

Surveillance, Privacy, and Autonomy in Gig Work

Through Alex Rosenblat's *Uberland: How Algorithms Are Rewriting the Rules of Work* and related research into the topics of worker privacy and autonomy, this paper will seek to determine how employer surveillance manipulates worker autonomy, how perceptions of privacy inform workers' decisions, and how surveillance stacks the deck against the worker.

In any discussion of the rules of work, worker autonomy plays a central role. Rosenblat (2018) discusses Uber's extensive driver recruitment push based on the idea of "Be your own boss" (p. 3, p. 77). In practice, Uber uses an array of control mechanisms to prevent drivers from exercising their autonomy. Through the same data collection used by Uber's Silicon Valley predecessors such as Facebook and Google (Rosenblat, 2018, p. 164), Uber is able to coerce drivers to work longer hours (Rosenblat, 2018, p. 135), accept rides without sufficient information to determine profitability (Rosenblat, 2018, p. 84, 104), or even unnecessarily upgrade their car to prevent losing access to Uber's app (Rosenblat, 2018, p. 74). This data collection and subsequent usage is all but invisible to drivers. Despite this, there seems to be no shortage of people willing to sign up. At the time of *Uberland's* 2018 publication, Uber reported 3 million drivers worldwide (Rosenblat, 2018, p. 25). In 2022, Uber reported 5.4 million drivers worldwide (Campbell, 2023). That's nearly double the number of drivers in just four years, despite the COVID-19 pandemic and Uber's high turnover rates (Rosenblat, 2018, p. 72).

Uber uses their app to monitor drivers. When surveillance techniques are opaque, workers assume a worst-case scenario where the employer is watching everything they do (Liang et al., 2023, p. 300). Uber's data collection is secretive to the point where at least one of Rosenblat's (2018) interviewees believed Uber was listening to him through his phone (pp. 138-139). While this is likely untrue, the reality is only Uber knows the actual extent of their surveillance. Uber has been

caught disregarding the privacy of others. They have collected medical records without permission (Rosenblat, 2018, p. 161). They have used data to track and threaten journalists (Rosenblat, 2018, p. 14). When driver information was exposed in a hacking incident, drivers discovered the breach through news media instead of from Uber itself. The event only deepened mistrust and driver privacy concerns (Rosenblat, 2018, pp.163-164).

Uber has stacked the deck against drivers, limiting worker autonomy in the guise of providing consistent service to passengers (Rosenblat, 2018, p. 104). Despite Uber's insistence that drivers and passengers are equal consumers of Uber's technology, drivers are consistently treated as secondary to passengers (Rosenblat, 2018, p. 105). Drivers are subjected to the same customer service runabout consumers face. This would be acceptable, if not annoying, if drivers had consumer problems. However, they have employee problems one would normally take to a manager. Instead platform suspension, pay issues, and problematic passenger encounters are handled by customer service agents, sometimes through automated responses generated without human oversight. Even when a human is involved, the agent is likely to be a third-party employee working from a script, with limited power to address issues (Rosenblat, 2018 pp. 143-144). By limiting worker recourse, together with high turnover rates (Rosenblat, 2018, p. 72), Uber maintains the upper hand against workers who cannot effectively challenge Uber's policies or who are too new to understand how they are being treated (Rosenblatt, 2018, p. 145).

In a study of gig worker autonomy, a group of researchers at several American universities investigated the way the platform Upwork.com provides autonomy to the workers who use it while also constraining them to maintain the site's control over the transactions it facilitates (Jarrahi et al., 2019, p. 153). Like Uber, Upwork helps workers find work and charges for making the connection between 'employee' and 'employer' (Jarrahi et al., 2019, p. 155). Upwork uses several control

mechanisms to keep the workers beholden to the site. These mechanisms include managing payments, standardized communication tools, and mediation for disputes (Jarrahi et al., 2019, pp. 161-162). Workers who attempt work outside these tools risk being punished through suspension from the site (Jarrahi et al., 2019, p. 171). As with Uber, Upwork uses surveillance tools to ‘catch’ workers trying to get around a constraint or gaming it to their own advantage. Though workers are subject to known surveillance, such as tools that track time and take screenshots (Jarrahi et al., 2019, p. 159), Upwork also monitors the communication channels workers are forced to use for keywords which may indicate work being done outside their site. Upwork then doles out warnings and punishments (Jarrahi et al., 2019, p. 171). This lack of transparency about the scope of all surveillance frustrates many users (Jarrahi et al., 2019, p. 160).

Researchers at several US business schools investigated the economic pros and cons of surveilling employees, specifically gig workers. Surveillance acceptance among workers has a price tag for the employers as privacy concerns about surveillance technologies affects gig workers’ acceptance of monitored work. The study found employee monitoring could be broken down into three component parts: “intensity”, “transparency” and “control” (Liang et al., 2023, p. 297). In this context, control refers to the worker’s ability to choose what information the monitoring collects and/or keeps. The way these three components are combined by the employer directly affects the workers’ perceptions of privacy.

As the degree of worker surveillance (“intensity”) increases, so do worker privacy fears (Liang et al., 2023, p. 310). Surveillance policy transparency by the employer can decrease those fears but only at low levels of surveillance (Liang et al., 2023, pp. 311-312). However, workers can be induced to take these high surveillance jobs through additional pay (Liang et al., 2023, p. 310). Interestingly, the final component of “control” did not lower privacy fears (Liang et al., 2023, p.

313). The researchers hypothesized this is because the ability to control the information collected via surveillance serves as a reminder that surveillance may capture private information. This reminder creates privacy fears instead of dispelling them (Liang et al., 2023, p. 313).

Uber has resisted any implementation of transparency. The “up-front pricing” model shows their lack of transparency as a way to manipulate both drivers and passengers. The passenger is given an estimate of cost before the ride starts but the driver cannot determine their potential profit because of Uber’s blind ride acceptance policy. Once drivers and passengers started comparing what the passenger paid versus what the driver made, Uber slowed down payment to drivers by up to ten minutes to make it inconvenient for passengers to wait around to compare notes, effectively ending drivers’ attempts to create transparency (Rosenblat, 2018, pp. 121-122).

Uber has changed the way employers and workers view the role of technology in work, privacy, and autonomy. By using data collection techniques inherent in modern devices, Uber can manipulate workers, undermine their autonomy, and invade their privacy, all in the name of “being your own boss.” Opaque surveillance techniques erode workers’ perceptions of privacy. Various platform-level control mechanisms create an “autonomy paradox”; as workers gain and exercise autonomy over how and when they work, they will encounter controlling factors and surveillance which serve to limit their autonomy (Jarrahi et al., 2019, p. 157). Drivers, and gig workers in general, cannot win in that situation.

More needs to be understood about how companies use the information they collect, especially if society is going to continue to pretend gig workers like Uber drivers are consumers and not employees. Codifying privacy rights, as has been done in the European Union (European Commission, 2015), and creating more transparency in data collection will help foster the trust needed to make work on digital platforms safer for the employees of the future.

Is *Uberland* a warning? Though not as sensationalized as *The Jungle*, Upton Sinclair's novel which led to the transformation of the US meatpacking industry, *Uberland* strikes a similar chord. The horrid conditions of the meatpacking plant have become a slick app interface, but the technology still hides the same societal ills of *The Jungle*: marginalized populations, many of them immigrants, work in subpar conditions as "wage slaves" (Constitutional Rights Foundation, 2008), doing the work others can't or won't do. And there are still people ready and willing to exploit workers with no choice but to trade their privacy for a job to make ends meet, to feed their kids, and to chase the ephemeral American dream.

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