonstrated resilience even in the face of the ongoing pandemic, especially in India. While the unprecedented dual health-cum-economic crisis of Covid-19 caused a decline in both the demand for work and the supply of labour across countries in March 2020, India - on the contrary - witnessed a 50% increase in the demand for online work compared to the beginning of 2020, as well as an increase in the availability of platform labour. Three factors might explain these trends, as per the ILO's WESO 2021 report.

First, there is a general increase in the demand for online web-based platform jobs attributable to companies switching to a remote working environment, and cost-saving measures by businesses witnessing reduced revenues.

Second, the pandemic-induced lockdowns have drastically increased the demand for delivery services (WEF, 2021). In fact, cities and platform businesses formed social partnerships to keep communities connected through the different phases of lockdowns. A 2020 study documented global evidence of the ways in which platforms and platform workers delivered food, groceries, and medicines to the elderly and other vulnerable populations, and how platforms prioritised the mobility of healthcare workers and other frontline soldiers in the time of crisis (Raman & Ramachandran, 2021).

Third and uniquely so, India has witnessed a steep increase in the number of registered workers for all platform-based occupations, except professional services, at the onset of the Covid-19 pandemic. This general increase in labour supply unaffected by seasonal patterns, and in contrast to what is observed globally, is in response to the steadily growing demand for such platform-based services locally and regionally (ILO, 2021).

Reinforcing these trends - especially on the labour availability side - are the underlying characteristics of the platform economy: platform jobs have low-entry barriers, and cater to the needs and aspirations of workers with varying degrees of skill sets (Ramachandran & Raman, 2021). While online web-based platform jobs have a high degree of complexity (WEF, 2020), location-specific platform jobs - such as delivery or driving - can be performed by workers traditionally regarded as semi-skilled. Thus, individuals armed with an internet-enabled smartphone and a vehicle (motorised or even non-motorised), can monetise their assets at will, and thereby become platform workers (Sundararajan, 2016; Raman & Kulkarni, 2021). Assets here refer to the physical assets of vehicles, for instance, and the human capital (asset) of transferable skills such as driving, interpersonal communication skills, etc. (Ramachandran, Singh & Narain, 2021). Platforms afford flexibility and choice of work to all. Combined with having low-entry barriers as specified above, platforms constitute lucrative sources of remuneration for the masses (ILO, 2021; Ramachandran & Raman, 2021).

No wonder, India is a fertile ground for platform jobs. Between 2010 and 2018, mobility aggregators - Ola and Uber - alone created 2.2 million jobs in the country (Pradhan, 2019). These included driving jobs using taxi-cabs, auto-rickshaws, and the ubiquitous two-wheelers (scooters and motorbikes) as taxis. By early 2020, Ola bike-taxi service was operational in 200 cities in India and engaging over 300,000 bike partners. Another bike-taxi company, Rapido, was present in over 90 cities as of March 2020, with 500,000 driver-partners catering to 10 million customers (Raman, 2020). Dunzo, the fast-growing on-demand quick commerce platform, used to engage 18,000 active delivery partners including cyclists in late 2019 (Apurva, 2019), and has reported a 40-times growth in the period 2019-'21, fuelled by the pandemic-induced surge in demand for convenience and availability of platform labour (Akolawala, 2021; BusinessWire, 2021). Such accelerated growth appears to be the cornerstone of platform businesses across sectors, including the restaurant aggregation, and food delivery domains as well. Zomato¹, for instance, reported earning INR 2,604 crores in the financial year 2019-'20, signifying a 5.5-times growth from 2017-'18. The platform witnessed 10.7 million active customers ordering food every month from 131,233 active restaurants, and served by 161,637 active delivery partners (Alawadhi & Abrar, 2021). Similarly, the platform Swiggy, which has diversified its business to include grocery delivery and package transfers

¹ Notably, Zomato's Initial Public Offering (IPO) was opened from July 14 to July 16, 2021.

in addition to food delivery, reported engaging 150,000 delivery partners as of June 2021 (PTI, 2021). Notwithstanding the small- and medium-sized platforms offering passenger mobility and delivery services across India, the aforementioned major platform businesses in the said domain alone engage 3,329,637 workers, i.e. over 3.3 million workers².

This workforce of 3.3 million platform workers in the digitalised³ passenger mobility and hyperlocal delivery services, with the potential to grow in the years to come, is higher than the 1.254 million employees engaged by the Indian Railways, India's largest and the world's eighth-largest employer (Ministry of Railways, 2021), and the 500,000 headcount of the Tata Consultancy Services, India's largest private-sector employer (ET Bureau, 2021). The massive size of the platform workforce in India and elsewhere invariably attracts close scrutiny. Undoubtedly, the advent of digital platforms has transformed the nature of work in the 21st century. But what are the attributes of this new form of labour? What are the traits of a new-age worker engaged in platform labour? How do the platform worker's characteristics differ from those of a non-platform worker? What are the enablers and barriers of entry to the platform workforce? Overall, what is the impact of digitalisation on lives, livelihoods, and the economy? These are fundamental questions necessary for economies to answer before beginning to govern platforms and platform workforce.

Using evidence from empirical studies conducted in India and elsewhere between 2019 and 2021, this article presents brief answers to the aforementioned questions. Further, it delineates the role of the policymaker in unlocking jobs in the platform economy, and propelling India's post-Covid recovery. In this context, India's latest labour legislation, the Code on Social Security, 2020, gains significance. What are the implications of this new law for Indian platform businesses and workers, and what lessons can the rest of the world learn from India's historic move, are covered in the latter half of this article. The article concludes with recommendations of policy measures that the central and state governments can adopt to promote platform economy, while leveraging and protecting platform workers.

2. Demystifying Platform Labour

The labour market of contemporary times has two new categories of work, gig and platform work respectively. India's Code on Social Security, 2020, defines gig work as the form of labour outside the traditional employer-employee relationship.

² Back-of-the-envelope estimates. Workers can work for more than one platform at a time. Enumeration of unique platform workers in India to be streamlined after the implementation of CoSS 2020.

³ There's a difference between 'digitisation' and 'digitalisation'. While the former involves activities like scanning a restaurant bill, for instance, the latter involves leveraging the digitised data to improve business processes and economic outcomes (Ramachandran, 2020a).

Further, platform labour is a type of gig work where individuals use the medium of digital platforms to earn a living (Ministry of Labour and Employment, 2020).

Labour platforms are at the heart of the digital economy, powered by smartphones, low-cost data, and the Indian government successfully catalysing the expansion of Digital India through its Jan Dhan-Aadhaar-Mobile initiative (Ramachandran & Raman, 2021). Invariably, platforms are marked by distinctive traits of the digital economy. In the mobility economy, for instance, passenger mobility platforms are avenues where asset-owners or asset-heavy workers cater to asset-light commuters. India witnesses a low penetration of private vehicles at a meagre 22 cars per 1,000 population, and 102 two-wheelers (mopeds, scooters, and motorbikes) per 1,000 population (Raman, 2020). At the same time, rapid urbanisation and unfettered motorisation are posing traffic congestion, pollution, and associated health and socio-economic challenges in urban agglomerations. To help citizens access education and employment-based opportunities across a city, mobility platforms or mobility aggregators provide a crucial service. One does not require the ownership of a vehicle to access opportunities. But the access to a mobility asset alone is sufficient (Shah, 2019). At scale, such sharing of vehicular assets makes mobility affordable to all, while unlocking remunerative opportunities for the asset-owner. Platforms, thus, democratise the access to mobility services and earning opportunities. As the number of mobility workers (vehicle owners and drivers) and mobility consumers (passengers) increases and reaches a critical mass, platforms are able to create and leverage network effects. Undoubtedly, data is integral to platforms businesses. Mobility platforms use data to enhance passenger and driver experience, for instance. Platforms are, thus, shaped by the features of the digital economy comprising asset-lightness, network effects, datafication, and mobility (ILO, 2021).

By their very nature, platforms afford flexibility and choice of labour to their workers (WEF, 2020; ILO, 2021; Ramachandran & Raman, 2021). Platforms empower workers to monetise their assets when and where they want. These assets can take the shape of the tangible real estate (a spare room in one's house, for instance) or vehicle, on the one hand, and the more intangible human capital such as skills (driving, cooking, plumbing, beauty and wellness skills, etc.), on the other (Sundararajan, 2016; Ramachandran, Singh & Narain, 2021). Flexibility and choice as the core characteristics of platform work, make this new-age labour attractive for the masses. Recent studies corroborate this observation with empirical evidence. The ILO's WESO 2021 report, which draws on the findings of surveys conducted among 12,000 workers in 100 countries, notes job flexibility as one of the main motivating factors for platform workers. Other main factors include better pay compared to other available jobs, and lack of alternative employment opportunities.

Closer home, a first-of-its kind large-scale study conducted by the Ola Mobility Institute (OMI) considered survey responses from 3,300 platform workers, and

1,700 non-platform workers interviewed across 12 Indian cities, between 2019 and 2020. The comparative study - of platform workers (experiment group) and non-platform workers (control group) exclusively in the mobility economy - reveals job flexibility, added income, and no alternative job as the main motivations for joining platforms (Table 1) (Ramachandran & Raman, 2021).

Table 1
Distribution of Platform Workers by the Factors Motivating Them

Factors motivating platform workers	Percentage
Want to be an entrepreneur/ my own boss/ flexibility of hours	49.2%
Pay for college or save for dependents	22.5%
Lost my job and doing platform work till I get a new job	9.1%
I like my job	7.5%
Assured income and the ability to have my own asset	6.1%
Others	5.3%
Friends and relatives are with a platform	0.3%

Source: Ramachandran & Raman, 2021.

Job flexibility or the preference or need to work from home is particularly important for women in developing and developed countries alike, notes the ILO in its WESO 2021 report. Primary data collected by the IWWAGE in late 2019 involving 88 of the 8,000 women workers of the professional home services platform, Urban Company, too confirms this finding, with 85% of the women interviewed reporting satisfaction with flexible timings (IWWAGE, 2020). A sociological enquiry by the OMI in 2021, investigating the interplay of gender and asset ownership in the platform economy, finds that the platform economy offers two distinct advantages - asset monetisation and flexibility - which have remained elusive in traditional models. Additionally, platforms augment asset ownership, further catalysing women's labour force participation. Thus, labour force participation is no longer a binary decision between household duties and economic aspirations, but women now have the choice to work at will (Raman & Kulkarni, 2021).

Indeed, maximisation of asset utilisation - wherein an existing asset is put to remunerative use - and augmentation of asset ownership are hallmarks of the platform economy. The OMI survey of 5,000 platform and non-platform workers is revealing. 62% platform workers compared to 51% non-platform workers reported owning a vehicle. As the age of the worker increases, asset ownership too improves, with the gap between the platform and non-platform workers persisting as shown in Table 2.

Table 2
Distribution of Platform and Non-Platform Workers in the Mobility Economy by the Ownership of Asset (vehicles) Across Age Cohorts

Age	Owns vehicle being driven		Does not own vehicle being driven	
	Platform worker	Non-platform worker	Platform worker	Non-platform worker
18 - 25 years	53%	45%	47%	55%
26 - 45 years	64%	52%	36%	48%
46 - 65 years	72%	55%	28%	45%
Above 65 years	80%	65%	20%	35%

Source: Ramachandran & Raman, 2021.

The OMI study also finds that asset ownership directly impacts the earnings of the worker - platform or otherwise. While platform workers report earning substantially higher than non-platform workers overall (Table 3), self-employed workers - i.e. those who own their assets - report earning more than the wage workers - i.e. those who are employed to operate an asset - in the platform and non-platform economies alike, with self-employed non-platform workers earning less than platform-based wage workers.

Table 3
Distribution of Platform and Non-platform Workers by their Reported Daily Earnings

Worker category	Self- Reported Daily Earnings (INR)					Total
	Up to 500	501 - 1,000	1,001 - 1,500	1,501 - 2,000	Greater than 2,000	
Platform Workers	11.0%	45.6%	20.0%	9.8%	13.6%	100%
Non-platform workers	36.6%	63.4%	0%	0%	0%	100%

Source: Ramachandran & Raman, 2021.

The network effect of platforms - higher discoverability and visibility afforded by platform tech (a chief characteristic of platforms as mentioned earlier in this article) - empowers workers to earn higher compared to their non-platform counterparts.

Such higher earnings draw individuals with a higher number of dependents than others to platform jobs. The earnings from the platform are critical for the platform worker to support their family members, finds the OMI study on the platform economy. While incomes stagnate for the non-platform workers, higher

earnings from platforms help platform workers support an increasing number of dependents (Ramachandran & Raman, 2021).

Overall, platforms afford a lucrative livelihood option compared to the larger trend in India: The Periodic Labour Force Survey (PLFS) 2017-18 reports that 45% of regular workers earn less than INR 10,000 per month, while around 12% of casual workers were paid less than INR 5,000 monthly (ET Online, 2019). These statistics highlight the urgent need to lift families farther away from subsistence earning and to real wages (Ramachandran & Raman, 2021). The platform economy affords that very opportunity to India. As discussed earlier, platforms democratise access to jobs, and thereby, adhere to the canons of fair play and equal opportunity. Notably, the right to “practise any profession, or to carry on any occupation, trade or business” is a fundamental right⁴ enshrined in the Indian Constitution. The central and state governments in India can, thus, leverage digital platforms to unlock livelihood opportunities for the masses, and protect every citizen’s fundamental right to work.

3. Beyond Formal-Informal Dualism: The Need for a New Frame of Reference to Measure Dignity of Life and Livelihoods

Platforms are able to afford job flexibility and choice, and high earnings compared to existing alternatives by design. Notwithstanding the characteristics of the digital economy - maximisation of asset utilisation, network effect, datafication, and mobility - that shape the platform economy, as seen earlier, the fact that platforms are able to scale rapidly within and across geographies and sectors is by virtue of their operating outside the traditional “employer - employee” relationship. This brings the larger question of the utility of the existing dichotomies of “formal-informal”, “organised-unorganised” to the centre stage of the platform economy and governance debate plaguing the world, except India, as shall be unpacked in the coming sections.

Labour market is traditionally arranged as formal and informal. Simply put, formal work involves an employer hiring an employee under an established working agreement that includes salary or wages, health benefits, defined work hours and workdays, and retirement benefits, among others. The inverse refers to informal work. Studies have well established that labour classification based on the economic dualism of formal and informal does not work anywhere in the world. In fact, there is a strong relationship between the political and economic past of the country and its arrangement of the labour market in contemporary times (Peattie, 1987; Chen, 2012).

For instance, the present day labour market in India structured along organised and unorganised sectors with formal (regular) and informal (casual) workers is the product of colonial industrial manufacturing and the simultaneous existence of petty production (Ramachandran & Raman, 2021). This arrangement is historic

⁴ Article 19(1)(g) of the Indian Constitution.

as well as one of need. The necessity is derived from how the linkages between the informal economy - engaging 92% of India's workers (Ramana Murthy, 2019) - and the formal economy keep the cost of production low. The concept of formal-organised jobs of the factory floor, unfortunately has been exported to other sectors, especially the services sector, in a context-bereft fashion. This has given rise to the problematic application of manufacturing-era concepts or ideas to define and "secure" labour in the services sector as well.

Another issue that the dichotomy of formal-informal creates is the exaggerated importance given to wage labour instead of valuing both wage- and self-employment. The Anthropologist and Urbanist, Peattie (1987), notes in her seminal work on the formal-informal dualism, how the aforementioned overemphasis on wage employment has resulted in the "informal sector" enterprises as being regarded as income sources for those lacking wage employment, and almost as a euphemism for the "poor". Although said dualism has gained currency over the years, the belief in this dichotomy results in decision makers failing to recognise the potential of job creation or economic growth of these "informal" enterprises. And how the boundaries between "formal" and "informal" sectors are often blurred. Consider the disconnect between output and employment in India's manufacturing sector. While the "formal" sector accounts for 80% of India's manufacturing output, it is the "informal" sector⁵ that accounts for over 80% and 99% of Indian manufacturing employment and establishments, respectively (Ghani et al., 2015).

As seen earlier, "formal" and "informal" interact closely, and are complementary to each other. "Informal" businesses are the cheap links in the formal companies' supply chains (Ramachandran & Raman, 2021). Therefore, it is crucial to reduce the incentives to an employer to remain in the "informal" sector by reimagining social safety nets and dissociating "benefits" from employment (Chowdhry & Tantri, 2020). Overall, the prudent thing to do is to upgrade the "informal" sector, instead of regulating it with a heavy hand. For, the cost of adhering to regulation and taxes will not only add to the cost of production but will also render the informal sector unviable. Steps like improving infrastructure, boosting skills and know-how, and providing access to financial services need to be adopted (Himanshu, 2017).

It was only in the 2010s that the role of the small enterprise was recognised and acknowledged. In fact, the pandemic-induced lockdown of 2020 further revealed just how crucial the small enterprise is to India's economic output, overall contributing to about 30% of the GDP and providing 110 million jobs in the country (Mukul et al., 2020). Globally, 7 out of 10 workers are self-employed or in small businesses, as per the ILO. Data gathered in 99 countries found that these so-called 'small economic units' together account for 70% of total employment,

⁵ The informal sector comprises establishments with 10 workers or less that use electricity, or 20 workers or less without electricity.

making them by far the most important drivers of job creation. Therefore, small economic units should be a central part of economic and social development strategies. It is imperative to understand that enterprise productivity is shaped by a wider “ecosystem”, facilitating access to finance and markets, advancing women’s entrepreneurship, and enabling access to social security, encouraging the transition towards environmental sustainability (ILO, 2019).

Platform companies recognise this lacuna and have positioned their business as a facilitator of small enterprises and the self-employed. As presented elsewhere in this article, platforms provide a realistic alternative to an economy short of good jobs, with the assurance of earnings and self-reliance (Ramachandran & Raman, 2021). Platforms can, therefore, be leveraged to reframe the economy.

4. COSS 2020: Imparting Valuable Lessons to the World by Reinventing Social Security

In a historic move in 2019-'20, the Government of India ushered in a new era of labour governance. The decisive labour reform of assimilating 44 Union labour laws into four Codes - one each on Wages; Occupational Safety, Health and Working Conditions; Social Security; and Industrial Relations - has resulted in a complete overhaul of India’s labour regulations. By enacting the Code on Social Security, 2020 (CoSS 2020), India is the first country globally to mandate social protection for all workers, including the new-age gig and platform workers (Ministry of Labour and Employment, 2021). In a landmark initiative benefitting half-a-billion workers, India has catapulted its social security regime to the 21st century.

CoSS 2020 has replaced multitudinous, archaic and overlapping legislation regarding the social security provisions for workers and their families (Ramachandran, Raman & Singh, 2021). Traditionally, social security has been tied to employment, as seen in the case of formal employees enjoying pay and retirement and healthcare benefits, among others. Such a regime has rendered over 92% of the Indian workforce, i.e. those in the unorganised, informal sectors (Ramana Murthy, 2019), unprotected. Linking social security to employment has led to the simultaneous existence of two classes of workers within the low-income group (i.e. those earning less than INR 1.8 lakhs per annum). The first segment has access to family health benefits and retirement plans through Employee State Insurance & Employee Provident Fund, whereas the other does not have such statutory protections. The statutory protections are a combination of the contributions made by the worker, employer, and central and state governments (Ramachandran, Raman & Singh, 2021).

The deductions made from the salaries of the formal, organised employees in the low-income group fund massive public corpuses such as the Employee Provident Fund Organisation (EPFO) and the Employee State Insurance Corporation (ESIC).

In other words, the current system takes a portion of the earnings away from the lowest paid workers to fund socialised programmes (ibid). Owing to operational issues- both structural and functional- the EPFO and ESIC harbour massive unutilised amounts- at INR 26,497 crores and INR 68,292 crores respectively (ET Now Digital, 2020; Ray, 2020).

This necessitates an overhaul of India's prevailing social security system, a feat initiated by CoSS 2020. As mentioned earlier, the labour legislation of the past focuses on deciding exclusionary criteria, rather than attempting to bring the maximum number of workers within its fold. This has had disastrous ripple effects through the economy for decades, through mandating maximum earning ceilings, collecting salary deductions languishing as unspent funds, and not creating institutional incentives to dole out social security gains. The newly minted law, on the other hand, puts the debate on worker classifications to rest and mandates social protection for all workers including the new-age gig and platform workers (Ramachandran, Raman & Singh, 2021).

CoSS 2020 makes an important distinction among 21st century workers; it defines gig workers as "those earning from and participating in work arrangements outside of traditional employer-employee relationships" and platform workers as those gig workers engaged with digital platforms (Ministry of Labour and Employment, 2020). Further, CoSS 2020 reflects the dynamism of the labour market and decrees tripartite roles for the worker, job-creator, and the State in ensuring secured futures for labour. Both these initiatives are absent in other global efforts to govern labour, leading to unintended consequences in large digital economies such as California, France, Spain, and the UK.

Consider the case of these digital economies closely. Within months of India enacting CoSS 2020, the US state of California voted to keep rideshare and delivery industry workers as independent contractors during the November '20 election cycle. In doing so, Californians embraced Proposition-22 (Prop-22), put forward by platform businesses and platform workers, and repealed the less popular Assembly Bill 5 (AB-5) legislation which mandated platforms treat their workers as employees. AB-5 - which extends factory-floor-classification of workers to the service industry - found analogous applications in France and Spain too, and inadvertently led to job losses in the broader gig economy (Lin, 2019). Over 100 exemptions have been amended to AB-5 over the past year, illustrating the struggles of applying a "100-year-old solution to a modern problem" (Oncidi, Gold & Deserio, 2020; Raman & Ramachandran, 2020c).

Prop-22 makes 'The Protect App-Based Drivers and Services Act' the law of the land. Rideshare and delivery workers continue to be flexible, gig-based workers while also gaining economic security. Worker protection takes the form of assured earnings, healthcare subsidies, vehicle expense compensation, occupational accident insurance, and protection against discrimination or harassment, owed

by the platform company. This is but the first step that California and the rest of the USA can take in the direction of universalised social security (Raman & Ramachandran, 2020c).

Closer home, with the passage of the Code on Social Security (CoSS) 2020, policymakers have managed to catapult the imagination of financial and social security associated with employment to contemporary realities. Unlike California, India goes a step further in reimagining social protection in the 21st century. California could well adopt some lessons from CoSS 2020 to widen the scope of reforms being proposed via Prop-22 (ibid).

As specified earlier, a major lesson includes replacing the formal-informal dichotomy with new worker classification that truly reflects the characteristics of the fast-evolving nature of work in the 21st century. The issue of labour taxonomy gains critical significance today with digital platforms changing the very nature of work. By affording independence, flexibility and choice, gigs and platforms have created a new form of work outside the traditional employer-employee arrangement (ibid). The second and third lessons - as shall be seen in the upcoming paragraphs - pertain to distinguishing platform workers from unorganised, informal workers, and adopting innovative social security schemes that decouple social protection from employment, and makes social security progressively universal and portable.

Remarkably, gig and platform workers have secured visibility through CoSS 2020. This law recognises platform workers as a step up from unorganised, informal workers commonly referred to as independent contractors elsewhere. For, platform workers enjoy independence, agency, and guaranteed payments by the clients upon completion of service (Raman & Ramachandran, 2020b). Thus, CoSS 2020 responds to calls for “effective ways to blunt self-exploitation” in India by making self-employment lucrative, and by fully harnessing the power of digital platforms (Sabharwal & Chakrabarty, 2019). An important rebound strategy post-Covid is the recognition that “India has a wages problem, rather than a jobs problem” (Swarajya, 2016). India can achieve economic recovery and growth by leveraging platforms to address this gap. Platforms enable market access to hundreds of millions of individuals who have the drive to maximise the utilisation of the assets they own or invest in new assets, making them successful self-employed actors with secure futures (Ramachandran, Raman & Singh, 2021).

Overall, the introduction of the CoSS 2020 leads the labour regulatory regime away from centuries-old restrictive worker classification that creates two types of labour- those that are protected with secure jobs and futures, and those that are not. The time has come for all workers to be entitled to social and financial protection and this requires a complete overhaul of the systems that disenfranchise workers who do not commit all their working time to one employer. CoSS 2020 is the first step in this direction as it extends social protection to all workers, making India

the first country to recognise new types of workers and mandate protection for them (ibid).

Combined with defining such workers as different from traditional employees and unorganised sector workers, CoSS 2020 is necessitating the adoption of cutting-edge solutions to provide social security for all. CoSS 2020, impacting the lives and livelihoods of over 500 million workers, contemplates the creation of a centralised corpus fund into which workers, platform businesses, and the government contribute. Workers register with the fund and avail benefits directly, while the job-creator, i.e. the digital platform, remains a mediator (Raman & Ramachandran, 2020b). This helps CoSS 2020 achieve the principles of progressive universalism and portability of social protection, allowing millions of workers to access social security bypassing their job-creator (World Bank, 2019; Ramachandran, 2020b). This new legislation has brought about a paradigm shift in labour relations and governance wherein new forms of labour are recognised outside the traditional dichotomy of formal-informal, and social protection is delinked from employment, in an unprecedented fashion.

In 2018, two key trends emerged: India entered a 37-year-long demographic dividend (Thakur, 2019), and simultaneously smashed all smartphone ownership records with over 500 million Indians, approximately 41% of the population, having access to data (Mathur, 2020). The implications of these technological transformations are manifest in the way Indians access work, education, entertainment, public services, healthcare, and finance; and digital platforms have touched each of these sectors (Raman & Ramachandran, 2020b). The platformization of the everyday is creating digital jobs that are flexible and increase remunerative opportunities via platform-led transformational skilling (Ramachandran & Raman, 2021). By their very nature, platforms have a wide reach and nearly no entry barriers for workers. The multiplier effects in the platform economy are many – affecting the over 3.3 million workers presently engaged in platforms like Ola, Urban Company, Swiggy, Zomato, Dunzo, etc. across 200 cities and counting.

The highly visible platform workers were hitherto only protected by platform businesses, which cushioned them from reduced earnings, covered accidents, medical costs for family, and more (Raman & Ramachandran, 2020a). Today, platform workers in India are guaranteed social protection by law. The manner in which social protection for platform workers is envisaged as progressively universal and portable is a testament to India's vision in truly reimagining social protection in the 21st century.

For the 21st-century worker, CoSS 2020 lays the foundation for delinking social security from employment and universalising it. The prevailing standard of "employment" provides wages as well as social security in the form of retirement benefits, and health, accident, life insurance etc. This form of social security coupled with employment makes job creation expensive, and renders people vulnerable during times of massive job losses such as this pandemic. Therefore,

it is discouraging to see global economies uncritically applying archaic notions of labour governance to new-age disruptions (Raman & Ramachandran, 2020c).

India, by enacting CoSS 2020, has become the only country globally to mandate social protection for all workers including the new-age gig and platform workers. This epochal initiative is worthy of replication around the world. Indeed, developed and developing countries alike have lessons to learn from India's innovative ways to protect all its workers, including the new-age gig and platform workers.

5. Promoting and Protecting Platform Work through CoSS 2020 - Guiding Principles for Implementation

The Code on Social Security 2020 is an effective reimagination and reinvention of social protection in the 21st century. This epochal legislation- benefiting half a billion workers- has catapulted India's social security regime from the centuries' old manufacturing era to the contemporary platforms era. CoSS 2020 delinks social protection from employment, creating an inflection point in the evolution of platform-work and its ability to unlock livelihood opportunities in the billions (ibid). Thus, India is on the right path to balance worker rights with the need for job creation.

The manner in which India- with one of the world's largest and youngest working populations- implements the envisaged social security system will be the ultimate litmus test to determine what approaches work for the entire world. India must adopt guiding principles while designing social protection that is progressively universal, portable, and most importantly inclusive (World Bank, 2019; Raman & Ramachandran, 2020b).

As Central and State governments formulate rules and regulations under CoSS 2020, they could adopt the five-pronged **RAISE approach** to ensure realisation of full access to social security for all gig and platform workers⁶.

- *Recognise the varied nature of platform work to design equitable schemes*

Platform businesses within and across industries are inherently different in their nature of work. Further, platform workers can be associated with multiple platforms simultaneously or in different time periods through the year and through their lifetime. Additionally, an individual could be both a platform worker and employed in the organised or unorganised sectors simultaneously. These factors should be taken into consideration while designing schemes that determine the contribution of funds to the central social protection corpus.

In other words, the government must recognise the inherent difference amongst platforms and design the rules in a manner that benefits both the platforms and

⁶ The following is an excerpt from Issue Brief, "Reimagining Social Protection in the 21st century: Operationalising the Code on Social Security 2020", by the Ola Mobility Institute (Ramachandran, Raman & Singh, 2021) reproduced with permission.

workers equitably. The government must also consider that workers can have multiple jobs and accordingly design social protection schemes that are inclusive and afford maximum coverage. This would ensure flexibility of the worker to engage with multiple kinds of work and achieve greater income security.

- *Allow augmentation of social security through innovative financing mechanisms*

Social security schemes must be designed in a way that allows platform workers the choice to avail additional social protection cover such as health or life insurance through financial institutions like insurance companies, banks, NBFCs, new-age fintech businesses, etc.

Despite India having the world's largest healthcare programme, viz. Ayushman Bharat targeting over 540 million Indians, 60% of the population incurs out of pocket (OOP) expenditure⁷. Studies by the Brookings Institute and Tata Institute of Social Sciences as well as data from the National Sample Survey Office and others show that the OOP expenditure incurred by India's middle class and those at the bottom of the pyramid is high and on the rise (Pandey, 2018; Prinja, Kaur & Kumar, 2012). Between 2004 and 2014, the OOP expenditure grew by 77%. Surprisingly, those who are insured spend at least 33% more than those who aren't. This is because most of the current health insurance programmes focus on secondary and tertiary care, while neglecting the need to make primary care accessible and affordable for all (Esposito, Kapoor & Goyal, 2012). Furthermore, most of the schemes target only the poorer sections of the society.

Thus, to adequately address the healthcare needs of India's burgeoning middle-class population, public and private healthcare providers and insurance companies must come together to provide quality healthcare for all (Ballal, 2020). Today, fintech companies such as Avail Finance are making insurance accessible and affordable to platform workers and blue-collared workers across industries (Mishra, 2020). By adding millions of youngsters to the pool of those insured, such micro-insurance, tech-powered initiatives are lowering the risk and the insurance premium by extension.

For platform workers who shall be protected under the Code on Social Security, the option of choosing top-ups empowers the worker to secure cover for other beneficiaries apart from the ones covered in the scheme, and also cater to healthcare

⁷ Ayushman Bharat is a flagship scheme of the Government of India launched to achieve the vision of Universal Health Coverage. Ayushman Bharat has two interrelated components: health and wellness centres and Pradhan Mantri Jan Arogya Yojana (PM-JAY). While the centres are work in progress, PM-JAY aims to provide free healthcare access to 40% of India's population, those at the bottom of the pyramid. As of December 20, 2020, a total of 128+ million e-cards were issued under PM-JAY and state government-sponsored health insurance programmes, with PM-JAY constituting 70% of the enrollment. <https://pmjay.gov.in/>

expenses not covered by the government schemes. Therefore, platform workers should be allowed to top up insurance limits through voluntary additional premiums in the public or the private sectors.

Additionally, the government can leverage the power of UPI, India Stack and JAM to combine products like the National Pension Scheme, Atal Pension Yojana with insurance and a liquid mutual fund. This provides workers an opportunity to redirect their earnings towards savings. This form of nurturing of higher savings habits through creative means prevents debt traps while meeting emergency expenses.

Lastly, the government must articulate necessary legal language to ensure that any sort of additional covers that platforms provide their workers are not construed as evidence of (traditional) employment.

- *Institutionalise a scientific approach while designing schemes, factoring the impact on job creation, platform businesses and workers*

The very nature of platform work has ensured the creation of millions of livelihood opportunities, giving workers the flexibility to increase their incomes from multiple jobs. Furthermore, platforms may not be limited to only one business and could have multiple businesses that may or may not engage platform workers. Therefore, it is imperative that the government adopts a scientific approach to determine contributions to the social security fund. Such an approach may promote job creation and ensure minimum burden on both workers and platform businesses.

- *Support workers to subscribe to government schemes and welfare programmes through widespread awareness campaigns*

Research suggests that a lack of awareness of social protection schemes contributes to the poor efficacy (uptake and utilisation) of large-scale programmes such as those designed in India. A 2019 United Nations study carried out by the Agewell Foundation found that, of the 10,000 men and women eligible for government schemes and interviewed across rural and urban India, over 65% were unaware of or dissatisfied with the financial security measures taken by the government and over 52% were unaware of or dissatisfied with the social security schemes (Agewell Research and Advocacy Centre, 2019).

In April 2020, in response to the dual health-cum-economic crisis of Covid-19, the ESIC introduced three new schemes allowing beneficiaries to access non-ESI hospitals for secondary care and private chemists for medicines, and affording an extension to the employer for filing ESI contributions. A May 2020 rapid survey of 96 workers by Safe in India Foundation revealed that over 75% of the fee-paying members of ESI were unaware of these schemes launched to assist them (Safe in India Foundation, 2020).

Therefore, Information, Education and Communication are key to increasing the awareness and utilisation of social security schemes (Nivedita, et al.,

2015). As the Code on Social Security 2020 is operationalised, gig and platform workers too need to be updated with all relevant social security benefits they can avail. The schemes must detail strong awareness programmes in a manner that government information reaches each and every worker. Effective and widespread communication is essential to raise awareness and ensure every worker in India is truly protected.

- ***Ensure benefits are readily accessible to workers***

Platform workers are mobile i.e. they can simultaneously work on multiple platforms or in different states at different time periods. They can also work in the organised or unorganised sectors on the side. Such mobility makes workers vulnerable to local-level policy differences in accessing complete social security benefits. Therefore, to ensure that benefits are easily accessed by workers, the government must design universal and portable social security.

Here, India should leverage technology. India is a global trailblazer in fostering digital financial inclusion through the unique IndiaStack platform for financial transactions and Direct Benefit Transfers. Likewise, while operationalising CoSS 2020, layering technology through all the stages of accessing a scheme would streamline distribution of funds. Harnessing the power of technology, disbursement of funds and grievance redressal can be achieved for the digitally-proficient platform workers across India. The government-envisaged registry of workers can be used to create a 'Unique Identity (UID) for Work', which when combined with technology can streamline benefit distribution. This shall build on the successful, universal, robust and transformational foundation laid by India's Jan Dhan - Aadhaar - Mobile (JAM) Trinity.

Overall, RAISE is a forward-looking agenda which seeks to build worker welfare and increase incomes across the board. With a progressive view towards platform work, such as suggested by RAISE, it is possible to collectively lift the fortunes of many low-income workers as it involves a longstanding demand for wider social security coverage. Platform work in economies like India can act as the first data impressions of an otherwise dispersed workforce; so sensitively regulating platform work is essential to induct millions of workers into the "formal" fore, and to achieve universal social security coverage.

The government should enhance individuals' access to institutional credit and promote financial inclusion. For India to be able to fully benefit from the shifting paradigms of mobility and the resulting mobility economy, it must eliminate cost barriers to the means of livelihood. A major need in this regard is to expand access to credit and achieve financial inclusion, by having formal lenders, i.e. banks, transition from asset-based lending to cash flow-based lending. Thus, unsecured loans to first-time borrowers participating in the platform economy may be classified as Priority Sector Lending (PSL).

Such a measure would strengthen India's complementary financial inclusion programmes such as MUDRA, and mainstream formal lending to individuals leveraging platforms to earn a living.

Today, lenders may utilise data available with platforms to profile workers and estimate their creditworthiness. New age companies, banks and micro-finance institutions (MFIs) may, thus, develop innovative products including loans for individuals with intermittent but predictable income, or tools for running freelancer businesses. The platformization of the everyday must go hand-in-hand with the financialization of everything. Formal credit access may be provided to access a vehicular asset, smartphone, and/ or to run the business in the platform economy through design of targeted programmes (Ramachandran & Raman, 2021).

6. Conclusion: India's 21st-Century Policies Fuel the Growth of Self-Employment through Platforms

India's platform economy, engaging over 3.3 million-strong workforce today, is expected to contribute USD 500 billion to the economy by 2025 (McKinsey Global Institute, 2019). The largest platform economy markets in the world today - Europe and the US - already have 162 million people engaging in some form of gig and platform work (McKinsey Global Institute, 2016). Furthermore, nearly 40% of workers in the USA - including part-time workers and multiple job holders - have a gig or platform work arrangement in some capacity (Gallup, 2018). India, on its part, has the demographic dividend as its advantage, and is well poised to become a global leader in new-age jobs powered by its innovative policy, CoSS 2020, fuelling the growth of the platform economy, simultaneously promoting and protecting platform labour.

Platform jobs afford flexibility and choice of labour to workers, benefitting all including women and other marginalised groups such as persons with disabilities. Platforms successfully help reframe the role of women in private and public life. Platforms are not mere matching services in India, rather also carry huge employment potential, to create avenues of earning for those associated with them. Platforms democratise access to jobs; they have low entry barriers, and adhere to the canons of fair play and equal opportunity. Platforms help maximise the utilisation of assets and augment asset ownership. They create self-employment, opportunities to improve or add on to one's income vis-a-vis paid employment. Notably, in the absence of robust social security mechanisms, having a job itself becomes the social safety tool - and consequently, a worker is "self-employed" even if unproductive, simply because they cannot afford not having a job (Sabharwal & Chakravarty, 2019). Platforms constitute the tool that effectively blunts self-exploitation among the masses. Platforms offer higher earnings compared to existing alternatives, and also facilitate access to innovative social security and financial inclusion services, including micro-credit and micro-insurance powered by new-age FinTech platforms (Raman & Ramachandran, 2021).

Recognising the important role of the platform economy in driving inclusive growth, and helping build an AtmaNirbhar India, the government enacted the Code on Social Security 2020 legitimising this new form of labour, and catapulting its social security system to the 21st century. Building on the urgent need to look beyond the formal-informal dualism, CoSS 2020 delinks social protection from employment, and lays the foundation for social security that is progressively universal and portable. The landmark CoSS 2020 is an inflection point in the evolution of platform-work and its ability to unlock livelihood opportunities in the billions. The manner in which India - with one of the world's largest and youngest working populations - implements the envisaged social security system will be the ultimate litmus test to determine what approaches work for the entire world (Raman & Ramachandran, 2020b). Here, this article recommends operationalising universal and portable social security schemes with inclusion, equitability and scientific determination as guiding principles, and accelerating financial inclusion by enhancing access to cash-flow-based institutional credit.

Indeed, India's new policy approach serves as a potential blueprint for world economies to consider. Its 21st-century outlook tackles the problem of labour governance at its very core by balancing the need to protect workers with the necessity to unlock jobs in the billions.

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