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GIG WORKERS IN THE DIGITAL AGE: LESSONS FROM COMPARATIVE INTERNATIONAL PRACTICE FOR INDIA'S LABOUR LAW REFORM

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Abstract

India is currently in the fifth position in the gig economy ranking and will be the third by 2030. In addition, the gig economy will help to grow the economy and reduce unemployment. Platform-based employment is reshaping the nature of work in India, with gig workers playing a key role in the labour market. They still have to deal with problems like unstable employment, a lack of social protection, and insufficient legal protections, nevertheless. The essay points to the inadequacy of comprehensive regulation by looking at the current state and loopholes in the Indian labour laws. It additionally explores court interpretations of various issues of gig workers and the difficulty of applying the direction and control test to the definition of gig workers as employees. Also, a balanced and nuanced approach has been adopted to develop a solution, keeping the aggregator platforms in mind. The study also examines and discusses the legal approaches of other countries that regulate gig workers and platform workers, such as the United Kingdom, the United States and Brazil, by analysing the categorisation of employees, workers and independent contractors. The study explores the international trends and best practices for balancing gig workers and aggregator platforms and recommends policy changes that could be implemented in India. This would ensure that workers are paid fairly, their social security is better, and they get the benefits they need and platforms remain viable. The report proposes a more sustainable and balanced gig economy that should benefit both the employers and the employees, which would ultimately help in increasing the country's economy.

Keywords: Gig Economy, Platform Worker, Social Security, The Code on Social Security, 2020, Gig Worker, Aggregator Platforms.

1. INTRODUCTION

> *"The end of Labour Law is to ensure that the worker is not treated as a mere instrument of production but as a human being with dignity and rights"*
>
> \- Otto Kahn-Freund

Over centuries, the nature of work and employment has changed from a pre industrial society to an industrial era where workers must work in hazardous environments. Various industrial laws have been developed to address these issues, but as technology has advanced, the nature of work has also changed, and the laws are becoming outdated daily, failing to address contemporary issues. With the advent of modern technology, people can now work for multiple platforms simultaneously instead of relying on traditional employment methods, thanks to aggregator companies like Uber and Zomato. Most people consider these individuals to be gig workers.

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According to the European Commission, the gig economy is one in which platforms easily link buyers and sellers, and digital technology allows teams to be formed around a specific project, frequently across borders. A "gig worker" in India is defined as "a person who performs work or participates in a work arrangement and earns from such activities outside of a traditional employer-employee relationship" in section 2(35) of the Code on Social Security, 2020. These gig workers utilise a variety of internet marketplaces, including Uber, Zomato, Zepto, and others. According to Section 60 of the code, "platform work" is a type of employment arrangement that does not follow the conventional employer-employee relationship. Through an online platform, people can access other individuals for some specific purpose, provide multitides of services, or engage in any various other activities. By 2029–30.6, there may be 23.5 million gig labourers, according to NITI Aayog. Given this rapidly expanding phenomenon, it is now more important than ever to investigate and protect the rights of gig economy workers.

The current framework for regulating gig workers in India is examined, along with problems with current laws, court interpretations of status and lack of consistency, a comparison of different nations, a critical examination of the problem, and potential solutions.

2. INDIA'S CURRENT LEGAL FRAMEWORK ON GIG WORKERS

Social security and labour welfare have been included in the concurrent list of the Indian Constitution. Legislation about gig workers and the gig economy has been established recently by states such as Karnataka and Rajasthan, in addition to the Code on Social Security, 2020 that was introduced by the Union government. Nevertheless, many laws are either drafted or approved without accompanying regulations to guarantee correct application.

2.1 Social Security Code, 2020:

First time in history, gig workers are recognised and protected under labour law, thanks to updated labour rules. Section 2(k) of the 2019 Code on Wages has expanded the definition of an employee. One could argue that the term "employee" encompasses a wide range of jobs, including gig labour.

Sections 2(35) and 2(26) of the Social Security Code segregates "gig workers" from "employees." Providing of Social security to gig workers, platform workers are provided by Chapter IX of the Code. However, the entire availability and operation of the programs—such as health and maternity benefits, accident insurance, life and disability coverage, etc.—depend on government notifications and are subject to change. Additionally, Section 6 establishes the National Security Board, which would advise the federal government on how to formulate policies for gig, platform, and unorganised workers.

The Central Government may broaden and extend Chapter IV benefits to gig workers under Section 45. According to Section 141, the federal government may create the Social Security Fund. Furthermore, Section 114(7) explains in detail that the government

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may make exclusions based on the company's annual turnover. Although this appears to be fine, it has a fatal flaw: in a situation where the term "turnover" has not been precisely defined, it is comparatively easy for businesses to alter data on turnover.

2.2 Karnataka Gig Workers (Welfare and Conditions of Service) Act, 2025:

The state law effectively covers every description, including gig workers, platforms, and aggregators, among others. The creation of a welfare board and the registration of gig workers and their aggregators have been made mandatory in the state of Karnataka. The Act’s Section 6 emphasises the significance of working with labour unions. Section 12 adopts a progressive stance by guaranteeing an obligation to enter into a fair contract, which is unlikely due to the dominance of power. It also stipulates that the contracts mentioned must be in English, Kannada, and other languages specified in the constitution's eighth schedule. By establishing a redressal commission, auditing, defining the grounds for termination, and giving a human contact for inquiries, the law aims to increase openness. A portion of the app's transactions or an annual state-specific turnover can be used to raise the money. Both the government and gig workers can more easily keep an eye on the former approach. Some aspects still require more attention and thought, such as the fact that female gig workers are now vulnerable in the workplace without adequate remedies since they lack explicit protection against sexual harassment. Furthermore, there is no clause requiring gig workers to get compensation in the event of an injury, death, or loss of wages sustained while at work. Very innovative measure in the Act that needs to be appreciated is that Platforms have to provide complete information regarding automated mechanisms, rating mechanisms, allocation of work, incentive calculations and algorithmic decision making, which affects the overall working of the workers.

The definition of a "safe" and "risk-free" working environment, which aggregators are required to provide, is likewise unclear. To close this gap, industry-specific occupational health and safety laws and clear standards should be established. Furthermore, to ensure openness and equitable adaptation, any major modifications to platform apps that affect employees must be announced at the most 14 days before they are implemented.

2.3 The Regulation and Welfare of Rajasthan Platform-Based Gig Workers Act, 2023:

Rajasthan, one of first state to recognise and implement law for gig and platform workers is a laudable act. The Act requires the creation of a welfare board to register and oversee the welfare cess. Additionally, the Act requires aggregators to share data and mandates that gig workers, employees, and aggregators register. The Act also requires each gig-related transaction to have a transaction charge of 1% to 2%, which is determined by the State government.

By prescribing severe penalties for noncompliance, such as fines of Rupees 5 Lakh for the first offence and Rupees 50 Lakhs for repeated violations, this Act went one step further. A notable feature of the Act is creation of Central Transaction Information and Management System (abbreviated for CTIMS). It is a digital monitoring system that will

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track all platform transactions, any commission charged, calculate welfare cess collected and keep a record of payments made to workers. Although the Act went beyond recognition and created an institutional framework for gig and platform workers but this piece of legislation failed to extend basic rights to workers such as minimum wages, right to form union, paid leaves etc which gains maximum importance for workers such as Gig and Platform.

3. THE CONTROL TEST AND JUDICIAL ASSESSMENT OF GIG WORKER STATUS

3.1 Indian Federation of App-Based Transport Workers v. UOI:

The current case is filed in the Supreme Court of India by way of a writ petition under Article 32 of the Constitution, requesting that gig workers be recognised as "unorganized workers" under the Unorganised Workers' Social Security Act, 2008 because of their precarious situation and are not recognised by any legislation. They would be eligible for social security benefits as a result of this acknowledgement. According to the petition, their fundamental rights under Articles 14, 21 and 23 are violated by the denial of such benefits.

The legal environment surrounding the challenges to the rights of gig workers is changing as a result of this ongoing litigation. The classification and welfare of gig workers across the country are expected to be significantly impacted by the Supreme Court's upcoming ruling.

B. Mr. X v. ANI Technologies Private Limited 2019:

In this instance, a female passenger filed a petition against App Ola in the Karnataka High Court after an Ola driver harassed her sexually. Ola's Internal Complaints Committee ("ICC") declined to go into the complaint, claiming the driver was an independent contractor rather than an "employee."

According to the court, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 defines "employee" broadly and inclusively, encompassing people working under a variety of contracts. Although Ola drivers may be classified as independent contractors, the court reasoned that Ola's control over their work—including requiring adherence to platform policies, keeping an eye on driver ratings, and having the power to deactivate drivers—indicated a considerable degree of employer-like authority. This degree of operational control made it difficult to distinguish between independent contractors and employees, which supported the POSH Act's implementation. Ola's argument that driver swapping was an excuse to avoid culpability was dismissed by the court, which noted that the POSH Act covers employees who are hired "with or without the principal employer's knowledge."

The court acknowledged that there is ambiguity regarding the status of gig and platform workers in the conventional labour market laws, noting that they were not designed to cater to the complexities of the gig economy. However, it stressed that in order to safeguard vulnerable people in cases involving occupational harassment and passenger safety, a purposive reading of the legislation was required.

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The court's goal was to stop businesses from adopting technical classifications to avoid statutory responsibilities by concentrating on the driver's and Ola's functional relationship rather than the formal wording of the contract. Although there is some ambiguity in the verdict, it shows a move toward greater protection for gig workers. The court's ruling applies the safeguards of the POSH Act, but it does not categorically label all gig workers as employees in all situations.

C. Direction and Control Test:

The Supreme Court typically uses the Control Test, Integration Test, and Multi-factor Test to determine whether the employer hired an employee or an independent contractor. Furthermore, since businesses frequently pass off employees as independent contractors, this question is essential. In the case of Dharangadhara Chemicals, the court dealt with determining the status of workers under the ID Act, and had to determine the status of employees. This is the first precedent of the control test. The court's test is based on how much control and oversight the employer has over the work that is done. The existence of the authority to direct and oversee how the work is done is the crucial criterion for establishing the relationship. The existence of a right of control over how the work is to be done is the standard criterion used to ascertain the relationship between a master and servant. Despite differences in nature and scope, the test of control is universally relevant.

The driver in the PNB Vs. Ghulam Dastagir case was employed by the bank and paid with its allowance. Following its precedent in the Dharangadhara Chemical case, the court determined that the bank had limited supervision and control over the driver. As a result, it was decided that the driver was not a bank employee.

Courts now find it challenging to determine the employer-employee connection using the control test alone due to changing times. Therefore, the scenario below could be considered an integration approach.

Because the Silver Jubilee Tailoring House case involved a worker in a tailoring job, the control test proved challenging. In contrast to earlier in the Dharangadhara Chemicals Case, the worker now possessed expertise. As a result of it, it was challenging to evaluate the employee relationship based solely on job control. As a result, the SC examined whether the employer had the authority to reject the employee's work, and it concluded that they did.

The aforementioned integration test examines the extent of employee involvement in their work as well as their level of dedication to the employer's company. The labourer would be regarded as an employee due to the increased level of integration. Even when employers have little control over how the work is done, a combination of the control and integration tests helps establish professional workers as employees.

Integration testing has been used in conjunction with control testing in the Hussainbhai case. According to the court, the employees played a crucial role in the employer's operations. The court also mentioned the "economic reality" criteria. The court had to

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determine whether the women who worked remotely stitching fit the definition of Section 2(f) of the Employees Provident Funds and Miscellaneous Provisions Act 1952 (henceforth referred to as "the EPF Act"). In the case of The Officer In-charge, Sub-Regional Provident Fund Office and Ors. vs. Godavari Garments Limited. The court upheld the precedent set by the Silver Jubilee Tailoring House decision, ruling that control and supervision are present when an employer has the authority to reject an employee's final output if it does not meet their instructions and instruct them to rework it.

The Supreme Court ruled in Ram Singh vs. Union Territory, Chandigarh that while "control" is a crucial factor in assessing an employer-employee relationship, it is not the only one. The Court ruled that the authenticity of a given relationship between employers and employees through a contractor is a factual matter that must be decided based on (i) the characteristics of the relationship, (ii) any written terms of employment, and (iii) the actual nature of employment. These issues could only be brought up and proven in front of an industrial adjudicator.

The Sushilaben Indravadan Gandhi case is one of the recent cases where the court had to determine whether the petitioner qualified as an employee for the purposes of insurance by the employer in order to distinguish between a contract of service and a contract for service. In a complex hybrid situation, the court ruled that all relevant tests applied to the entirety of the facts in a particular case would determine whether the contract should be treated as a "contract of service" or a "contract for service." However, in this instance, it was determined that the contract was a service agreement.

Gig workers' position in India is still ambiguous and erratic. As seen by the Karnataka High Court's application of the POSH Act to Ola drivers, courts occasionally acknowledge them as employees for particular rights. Gig workers, on the other hand, are typically categorised as independent contractors, meaning that standard labour rules do not provide them with security or benefits. In this discussion, the "direction and control test," which is frequently employed to ascertain employee status, is crucial. Platforms like Ola or Uber may qualify as employers if they have substantial control over the way, when, and where drivers work—for example, by monitoring rides, determining fares, and deactivating drivers. However, the argument for employee status is frequently undermined by gig workers' freedom to select their own working hours and operate across several platforms. Gig workers are fighting for social security and recognition in ongoing cases like Indian Federation of App-Based Transport Workers v. Union of India, claiming that the absence of protection breaches their fundamental rights. Although courts have attempted to broaden protections where they can, gig workers are nevertheless at risk in the absence of unambiguous legislation.

Establishing a consistent standard is challenging due to the mixed use of integration and control testing, which increases uncertainty. This discrepancy emphasizes the pressing need for new legal frameworks that take into account the particulars of gig employment and guarantee security and equitable treatment without placing an undue burden on platforms.

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4. COMPARATIVE ANALYSIS ON LAWS CONCERNING GIG WORKERS

4.1 United Kingdom:

About one in six people in the United Kingdom ("UK") work as gigs at least once a week, adding about £20 billion to the country's economy. The gig economy in the UK has grown exponentially. Uber drivers sued the company in 2016, arguing that they were not independent contractors but rather employees under UK employment law. In 2021, the UK Supreme Court unanimously affirmed previous tribunal rulings, confirming that Uber drivers are considered employees. They sought benefits, including the minimum salary and paid time off, among other things. The Supreme Court's and the tribunal's reasoning highlighted several factors:

Control by Uber: Uber established the prices, enforced stringent terms in contracts, monitored driver performance using user reviews, and prevented drivers and passengers from speaking directly with one another.

Limited Independence: Drivers' reliance on Uber was strengthened by the lack of opportunities for them to increase their income through self-motivation or entrepreneurial endeavours.

The Court came to the conclusion that drivers are deemed to be at work as soon as they launch the Uber app, are in their permitted area, and are prepared to take on journeys. Uber declared that its UK drivers would be eligible for benefits like the minimum wage, holiday pay, and pension contributions after the verdict. However, the court did not decide that all gig workers are employees and will be compensated by their employers.

The UK Supreme Court, however, ruled in the Deliveroo Case that Deliveroo riders are independent contractors rather than employees, mainly because they are free to assign work to substitutes and are not required to accept it. Uber, on the other hand, has more control and is unable to delegate.

One significant example for determining whether gig workers are considered employees is the Uber BV vs. Aslam case. It has forced businesses to reconsider how they treat employees in order to comply with the legislation. However, disputes still exist, and the legal standing of gig workers is still a subject of continuous discussion, with differing conclusions that reflect the variety of gig labour.

4.2 United States of America:

In the United States of America ("U.S."), however, whether or not a worker is classified as an independent contractor or an employee can significantly affect the minimum wage, overtime, health insurance and unemployment benefits entitlements of the worker. Employees are not independent contractors and, as such, do not enjoy many of the benefits of employment provided by U.S. federal law, including the Fair Labour Standards Act (thereafter "FLSA"). The common law control test and the economic realities test have been applied to the classification of workers in the past. These assessments look at things like how much control the employer has over the employee, how long the working relationship lasts, and how much power the employee has over their pay. However, this

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criterion has numerous flaws that businesses like Grubhub have used to categorize their personnel as independent contractors rather than employees.

A major change was brought about in 2018 when the California Supreme Court introduced the ABC test for assessing employee status under California wage orders in the case of Dynamex Operations West, Inc. v. Superior Court. Unless the recruiting organization can demonstrate otherwise, this test assumes that workers are employees.

1) The employee is not under the company's authority.

2) The employee works on projects unrelated to the company's usual operations.

3) The employee runs a business or trade that they founded on their own.

Platform companies had difficulties as a result of these strict criteria, which prompted important legislative and judicial reactions. Based on this test, gig workers in employment-based companies, such as Uber, can be considered employees.

The ABC test was made official in many labor laws at the State Level and Proposition Assembly Bill 5 ("AB 5") of California passed in 2019, and many were opposed to its broad application. The app-based platforms lobbied for an exception and the proposition was passed in 2020, known as Proposition 22. Because of this referendum initiative, gig firms were able to classify their drivers as independent contractors and pay them insurance stipends. This referendum initiative helped gig firms classify their drivers as independent contractors and pay them insurance stipends. This concept was also litigated, but it was later approved as a constitutional limitation on the benefits, such as a minimum wage provision and health.

4.3 Brazil:

In Brazil, the approach to gig worker legislation is more welfare-oriented, with a focus on social protection rather than merely the issue of classification. While in other jurisdictions, social security rules are largely based on who is classified as an independent contractor or an employee, Brazil's contributory social insurance system broadens access to social security benefits. Platform workers – such as car drivers for ride-hailing services and delivery workers – could opt in to the national social security programme if they want to access benefits such as retirement, disability, maternity and receiving care when they are sick.

But the situation of gig workers in Brazil is a topic of debate. Courts have used traditional notions of labour law to establish whether there is an employment relationship or not, including concepts of 'subordination' and 'economic dependence' and the degree of control exerted by digital platforms. As a result, court rulings have differed based on the particular facts of each case. It has been argued that there is some sort of employment relationship, but others courts have ruled that gig workers are independent contractors.

Recent years have seen the rise of concerns about algorithmic management, insecurity over wages, and a lack of labour protection, which has sparked significant public discussion and measures to reform the current situation. Without necessarily granting full

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employee status, the Brazilian government has put up plans to increase social security coverage, guarantee minimum wages, and safeguard platform workers from workplace accidents. This is a strategy to balance flexibility of platform-based work with labor protection.

Because it shows that gig workers can receive considerable social security safeguards without having to fully integrate into regular employment arrangements, the Brazilian model is very important. Brazil could be a helpful example for others like India that are trying to harmonize ideals of social and labor rights with the realities of the digital platform economy.

5. CRITICAL AND COMPARATIVE ANALYSIS ON GIG ECONOMY

Despite all this, numerous laws have recognized gig workers, provided protections to safeguard their interests and provided some stability through social security. It still has to have a comprehensive legal structure to recognize its distinct vulnerabilities and work routines. The informal and fragmented nature of India's gig economy is vastly different from the western labour market, and the proposed laws are somewhat similar to the international labour models, which are challenging. This unregulated and non-homogenous gig economy in India is mostly overlooked by policies designed for organised sectors in India.

A case that came before the Karnataka High Court, Ms X v ANI Technologies Private Limited (2019) brought the discrepancy in classification of gig workers under various laws into focus. The Karnataka High Court ruled that an Ola driver accused of sexual harassment can be prosecuted under the POSH Act, the term 'employee' being used in a very broad manner in the Act. But the court noted that platforms like Ola have a "significant degree of control" over the drivers, in order to enable them to be designated as "workers" under the workplace harassment protection laws. This recognition doesn't extend to other areas of labour law, however. Gig workers are typically considered independent contractors, meaning they do not receive employee benefits, like social security, insurance, or other benefits. This results in a legal conundrum whereby gig workers are denied the same status when requesting rights and benefits, but are regarded as employees when held liable for misconduct. This uncertainty highlights the urgent need for a unified legal framework that takes into account the intricacies of gig employment in India, as the proposed legislation is devoid of these subtleties.

Despite the expected legislation to safeguard the rights of the gig workers, there are significant barriers to be cleared. Even though the Social Security Code of 2020 is passed, it does not have the regulations on its way to put it into effect, meaning that it takes time to implement. Further delay in operationalisation because of the absence of related regulations. Likewise, the Platform Based Gig Workers Act published in the gazette in Rajasthan has not yet offered the much-awaited protection to gig workers as the rules to implement it are yet to be framed. It is even more murky in Karnataka where relevant steps are still being proposed and no action plan has been developed for their implementation. Assuming the Social Security Code ever becomes implemented, it

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remains uncertain how state laws would "measure up" to federal law after implementation. This gap between policy and practice has raised issues about the issue of lobbying and/or administrative inertia, leaving gig workers in a precarious situation, lacking access to adequate social security benefits.

6. CONCLUSION AND SUGGESTIONS

Due to intense competition, gig sites like Swiggy and Zomato have narrow profit margins. Therefore, these platforms experience losses even when a large number of consumers use them. Heavy discounts and customer acquisition are two factors contributing to the increasing losses. Even while these platforms are very popular, many of them are losing money. In FY 24.57, Swiggy recorded a loss of Rs. 2,350 crores.

Additionally, the proposed legislation will increase the cost and regulatory complexity of providing gig workers with social security. benefits that are paid for on platforms, including health insurance, welfare payments, and maternity benefits. The platforms' financial burden is increased by this cycle. Additionally, it doesn't seem viable in a market with fierce competition and minimal profitability. Additionally, the Code requires the platforms to pay one to two percent of their yearly revenue to the Social Security Fund. This would equate to a donation of 121–242 crore for a company like Zomato, which makes Rs 12,114 crore.

These platforms have a capital-intensive business model, as can be seen above, which calls into doubt their long-term viability. This is demonstrated by the fact that these platforms have been diversifying their businesses to reduce losses. For example, Ola entered the electric vehicle market, and Zomato acquired Blinkit. By 2030, India's gig economy—which currently ranks fifth globally—is expected to rise to the third position. It is expected to increase from 7 million workers in 2020–21 to 23.5 million by 2030, accounting for over 4.1% of the workforce overall. Additionally, the gig economy will drive economic expansion and lower unemployment. However, there are also worries about the widening wage disparity brought on by freelance employment.

The dependence on gig platforms in India and Western nations is paradoxical. Gig labour is frequently a secondary source of income in the West, enabling people to augment their primary income. Instead of using platform-based employment as their exclusive source of income, the majority of gig workers use it for flexibility or extra cash. But for a significant portion of workers in India, gig labour usually provides their main source of income, leaving them largely reliant on services like Ola, Uber, and Swiggy to survive. Many Indians' livelihoods are closely linked to the stability and operation of these platforms as they grow and create additional jobs.

The difficulties that come with gig labour can be addressed in a number of ways. As a developing nation, India can either follow the example of industrialised nations like the United States and the United Kingdom or emulate developing nations like Brazil. The gig worker and independent contractor categories are used in the UK model. Thus, in addition to employees and independent contractors, we can observe a new class of

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workers. Although there is no official classification for gig workers in the USA, California views them as independent contractors. Although gig workers fall under the category of independent contractors, Brazil has a robust social security system. Gig workers can, however, receive social security benefits by contributing 5% of their pay.

Reducing the strain on aggregator platforms to contribute to welfare funds would be the wiser course of action for India. As an alternative to the turnover-based payment required by the Social Security Code, the government could create the welfare fund as part of Corporate Social Responsibility ("CSR"). This would lessen the strain on businesses, cut expenses, and concentrate on their profitability.

Furthermore, it would not be viable for aggregator platforms to be the only ones contributing to the fund; therefore, the government and employees should also participate. India might implement a program that allows gig workers to donate a portion of their earnings to the fund in exchange for social security benefits by adopting Brazil's strategy. The government might also make up the difference.

Whether gig workers should be classified as independent contractors or employees is still up for debate. The problem with this strategy is that gig workers lose their flexibility and are forced to use just one platform if they are classified as employees. To meet their needs, gig workers typically use a variety of platforms and flexible work schedules. For instance, a Swiggy food delivery worker would also have accounts with Uber Eats, Zomato, and others. Likewise, in order to make ends meet, an Ola driver would also use Uber, Rapido, and other services. For gig workers, losing this advantage is extremely detrimental. Therefore, India might establish a distinct category for platform workers known as "workers" or "platform workers" and offer social security tailored to their needs.

Aside from a separate welfare fund and category. Platforms ought to be required to offer a minimum wage. Stated differently, it is the minimal compensation that platforms ought to offer employees who have worked there for a specific amount of time.

Particular provisions to assist vulnerable populations that rely on gig platforms for their livelihood, such as women and disabled workers, should be included in the legislation. In order to make platform employment more inclusive for workers with disabilities, rules should guarantee accessibility and adjustments, such as flexible work schedules and user-friendly interfaces. Policies for maternity leave should also be well established to support female staff members during these sensitive times.

Legislation should incorporate adequate and equitable redressal mechanisms to give gig workers a voice in the process, particularly by having representation on committees to address issues such as arbitrary deboarding, changes to the commission rate, and other complaints. In order to empower employees and enable them to jointly fight for their rights and improved working conditions, gig worker unions should also be formally recognised. This would contribute to the development of a more equitable dispute resolution process and enhance the gig economy as a whole. To achieve the proposed remedies, India needs to enact a dedicated "Platform Worker Welfare Act," which should classify the gig workers as "platform workers" and provide them with specific safeguards. In the light of

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all the above, the legislation should be a broad-based one. A regulatory body can be formed to oversee adherence, punishments can be given for non-adherence and disagreements can be settled. Moreover, gig worker unions should have collective bargaining rights. The smooth implementation can be guaranteed by a gradual one and pilot projects, which include digital interfaces for claim and contribution.

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