

Building Ride-Hailing Drivers' Resilience: Precariation, Legal Guarantess and Trade Union Negotiations

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Abstract

This article will focus on finding a model for building ride-hailing worker resilience. This study was conducted through a comparison of policies and vulnerability and resilience of ride-hailing drivers in 4 countries as an effort to find a resilience model for ride-hailing drivers in Indonesia. The comparison was conducted in countries with categories according to the Digital Competitiveness Index or DCI (Standout, Stallout, Breakout and Watchout) which are represented by Singapore, Belgium, India and South Africa respectively. The research method used is a mixed-method: quantitative with a composite score from 0-1 with desk review and statutory research. This study argues that the vulnerability and resilience of ride-hailing workers are determined by 3 main hypotheses: (1) that the precariat factor is the biggest contributor to the vulnerability of ride-hailing drivers'; (2) vulnerability and resilience are not determined by the level of the Digital Competitive Index and (3) the higher the value of legal protection, the greater the resilience value for ride-hailing drivers. Thus, the writing will take the context of the driver as a worker by taking into account 3 variables that influence these dynamics: precarity, legal guarantees and negotiations.

Keywords: Digital Competitiveness Index, Resilience Development Model, Ride-Hailing Worker, Vulnerability and Resilience

1. Introduction

This article will focus on efforts to find a resilience model for the protection of workers' rights in the context of ride-hailing drivers. Currently, their legal guarantees are still unclear and negotiations as workers are still stagnant. Coupled with the precariat nature they carry due to the unclear status. The study in this article will be conducted in four countries as an effort to formulate a resilience development policy model in Indonesia. The study was taken from countries according to the Digital Competitiveness Index consisting of Standout, Stallout, Breakout and Watchout which are represented by Singapore, Belgium, India and South Africa respectively (IMD, 2024).

Digital transformation in the economy has brought us to a new phenomenon called the gig economy. The gig economy is a part-time work system carried out by freelancers for a limited period of time. According to the World Bank, gig economy workers have now reached 12 percent of the global labor market, or around 435 million workers worldwide (World Bank, 2023; SIA, 2023). The

gig economy is divided into two employment models: platform-based and location-based. This article will focus on the location-based gig economy or ride-hailing services drivers.

In the Indonesian context, it is estimated that there are 4 million ride-hailing drivers who are often called online motorcycle taxis (ojol or ojek online) or online taxis (TheConversation, 2023a). So far, their status has only been considered as partners (mitra), a status that obscures their position to negotiate and causes them trapped in a precariatization condition. This article argues that these three variables occur globally, not exclusively in Indonesia.

Although there are specificities due to the structural conditions recognized by this the article, especially in each country, these three factors are absolute factors in ride-hailing driver activities. Singapore, for example, has made a breakthrough by introducing a third classification for ride-hailing drivers there, which even with their new status, the rights they receive, such as the right to negotiate, are still limited, especially in the Singapore context (Dentons, 2024). Singapore in this context represents a country with the DCI Standout index.

Then to the Stallout country in the DCI index, Belgium. Ride-hailing workers in Belgium feel the same precariatization as ride-hailing workers in Singapore. In addition, they also get intimidation from conventional taxi drivers which adds to the uncertainty of their conditions on the road (Reuters, 2015). For Breakout countries like India, income uncertainty forces them to use old ways of finding customers, one of which is by waving their hands on the street (street-hailing). With this method, they can get a bigger income (Fleitoukh & Toyama, 2021).

The conditions of ride-hailing drivers in Watchout countries such as South Africa are also interesting to be scrutinize. In addition of income uncertainty, their activities on the road are also often intimidated, terrorized, and even robbed while they are on the road (Techpoint, 2023). Working conditions like this add to the job uncertainty of ride-hailing drivers, thus requiring an appropriate resilience building model. The development of this resilience model is expected to be applied in the Indonesian context considering the suitability and similarity of the conditions experienced, especially considering three variables: precarity, legal guarantees, and union negotiations.

2. Research method

This article will take a cross-country study with each DCI Index value, namely: Standout, Stallout, Breakout and Watchout with each country represented. Vulnerabilities such as income uncertainty, high working hours and minimal social security are evidence that attention needs to be paid to this new phenomenon. Standing (2014) explains that the descriptive term 'precariat' was first used by French sociologists in the 1980s, to describe temporary or seasonal workers. Standing (2014) uses a different idea, but the status of temporary workers is a key aspect of the precariat.

Thus, this article will try to offer a framework that will be the basis for ride-hailing driver research in a socio-political context. The framework is divided into research nexus:

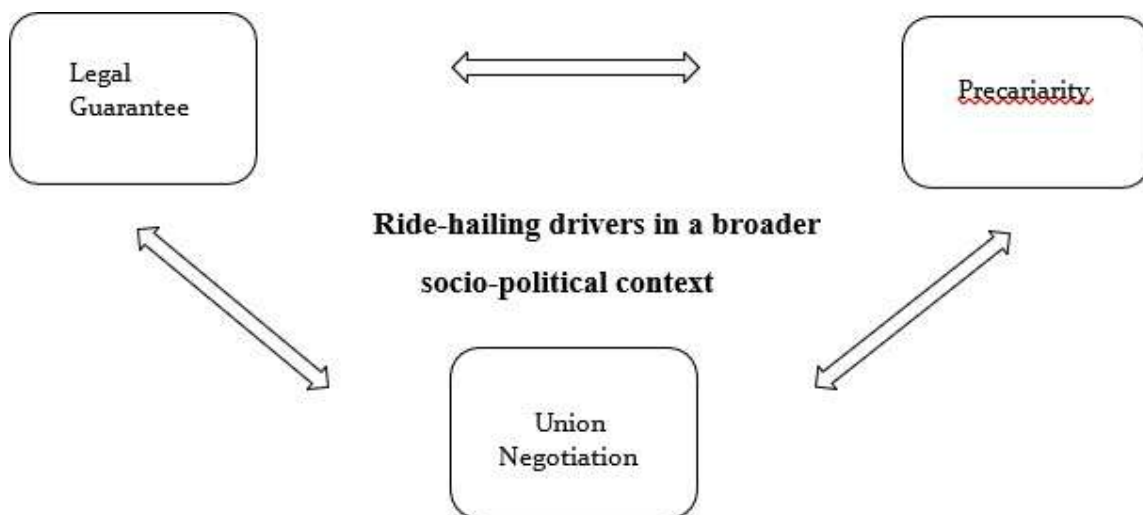


Figure 1. Policy-Modeling Development for Networked Transport Driver Policies

Source: Vu & Nguyen, 2024; Chalermpong, S, *et.al.*, 2021; Brown.

This nexus is inseparable because the author argues that discussions related to ride-hailing drivers will discuss these three things in a socio-political context. This nexus is useful as a parameter for the projection of the formulation and implementation of policies to fulfill workers' rights, especially in Indonesia. This nexus views ride-hailing drivers in a socio-political context that seeks to be a policy input for the development of ride-hailing driver regulations in Indonesia. The research method used in this article is a mixed method.

The method consists of qualitative methods through literature searches, literature reviews or legal frameworks studies. Quantitative methods are used to calculate the value of the indexes used in this study. The value will be a composite of 0-1 where a value of 0 indicates absolute vulnerability and a value of 1 indicates absolute resilience. Precarity gets a score of 0.4, legal guarantees get a score of 0.3 and union negotiations get a score of 0.3 resulting in a value of 1. The analysis technique will be carried out in a descriptive-comparative method so as to produce qualitative research as input for policy development in Indonesia.

3. Results and Discussion

3.1. Experiences of Ride-Hailing Workers in DCI Countries

Each selected country gets different calculation results depending on their respective structural and historical conditions. The difference in calculation results reaffirms the initial premise of this article that despite the different conditions, the three variables explained at the beginning, law development and negotiation are relatively stagnant and felt in each country that will be discussed. Meanwhile, a country like Belgium is considered progressive enough to be a model for labor law reform in Indonesia and other countries will be a valuable lesson-learned material.

For the Indonesian context itself, the average score obtained was 0.54 with the highest value located in precariatization at 0.68. This proves the potential for legal development (0.58) and mobilization guarantees (0.30) for unions. From the legal determination, Indonesia still considers ride-hailing drivers as ‘mitra’, something a loophole and misclassified. Regarding social security such as insurance, there has indeed been progress with the BPJS system and the implementation of BHR (Holiday Bonus), but its implementation still needs to be more targeted. The next section will look at the experiences of ride-hailing drivers in 4 example countries according to the DCI index:

3.1.1.1. Singapore: Average score: 0.63

Singapore as a country with a Standout index in this discussion gets a fairly progressive value from the calculation of three variables. The following will present the results of the calculation and discussion of the conditions of each variable in Singapore:

3.1.1.1.1. Precariatization: 0.68

The precarious conditions of ride-hailing drivers in Singapore are felt by ride-hailing drivers there. According to a survey conducted on 1002 ride-hailing drivers by the Institute of Policy Studies, Singapore, came to one conclusion that the flexibility offered by the platform there is indeed preferred, but the income they receive continues to decline. The decrease in rates as expressed by several drivers makes it increasingly difficult for them to survive, especially when coupled with the increasing cost of living. Quoted from the Singapore Ministry of Manpower page, the Progressive Wage Model (PWM) or Sectoral Minimum Wage requires drivers to earn a minimum income of SGD 10.33 – SGD 10.94 per hour or \$7.74 - \$8.20, while the income they earn on average per hour is only SGD 5 for each order (IPS Working Paper, 2022; MoM, 2023).

3.1.1.1.2. Legal Assurance: 0.72

In mid-2024, through the Ministry of Manpower there, Singapore introduced the Platform Workers Act which contains new provisions regarding ride-hailing drivers. One of the regulations that is considered quite progressive is to introduce a third classification for ride-hailing drivers called platform workers. This Act came into effect on January 1, 2025 while introducing stronger health protection (Medisave) and better housing and pension insurance (CPF or Central Provident Fund) for ride-hailing drivers (Dentons, 2024).

3.1.1.1.3. Union Negotiations: 0.47

The union for ride-hailing drivers in Singapore currently has a recognized status, but is limited to action due to the regulation in Singapore through their Trade Union Act. Before taking action, the union is required to notify the relevant authorities within 14 working days and through a secret ballot mechanism among union members who are mostly members of the People's Action Party (PAP) or the largest party. The recognition of the ride-hailing driver union is the result of the provisions of the Platform Worker Act which was enacted this year. Singaporeans usually voice their complaints through Facebook Groups or through specific complaint channels regulated directly by the Government such as OneService (CNA, 2024).

3.1.2. Belgium: Average score 0.79

Belgium is the country with the Stallout index in the discussion of this article and is the country

with the highest score of all sample countries. The following will present the results of the calculation and discussion of the conditions of each variable in Belgium:

3.1.2.1. Precariatization: 0.77

Precariousness is inevitably felt by ride-hailing drivers in countries with strong formal economic structures such as Belgium. Income uncertainty is a characteristic of precariousness experienced by ride-hailing drivers in Belgium, where according to the report of The Platform Economy and Precarious Work Working Paper, ride-hailing drivers there can only earn EUR 7.25 (\$ 7.89) / hour, quite far from the approved hourly wage in Belgium of EUR 12.33 (\$ 13.41). Although they work with limited gear from the platform, such as helmets and bicycles, the social security insurance they receive is still minimal.

3.1.2.2. Legal Assurance: 0.86

Belgium is also a fairly progressive country in introducing its ride-hailing driver legal configuration in 2022. Although it is still rebuttable, meaning it can only be applied if there is a lawsuit, the law called the Belgian Labor Deal is considered to have similarities with labor law in Indonesia (Law Number 13 of 2003). Through the determination of criteria called mutuality of obligation, 3 of the 8 criteria of the Belgian Labor Deal are considered suitable for application in the Indonesian context, namely: wages, orders and work.

3.1.2.3. Union Negotiations: 0.75

Ride-hailing driver unions or associations in Belgium are actually in an advantageous position. This is because their unions—one of which is CSC United Freelancers—are recognized under larger unions such as ACV-CSC (Algemeen Christelijk Vakverbond-Confédération des Syndicats Chrétiens). Recognition of freelance union and the social corporatism model benefit the position and bargaining power of platform workers in Belgium, one of which is resulting in the fairly progressive Belgian Labor Deal legal product.

3.1.3. India: Average score 0.51

India is a country with a Breakout index in this article discussion and is a representative of the Global South country. The following will present the results of the calculations and discussion of the conditions of each variable in India:

3.1.3.1. Precariatization: 0.72

Ride-Hailing drivers in India also experience precariatization conditions that are almost the same as other ride-hailing drivers globally. Ride-Hailing drivers there, among others, experience income uncertainty and long working hours. Mohd. Mushtaque for example, from a report obtained from the Mahanirban Calcutta Research Group, Mushtaque can indeed receive an income of up to INR917 or \$11.06 on average - compared to the average hourly income in India of INR 606 or \$7.31 - but keep in mind, he has to work 13-14 hours per day to get that much income.

3.1.3.2. Legal Guarantee: 0.40

In the Indian context, ride-hailing drivers are still classified as workers outside of traditional employment relationships. This is stated in the Code on Social Security 2020 which explicitly defines freelancers as those who participate outside of traditional employment relationships—including platform workers like ride-hailing drivers. This confirms the position of ride-hailing drivers who are outside the Indian Labour Act and will further increase their precarity.

3.1.3.3. Union Negotiations: 0.35

In the context of mobilizing action, ride-hailing drivers in India routinely come to the streets to demand their rights and work safety. It is recorded from the writing of this article, from 2016 to 2024, ride-hailing drivers represented by various associations, took to the streets with demands that were almost always the same: improved income, reduced working hours and non-salary benefits as their rights. This reaffirms that in addition to the frequency that must be increased, the association's strategy to obtain their rights must be studied first, especially for the Indonesian context.

3.1.4. South Africa: Average score 0.66

South Africa is a country with a Watchout index in this article discussion and is the second representative of the Global South country in this article discussion. The following will present the results of the calculations and discussion of the conditions of each variable in South Africa:

3.1.4.1. Precariatization: 0.52

The precarious conditions of ride-hailing drivers in South Africa are quite unique. This is because drivers there can receive wages of R 27.58 (\$1.52) per hour or in line with the minimum wage set by South Africa. However, it should be noted that this figure still has to be reduced by the platform's cut which can reach 25 percent (Ribbans., D, et. al., 2024a). Moreover, the majority of ride-hailing drivers there do not have private vehicles which means they still have to pay vehicle rental to the vehicle owner which reduces the amount of wages they receive (Ribbans., D, et. al., 2024b).

3.1.4.2. Legal Assurance: 0.79

For legal guarantees in South Africa, the regional regulations are still similar where countries in Africa have not experienced many regulations related to ride-hailing drivers there. South Africa still defines workers and non-workers or independent contractors. Although the Act has mutuality of obligation in Article 200A Chapter 9 General Provision, the last lawsuit to the CCMA (Commission for Conciliation, Mediation and Arbitration) of South Africa resulted in an interpretation that Uber drivers there were considered Uber employees in the Netherlands as Uber's head office so that South Africa has no obligation to consider them as employees.

3.1.4.3. Union Negotiations: 0.73

Similar to India, ride-hailing drivers in South Africa are recorded as regularly taking to the streets to demand their rights as workers. Documentation from this article from 2016 to 2024, the actions have been carried out in various cities and locations—such as at Uber's headquarters in Greenpoint Office, South Africa. In addition to various associations, ride-hailing drivers there have also begun to form alliances and coordinate digitally by forming Whatsapp groups and Facebook pages (Mare, et.al., 2020).

3.2. Policy-Learning for Indonesia

Reflecting on the experiences of the countries above, Indonesia can take lessons- learned to be applied and adjusted to the Indonesian context. The adoption of this policy-learned will of course be adjusted to the context and circumstances of Indonesia. This is expected to increase the resilience building score for ride-hailing drivers in Indonesia both in terms of legal development or other mechanisms available to associations to effectively voice the interests and rights of ride-hailing drivers. In terms of developing labor law, Indonesia can imitate the Labor Deal law from Belgium. The selection of the Belgian Labor Deal example is based on the similarity of criteria that can be used for developing labor law in Indonesia, especially to develop worker status criteria for ride-hailing drivers in Indonesia. The development of these criteria is applied to the development of criteria for determining employment status in Law Number 13 of 2003 (Undang-Undang Nomor 13 tahun 2003 tentang Ketenagakerjaan).

The criteria that can be developed from the Indonesian context are the criteria contained in Article 1 Paragraph 15, which reads: "Employment Relationship is a relationship between employers and workers/laborers based on an employment agreement, which has elements of work, wages, and orders." These elements actually cover all forms of relationships that exist between ride-hailing drivers and platform companies, especially in Indonesia. The employment element is often manipulated by platform companies by arguing; if they only act as intermediaries who create bogus self-employment or fake employees (ELA, 2020).

The Belgian law that can be a model is 8 criteria called 'rebuttable presumption'. However, to adjust to the context in Indonesia, this article will only look at 3 points as a development of the criteria owned by Indonesia. The three points are points 4, 5, 6, which can be a development of the three points owned by Indonesia: wages, work and orders. Points 4, 5, and 6 of the Belgian Labor Deal are considered suitable for the Indonesian context, other than the other five points. Point four reads: "may determine or set upper limits for remuneration levels, in particular by determining hourly rates, and/or limiting the platform worker's right to refuse tasks based on the rates offered and/or by not allowing the platform worker to determine the price for services/tasks" as an extension of the "wage" criterion. Point 5 reads: "may require the platform worker to comply with binding rules regarding appearance, behavior towards service recipients, or job performance; for example, dress code)" as an extension of the "work" criterion. While point 6 reads: "may control the allocation of future tasks and/or the remuneration offered and/or priorities through algorithmic management (in general, "algorithmic management" refers to the strategic tracking, evaluation, and management of workers through algorithms – such algorithms take over tasks previously performed by human managers) which could

be an extension of the “command” point (Kadolkar, et. al, 2024).

Indonesia may consider adopting an integrative model that combines key elements from the four countries’ trade union negotiation frameworks, tailored to its own socio-political context. Emulating the negotiation model across countries in this discussion is considered relevant because of the good practices carried out by those countries. For example, in Singapore, the centrality of the union and the union's access to political channels there can be considered for imitation, although the union's neutrality is questionable. For the Belgian model, the recognition and integration of the ride-hailing driver union into a more formal union can be a consideration for the recognition of the ride-hailing driver union in Indonesia. From the context of India and South Africa, the persistence of the ride-hailing driver union to demand rights and decent work every year can be an example of the mobilization of the ride-hailing driver union in Indonesia.

4. Conclusion and Recommendations

4.1. Conclusion

Historically, the way ride-hailing drivers work has existed since pre-industrial times. For example, when tailors brought their work back home (Encyclopedia.com, 2024). This way of working did not bring enough supervision for business actors until the world entered the industrialization era. However, after industrialization, this way of working returned with the help of technology (algorithms and AI) which became the supervisor of the work activities carried out. This way of working in the platform economy era in the post-industrialization era brings flexibility and vulnerability embedded in its activities (Kincaid & Reynolds, 2023).

Efforts to develop a resilience development model, especially in the Indonesian context, need to pay attention to three variables as explained in this article. This will increase the resilience score for ride-hailing driver activities in Indonesia towards “one”. This is possible to do, reflecting on the experiences of other countries that are examples of this article. Focusing only on improving one aspect does not actually make ride-hailing driver activities more resilient.

From the writing of this article, there are at least several findings that strengthen the author's argument in compiling the article. First, this article sees that there is no significant relationship between the DCI index value and the vulnerability score of ride-hailing drivers globally. This can be seen from how South Africa's resilience score ranking (0.66) can outperform Singapore (0.63) and the United States (0.58). Where the DCI scores of the two countries are far superior to South Africa (Stand Out vs Watch Out). This also proves the author's argument that the precariatization factor is the most dominant factor in forming the vulnerability value for ride-hailing drivers, because the high precariatization factor of ride-hailing drivers is felt in all countries discussed globally.

The high resilience score of legal status is proven to increase the overall resilience score (this can be seen from the countries of South Africa and Peru with overall scores above the United States). This proves that the efforts to build resistance carried out in various countries in the writing of this article seem to have their own characteristics or reaffirm the convergence-divergence pattern in each country. This reaffirms the structural factors brought into each country making each country have a special

strategy in its efforts to build their resilience. These factors are expected to be contributors in the development of ride-hailing drivers studies across discipline, especially as a foundation for building resilience for ride-hailing driver activities globally.

4.2. Policy Recommendations

4.2.1. Develop a Hybrid Employment Classification for Ride-Hailing Drivers

Indonesia should adopt a hybrid employment model inspired by Singapore's Platform Workers Act and Belgium's Labor Deal. This model recognizes ride-hailing drivers as a distinct category between employees and independent contractors, ensuring access to social protection (BPJS, Medisave/CPF equivalents) while preserving work flexibility.

4.2.2. Integrate Platform Worker Unions into the National Labor Framework

Following Belgium's corporatist model, ride-hailing driver associations should be formally recognized and integrated into larger, established labor federations. This would strengthen collective bargaining power, enable structured dialogue with the government and platforms, and enhance representation in policy-making processes.

4.2.3. Introduce Algorithmic Management Transparency Regulations

Building on the Belgian Labor Deal's algorithmic management point number IV, Indonesia should regulate the use of algorithms in determining pay rates, task allocation, and driver evaluations. Platforms must disclose algorithmic criteria affecting workers' income and performance to ensure fairness, accountability, and data transparency.

4.2.4. Establish a National Resilience Index for Gig Workers

To continuously monitor worker welfare, Indonesia should create a Gig Worker Resilience Index based on the three key variables identified in this study—precarity, legal assurance, and union negotiation. This composite index (0–1 scale) would serve as a policy tool for evaluating the effectiveness of labor reforms and guiding future social protection strategies.

Acknowledgement

The author would like to express sincere gratitude to the Research Grant Program of the Faculty of Social and Political Sciences, Universitas Gadjah Mada (2025) for its contribution in supporting the completion of this article. The entire content of this work is solely the responsibility of the author.

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