

## Personal Care Services provided via the App. Some Reflections

by Federica Capponi

Digital platforms usually call to mind the services provided by riders who use their bikes to deliver meals in their colourful backpacks. Yet platform work does not only concern delivery riders. Apps are being used also in increasingly-relevant, rapidly-expanding sectors, such as personal care services (e.g. housecleaning, babysitting, home care). In an article published in December 2019 on vita.it titled *The web submerged by domestic workers*, Prof Ivana Pais makes reference to a survey conduced by Italy's Institute for Public Policy Analysis (INAPP) on 45,000 people. The survey reported that the ratio of riders to domestic workers engaged through Apps is 1 to 2. It is thus interesting to understand the impact digital platforms have on such sectors as domestic work and personal care services, examining the implications in terms of working conditions.

One aspect that bears relevance is the terms and the conditions provided by some digital platforms, which in Italy favour the matching of labour demand and supply in relation to domestic work. **This is a fundamental aspect, in that it is frequently the case that these platforms often deny acting either as intermediaries or employers**. Rather, they consider themselves to be a sort of online marketplaces, which can be accessed in exchange for monthly or yearly subscriptions. There exist, of course, a number of notable exceptions. For example, Vicker is a digital platform authorised by Italy's Ministry of Labour to perform intermediation pursuant to Article no. 2222 of the Italian Civil Code. 4MyFamily – which is owned by Solidali – has also been awarded the authorisation to engage in intermediation, engage in intermediation, while another platform, Yougenio, reports serving as the employer of domestic workers. Usually, a rating system is adopted to assess the quality of the services provided by these workers (this is the case of *Yoppies, 4MyFamily, Vicker*, and *Le Cicogne*). In other cases, the App verifies domestic workers' previous experience and references (e.g. *Helpling*). In some cases, digital platforms make use of specialised staff trained to perform domestic work (e.g. *Yougenio*). As a general rule, payment usually takes place via the App.

What emerges from this analysis appears to be in line with what has been observed for similar digital platforms operating in other countries. According to scholars who have recently examined this topic, **platform work has pros and cons**. On the one hand, the use of digital platforms in sectors featuring high levels of undeclared work appears to improve domestic workers' working conditions, especially in developing countries, through the emergence of an employment relationship (see A. Hunt, F. Machingura, *A Good Gig? The rise of on-demand domestic work*, ODI Working Paper, n. 7/2016, A. Trojansky, "Uber-isation" of care? Platform work in the sector of long-term home care and its implications for workers' rights, Report EESC 2020). On the other hand, the recourse to platform work might lead to some **violations in relation to intermediation** and to the ILO's principle that 'labour is not a commodity' (see V. De Stefano, M. Wouters, Should digital labor platforms be treated as private employment agencies?, ETUI, 2019). Furthermore, the need to offer users a quality service could push digital platforms to exert control over workers, in

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such a way that the employment relationship can be considered as a salaried one. If this is the case, litigation might arise (this is what happened with platforms offering cleaning services, e.g. Handy.com and Homejoy.com. On this point, see F.A. Schmidt, *Digital Labor Markets in the Platform Economy. Mapping the Political Challenges of Crowd Work and Gig Work, Friedrich-Ebert-Stiftung, 2017*). To conclude, the use of apps to provide and make use of personal care services is developing quickly and will also call for further scrutiny in Italy, particularly in terms of labour law regulation and its possible violation.

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