

Barcelona industry report: Deliveroo

1. Current context, summary of the session and invitees

The Spanish government, which has promoted several measures to mitigate Covid impact, announced during 2020 its willingness to bring a bill to the Council of Ministers to prevent misrecognition of labour relations on digital platforms such as Glovo and Deliveroo. In March 2021, it was announced that an agreement was reached and that this bill was going to be officially approved in the following months. However, this was not known on the 15th of February of 2021 when the focus group took place.

The focus group had a duration of one and a half hours and was conducted in Spanish. Some invitees that had confirmed their participation did not attend. However, they did not warn us until the last minute. This is the main reason why the focus group was performed with only three participants.

Code	Gender	Organization and position
Del_M03	Male	Consultant Future of Work and Platform Economy
Del_F01	Female	CCOO of Catalonia
Del_M02	Male	Rider and UGT member

Table 1. Profile of the participants in Barcelona's Deliveroo focus group

2. Employment situation and working conditions of workers in incumbent industries

Food delivery platform work is characterised by economic instability, low pay, causality, and lack of social protections attached to paid employment recognition. Having said that, couriers both for postal services and food delivery have been a sector of precarious working conditions marked by temporality and low pay.

“There is a part that is only from the fact of working in a sector of a precarious nature. It doesn't matter if you are at Burger King, Telepizza or Glovo.” [Del_M03]

Before the upsurge of companies such as Deliveroo, platform couriers working for the main restaurant chains that prepare food for delivery in the city, such as Telepizza, were already participating in major mobilisations and asked for better working conditions¹. Later, for instance in 2018, in some of these mobilisations couriers from UberEats, Glovo and Deliveroo joined through RidersxDerechos (RxD).

Although in both cases working conditions of couriers are quite precarious and have a wide room for improvement, the lack of paid employment recognition of platform workers puts them in a more vulnerable situation in comparison to their counterparts outside the platform economy ecosystem.

¹ <http://www.izquierdadiario.es/Importante-huelga-en-Telepizza-Barcelona-con-un-70-de-seguimiento>

Since 2016, couriers from Telepizza and other companies depend on a collective agreement “*State Collective Agreement of Manufacturers of Cooked Products for Home Sale*”². The Collective Agreement is addressed to companies that are dedicated, as their main activity, to the preparation and production of cooked products for their subsequent delivery at home. This collective agreement was signed by UGT, CCOO and Prodelivery. Prodelivery is the business association of prepared food for its delivery³. According to Prodelivery website:

“Prodelivery brings together more than 75% of the prepared food sector and represents more than 1,500 establishments spread throughout the Spanish geography. It has a workforce of more than 10,000 distributors, all of them linked to the company by a labor contract covered by the Collective Agreement and a turnover of 537 million euros last year.”

Although the Agreement was perceived as a “set of minimum standards” the reality is that frequently companies do not comply with it. In this regard, another issue common among workers for these companies is the interpretation of law that these companies make in order to fix timetables and scheduling working days. For instance, the contracts are based on a minimum of hours that the company can increase at its disposal. Only as an example, the collective agreement dictates that “*The specific setting of the hours of those workers hired part-time, will be carried out at most on Wednesday of the previous week, being displayed on the notice board of the workplace and respecting the legal limits in this regard*”. However, abuses frequently occur and not only in relation to timetables but also minimum pay, currently set at €950.

For this reason, major traditional unions such as UGT and CCOO have had to bargain and push the enforcement of current laws⁴. Nonetheless, the situation of couriers for food chain restaurants is better:

“Even so, situations arise in which, despite having a contract, the agreements are not fulfilled. In fact, the precarious situation is quite important, but the fact of being able to be unionized makes it easier for them to achieve improvements. For example, they are more protected since if they have an accident it can be recognized as occupational and therefore they receive social protection. On the other hand, workers registered as self-employed are totally unprotected. In fact, although the platforms have advertised private insurance many times when they have an accident, the company completely ignores it.” [Del_F01]

Platform couriers are not covered by this Collective Agreement because it only considers the notion of restaurants who have their service of delivery. Platforms are a source of income for people who are in need to earn more than the minimum salary even if it is at the expense of working much more than 40 hours per week and renouncing the social protection attached to paid-employment recognition. Likewise, platforms are also a source of income for immigrant workers with(out) residence permit due to low entry barriers. In this later case, more vulnerable than the other, the pay is lower and the working conditions for these collectives are more precarious.

² Resolución de 5 de diciembre de 2016, de la Dirección General de Empleo, por la que se registra y publica el Convenio colectivo del sector de elaboradores de productos cocinados para su venta a domicilio. BOE-A-2016-12093. [https://www.boe.es/eli/es/res/2016/12/05/\(4\)](https://www.boe.es/eli/es/res/2016/12/05/(4))

³ <https://prodelivery.es/>

⁴ <https://www.elperiodico.com/es/economia/20190706/huelga-repartidores-telepizza-barcelona-salario-minimo-7538682>

It has been widely acknowledged by literature that a significant proportion of platform companies' delivery workforce is conformed by immigrant workers. One of the main reasons why so many irregular immigrants are dependent on such precarious jobs such as becoming a platform courier is because of the slowness of the bureaucratic system. This in turn places platform couriers in a much vulnerable position. The fear of being discovered and being "fired" or reported, makes them to be afraid and therefore not raising their voice nor asking for better working conditions. The participants of the focus group also mentioned that another negative consequence that prevents them from raising their voice is discrimination among their colleagues:

"The fear of recriminations, of rejection, is one of the reasons also why it is difficult to report. In fact, in one of the last lawsuits in which a delivery worker won, I was talking to him and he told me that he now receives calls and messages from people who defend the model." [Del_F01]

Indeed one of the participants -currently a platform courier at Glovo who has publicly stated several times being in favour of a paid-employment recognition- explained that he is suffering harassment from his colleagues:

"They also systematically harass us. In other words, there is an active campaign of organized harassment from platforms, systematic harassment, that is, to call colleagues, brutally attack, defame, abuse, threaten continuously. In other words, I do not understand how the situation could have come to this mafia crime spiral in which it has fallen." [Del_M02]

This discrimination is the main reason for which they accepted very bad working conditions. But according to the participants [Del_F01 & Del_M02], the second reason is unacknowledgement of local laws and regulations.

While recruiting interviewees for WP2 fieldwork, several riders from Glovo - all of them immigrants- asked if we were looking for people to join Deliveroo signaling that working conditions among platforms differ.

"In the case of Glovo, workers have hours by seniority, by score. All this influences the hours that the platform gives them. They don't work when they want to. So what happens is that there are people who do not have hours and need to work. They need to collect money because they have expenses, they have expenses to cover and then what they do is hunt for hours. I do not know if you know what this is, it is that you are updating the platform all day." [Del_F01]

This platform design -non present in all platforms- that pushes workers to "hunt" hours and be constantly connected generates addiction and has negative consequences for the wellbeing of platform couriers:

"Sometimes they are updating all the time on the platform and they feel that they are hypnotized, that they are at home with their family, but their head is thinking that they have to spend these hours updating the platform trying to hunt some hours. They told us that it affects them, not only as a couple but also at the level of the relationship with their children, which is why we are saying that this also influences family reconciliation." [Del_F01]

Nonetheless, it is important to consider that although platforms sociotechnical design differs among each other having different impacts on platform couriers working conditions, and attracting different profiles, the baseline is the same for all of them. All of them perform under low-cost models that erode working conditions in the pursuit of economic benefits and market share. For this reason the participant [Del_F01] claimed that we should not differentiate among platforms:

“We should not establish differences between platforms “Glovo vs Deliveroo etc. [...] in terms of distribution. Those of us who know them, Amazon, Deliveroo, Uber, Glovo ... The four have many operational differences, they even continue to play the trick of changing and changing little things to pretend that argument, that they usually use the trials, that have been sentences saying that those are past situations but they have not changed anything.” [Del_F01]

3. Changing strategies of incumbent companies

As explained above, while in food delivery platforms such as Glovo, Deliveroo and Uber Eats platform couriers were considered self-employees in incumbent companies with their own fleet of couriers such as Burger King and Telepizza couriers were considered paid employees. There was one platform “Just Eat” that had couriers under paid-employment, but it occurred under a strategy of tertiarization. More recently, the company announced its willingness to employ all couriers directly through the company. Companies such as Just Eat or Telepizza have aimed at differentiating themselves from other companies because of this fact.

Apart from the impact that platform companies provoke on food chains such as Telepizza. Local restaurants are also impacted by their activity:

“One of their business strategies [of platforms] is to replace the hospitality industry. The platforms [...] are very strong [...] in what they call black kitchens. Almost every week I come across a new one. [...] These black kitchens began by providing service to the usual restaurants themselves, to chain restaurants, where there was no Goiko [for instance], they set up a black kitchen and from there they served [...]. But they have gone a step further, when they already have all the information, [...] the demand, the average ticket, the waiting time, the type of food, the neighborhood ... everything. When they have already had this information for years because they have the information that the hospitality industry itself does not have and they are creating their own brands replacing traditional commerce” [Del_M02]

Platforms do this while in their discourse, the idea of protecting local businesses is widespread. Even more since the Covid-19 pandemic since platforms can defend to be the only means through which local restaurants can earn money during lockdowns. Interestingly restaurants publicly supported this:

“They [the restaurants], poor, innocent, have signed to defend the platform model because it is helping small businesses, when in reality what they are doing is replacing it. They are, they are undermining them in a very clear way, for those of us who know what it is, they will be out of business. And not only the hospitality industry but also supermarkets [...] and other small sectors. For example, one of the first own lines that Glovo opened was that of toys and erotic articles”. [Del_M02]

However, another participant explained that they wrote this letter because of platforms lobbying actions:

“Well, this letter comes out, it doesn't come out as an initiative of the restaurants themselves. This letter comes out of an initiative of the platforms themselves that oblige the hoteliers, the owners of the restaurants, to firm it.” [Del_F01]

4. New aspects of industry regulation

Almost since Deliveroo, Glovo and other food delivery companies started their operations in Barcelona there has been active mobilisation of riders. However, mobilisation motives and main stakeholders involved have changed over time. The first actor to ask for better working conditions was Riders x Derechos⁵ (RxD). RxD is formed by former platform couriers from companies such as Deliveroo and Glovo. The first members and founders of the collective were expelled from Deliveroo for asking for better working conditions and after realising that major traditional unions were not going to help them they decided to reach out to Intersidical Alternativa de Catalunya (IAC) which has given support to them since the beginning.

Later, when food delivery and platform workers started to be a major issue, traditional unions such as UGT and CCOO began to pay attention to the sector. At the same time, riders associations, also known by their similarities to ‘yellow unions’ flourished. These associations devoted important efforts to ask for a modification of the labour law to include a new categorisation known as “TRADE Digital” that would allow platform companies to keep riders as self-employed appealing to digital innovation.

Covid-19 outbreak has brought to the public debate issues surrounding social protection and work-life-balance. Although at the beginning some food delivery platforms suffered a plump on their income, during the next weeks of the lockdown they have increased their influence. The number of restaurants joining these types of platforms has increased. Moreover, it is probable that due to harsh economic conditions more people look for job alternatives such as delivery. This made the Spanish government bill an even more urgent measure than before. However, major measures were mentioned to be needed:

“What needs to be done is to improve, right? To improve employment. Promote quality jobs, not as temporary and as precarious as we have now in many sectors. We have to repeal the most damaging aspects of the labor reform. I mean, people go to work on these platforms because they have no other options and they have to pay expenses and food.” [Del_F01]

The idea of a minimum basic income was also introduced by Del_M03 as a tool to increase bargaining power of workers. However, the two other participants worried about the limitations attached to the conditionality of such a measure:

“In relation to what you were saying, with the minimum vital income or that type of aid. The problem is that the one who commented before also, that of course, most of the colleagues do not know their mere existence, much less the requirements or the procedures to request them. Requirements and procedures that are also blocked by Covid to a great extent, because the administrations are collapsed, closed, they only have activity telematically, which adds more complexity to the management, with which they are really very beautiful in theory, but very

⁵ <https://www.ridersxderechos.org/>

inoperative in reality. If the majority, perhaps the majority of my colleagues are people with irregular immigration status, how are they going to have access? ” [Del_M02]

“The requirements to be met are not met by most people. And there are many who are left out and these many are the ones who are then forced to take those most precarious jobs and in exploitation conditions and harsh conditions, right? At the end of the day, from Comisiones Obreras, during the pandemic, we opened a space of attention to help people to request the minimum vital income, the guaranteed income, the help of the hour, but the temporary contracts did not start during the pandemic situation and the service collapsed on the first day. The first day of those who had, who had a lack of digital skills, that they could not or who simply did not understand how to request these aid , what were the requirements, where did they have to approach [lost the option]. [...] And there were platform delivery workers, there were cleaning and care platform workers, groups that have very harsh working conditions.” [Del_F01].