

Gamificación, control y resistencia en el sector de riders de plataformas en Brasil: el caso de iFood

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<https://dx.doi.org/10.5209/stra.98778>

ES Resumen: Este trabajo pretende esclarecer las nuevas formas de organización y resistencia laboral de los trabajadores de plataformas digitales, en particular de los motociclistas de aplicaciones de reparto en Brasilia, Distrito Federal de Brasil. Intentaremos mostrar las relaciones entre la estructuración de una categoría de mensajeros en motocicleta -caracterizada por la heterogeneidad y la fragmentación- y las dificultades para articular acciones colectivas y unitarias. Para ello, indicaremos las estrategias de lucha política y de negociación de sus reivindicaciones con las empresas y el Estado. También indicaremos las relaciones entre los obstáculos a su organización y las estrategias de gestión flexible de la fuerza de trabajo implementadas por las empresas digitales, en particular la modalidad conocida como Operador Logístico de iFood. Este trabajo se basa en datos obtenidos a partir de investigaciones empíricas, en particular entrevistas semiestructuradas a trabajadores y dirigentes político-sindicales.

Palabras clave: Plataformas digitales de trabajo; Plataformización; Uberización; Trabajo precario.

ENG Gamification, control and resistance in the delivery app courier sector in Brazil: the iFood case

ENG Abstract: This paper is intended to clarify the new forms of labor organization and resistance on the part of digital platform workers, particularly delivery app motorcyclists in Brasília, the Federal District of Brazil. We will attempt to show relations between structuring a category of motorcycle couriers – characterized by heterogeneity and fragmentation – and the difficulties of putting collective and unity actions together. We will therefore indicate the strategies for political fight and negotiation of their demands with the companies and the State. We will also indicate relations between the obstacles to their organization and the flexible workforce management strategies implemented by digital companies, in particular the modality known as iFood's Logistics Operator. This paper is grounded on data secured from empirical research, particularly semi-structured interviews with Summary

Keywords: Digital labor platforms; Platformization; Uberization; Precarious work.

Summary: 1. Introduction. 2. Delivery apps: demise of the wage worker? 3. Who are the app couriers in Brazil and in Brasília. 4. App delivery workers' struggles and claims in Brasília. 5. Final considerations. 6. Bibliographical references.

1. Introduction

This paper is intended as an understanding of the new forms of organizing the labor and resistance of digital platform workers, particularly delivery apps couriers in Brasília, the Federal District of Brazil. We shall try to demonstrate the structuring courier category –characterized by heterogeneity and fragmentation–and the difficulties to build collective and unified actions. We will therefore address a new delivery “contract” mode enforced by the iFood company referred to as *Logistic Operator*. This mode has enabled the company to implement a more flexible management strategy focused on labor rights, allowing for maximum control over the labor process and the workers. That is, thus, an attempt to clear bottlenecks that emerged with the algorithmic management of digital platforms.

We shall also point at strategizing for political fight and negotiating for their demands with companies and the State. We will therefore list the obstacles presented against their organization with the strategies for flexible management of the workforce in those digital companies.

Initially, we shall evolve with theoretical considerations about labor hired through digital platforms in the framework of deteriorating traditional jobs and contractual rights established in the 20th Century. In particular, we shall refer to the Marxian definition of wage workers to understand their real role in contemporary society. Then, based on data collected in our empirical research, we will show who the couriers from Brazil's Federal District are and indicate their specificities. Lastly, we will analyze the struggles and political unionist demands of this categories in the manifestations known as *Breques dos APPs* (APP Breaks).

This paper is the outcome of various empirical research efforts as well as theoretical during 2020 and 2023. We have therefore fed our reflections with data and statements we collected from delivery app couriers by means of semi-structured surveys. We held 41 interviews with political and labor leaderships from the sector. In addition to that, we used the participatory observer method from the *Breque dos APPs*.

2. Delivery apps: demise of the wage worker?

The so-called digital revolution has a peculiar characteristic that is different from technical transformations of the past, which is: it reaches all spheres of economic and social life. It blurs the traditional frontiers that put borders between productive and unproductive labor, the realm of labor and pleasure, industry and services, public and private, among others (Huws, 2003). This process has thus raised countless challenges for social theory, including a definition of salary and wages, which follows shortly.

In this context, digital platforms represent not only a technical innovation, but mostly a new space in which to modify the rules of the game concerning labor and employment, accelerating *exteriorization* and *flexibilization* of labor (Abdelnour and Méda, 2019). We are thus witnessing the onset of new economy and labor management forms that indicate an enhancement to the techniques developed in the model of flexible production (Cant, 2020). In this new stage of "platform capitalism", for instance, the *exteriorization* of labor is taken to extremes, with fragmented tasks whose performers are seen as "productive units" (Abdelnour and Méda, 2019).

Since it is a new branch of the economy, companies find gaps in national and local legislations regulating self-entrepreneurship (Abilio, 2019). In countries with dependent economies like Brazil, those platforms mobilize the informal workforce, the unemployed and those in ultra-precarious positions (Festi and Vêras, 2020). This is why a major conflict involving those platforms lies in defining employee (a service provider) / employer (a mediator?) relations.

Algorithmic automation played a critical role in the development of new forms of labor control and management by those digital platforms (Moore and Woodcock, 2021). Automation—understood as the self-ruling of machines—started in mid last century, primarily in the continuous production industry (Coriat, 1983, 1990). After developing through information technology and robotization, it expanded to the services sector. But it was only through digitalization that automation did take a leap forward and allowed for an enhancement of what Marx called the real submission of labor to capital (Marx, 1992). So, automation did not produce only a technical revolution but mostly a social one, as it was also a revolution on the forms of capital control over labor (Braverman, 1998).

One characteristic of what has been termed *uberization* of labor is, as we have already indicated, but an extreme exteriorization of labor. Fragmented as it is, however, it allows for companies to seek legal ways to deny employment bonds and other traditional forms of labor contracts. In their discourse, workers are actually resorting to their technologies to offer their services or products, while platforms play a mediator's role between workers and their customers. Therefore, there is no employment relation, where workers secure "revenues" as a result of their own efforts and dedication. However, as we shall seek to demonstrate, *uberized* labor reinforces that which is fundamental in a capitalist society's wage work relations.

Lastly, and most remarkably, a digitally enabled expansion and intensification of the services industry automation has eventually borne a new proletariat, as Antunes warns:

[...] we are witnessing the advent and monumental expansion of the Digital Era Proletariat, whose more or less intermittent jobs have gained new momentum with information and communication technologies, which connect the most diverse modes of labor by means of their cell phones. So, instead of the end of labor in the Digital Era, we are experiencing the exponential growth of a new services proletariat, a global variant of what can be called digital slavery (Antunes, 2018: 30).

2.1. Salary: the abstract form of a power relation

An erosion of formal wage work has been indicated by many studies in recent decades (Antunes, 2018; Castel, 1998; Supiot, 2016). According to Supiot (2016), a labor contract defined by employee subordination to employer was once related with the Fordist model, that is, the typical labor relation that prevailed in the western capitalist world all along the 20th Century. The main characteristic of this model is the prevailing importance of full time non temporary standardized (particularly adult males) labor contracts, founded upon an exchange between high levels of subordination and disciplinary control to the benefit of an employer and high levels of stability and social security benefits and guarantees for the employee (extended to family members).

So, as clearly indicated by Castel (1998), this wage work model has been connected to social and political rights, such as the social security bond, the right to organize, remunerated leave and so on. It "gives access to out-of-the-job subventions (sick leave, accidents, retirement) and allows for increased participation in

the social life: consumption, housing, education and even [...] leisure" (Castel, 1998, p. 416). From another perspective, that is what Bihr (1991) characterized as Fordist compromise.

A wage worker's condition has thus supported social identity and community integration, though under subordinate integration. At the same time that the wage condition has enabled workers to be recognized as political subjects, who were framed under the juridical-political statutes of the bourgeois society. Concessions were thus made in a broader framework of subordination to capital by means of an unstable structure of integration (Castel, 1998).

Though the Fordist period's condition of regulated labor has suffered a prolonged process of erosion in the past decades, it has not caused wage work to cease, because that is an inherent condition of the capitalist mode of production (Marx, 1992).

In its concrete form, wage work assumes payment in exchange for labor. It is remuneration for the activities performed by workers or, from the perspective of capital, for consuming the labor-power. This remuneration may take different forms, depending on the context, as Marx clearly pointed out in the session on wages in *Das Kapital*. However, it is worth remembering that "what workers sell is not directly their labor, but their labor force, temporarily giving capitalists the right to dispose of it" (Marx, 1982). Therefore, as the German author expresses, wage work is an unequal relation of power where capital disposes of the labor force. Here, the worker's time available to capital is the key to understanding the exploitation in this relation that the German author named surplus value.

In the case of contemporary forms of labor by means of digital platforms, unpaid labor and the time available in connection with these companies' technical-informational apparatus is key to understanding the dissimulations around exploitation of labor and, consequently, of wage work.

2.2. Digital job instability or the good OL' overexploitation of labor under new technologies?

Whether couriers or delivery app drivers are sociologically wage-earners or not, whatever the legal contract or the way their revenues turn up in their pockets, it is now high time for a synthetic attempt to fit them within the working-class structure. Would that be a new type of job instability or but a mere replication of old ways clad anew under digital technologies of labor overexploitation that is so familiar to dependent countries?

Hints at responding to that question might be found in an essay produced by Singer (1981) in the early 1980's where he tried to identify two fractions in the core of Brazilian working class. One of them would be employed under "normal" conditions; that is what he called *proletariat per se*. The other one would be that which unsuccessfully offers its labor force to the market but never finds anyone willing to acquire that for a price that will ensure its social reproduction in "normal" conditions, thus entailing a virtual proletariat or a *sub proletariat*. The historical origin of the latter would be found in the process of rural livelihood dissolution that is not absorbed by capital nor given access to formal employment. This sub proletariat would thus compose a backup industrial army that is not restricted to the unemployed. They are the poor who work.

...though their labor does not provide them with sufficient means to ensure normal reproduction of their labor force [...] their livelihoods fall below the normal average level of the working class and that is exactly what turns it into a broad base of branches for the exploitation of capital. *Maximum working time and minimum wage are typical.* (Singer, 1981: 23)

From income levels, Singer seems to present an important framework that is typical of the Brazilian working class. What he refers to as *sub proletariat* is a heterogeneity of wage workers who are either self-employed or not remunerated and share a common revenue level that is not enough for their social reproduction. The concept was developed to explain one of the consequences of the fast late industrialization and urbanization of the Brazilian society and, concomitantly, the emergence of poverty and extreme poverty among those who worked. However, like every concept dated by a specific scenario, *sub proletariat* has its own limitations and the most remarkable of those limitations lies in the duality between normal and abnormal work. What Singer calls normal work is actually wage work from Fordist times, that is, the prevailing form of a job's contract in the Western capitalist societies, a form that ensured a certain surrounding of social legislations. The author himself recognizes that, in Brazil, even wage workers in "state of the art" sectors of the economy earned less than what they needed to live on.

So, expansion of the so-called *gig economy* in central capitalist countries, which has scared social scientists (Standing, 2016), has always been the rule in countries of dependent capitalism. In places of an enslaver past like Brazil, this is an ever more pressing and structural issue. One may therefore state that the condition of overexploitation, so well represented by the theory of dependence (Marini, 1973), has been transported to central countries that experience accelerated destruction of their labor protection laws inherited from a prior State of social welfare.

3. Who are the app couriers in Brazil and in Brasília

In November 2020, according to data from the National Household Sample Survey carried out during the COVID-19 pandemic (PNAD COVID-19) by the Brazilian Institute of Geography and Statistics (IBGE), the country boasted 678,527 app couriers with an 8.2% growth from May to November. In the Federal District, according to the same source, there 7,504 couriers about the streets last November (Lapa, 2021).

The Federal District (DF) is home to the Capital of the Federative Republic of Brazil and is in the center of the country, in the middle of the Central Plateau. Its population was estimated, in July 2021, at 3.1 million inhabitants, occupying the position of third largest city in the nation. The service sector represents 95.3% of

its economy. Before the outbreak of the health crisis, the DF had a high rate of unemployment and informality, which remained almost unchanged throughout this situation. In April 2020, unemployment represented 20.7% of the working population, declining to 19.6% a year later (Codeplan, 2021). In the first quarter of 2021, the informality rate in Brazil was 39.6% of the employed population, with 29.3% in the DF (IBGE, 2021).

Our research has shown that 92% of those who were interviewed in early 2021 were male and only 8% were female. This proportion was similar to what was identified nationally by the PNAD COVID-19, that is, a category composed of 95% men and 5% women (Lapa, 2021). Concerning how couriers declare themselves to be in terms of race, 52% recognize themselves as mixed race and 16%, as blacks, which comprises a majority of 68% of blacks. Only 24% are white, 5% are yellow and 3% are indigenous. This category is therefore mostly male, black and 30-49 years old.

When it comes to the schooling levels of couriers interviewed in Brasília, an important difference has to be observed in comparison to nationwide data. In the Federal District, the percentage of couriers with both complete and incomplete basic schooling was 12%, much lower than the national 25.12% assessed in the PNAD COVID-19 2019. At the other end of the scale, our research observed that the national capital city contains a much bigger percentage of couriers who say they have both complete and incomplete higher education (41%), while the PNAD COVID-19 2019 shows that only 11.23% have that same level of schooling. For the records, 38% of the couriers interviewed in our research proceeded with their studies.

Those differences between courier schooling nationally and within the Federal District point at the problem of want job opportunities in their educational areas. Remarkably, a significant portion of the jobs market in the Brazilian capital city is composed of public workers, distributed across different careers. Our hypothesis is that the recent political and economic crisis added to less public position offers has created a large backup army of graduates who had to struggle their way to more precarious and lower income jobs such as courier and app delivery.

Created in the concept modernistic architecture design, Brasília eventually became a metropolis whose population is distributed across the board under the logic of a per capita income segregation. The jobs and higher per capita income concentration in the Pilot Plan (as the city of Brasília is commonly referred to within the Federal District) has forced couriers, who live mostly in the poorer and more remote administrative regions, to daily commuting for some 20-40 minutes from their home and the area of their deliveries, and back at the end of the day.

This commuting necessity between home and the workplace is an aspect that seems to be usually masked by the business model, which suggests a connection between couriers and the beneficiaries of their services wherever they are. It just so happens that, though there is no formal fixed workplace, those couriers are indirectly driven to demand centers, since closeness plays a significant role in the number of delivery requests to them and, as a consequence, the income they raise.

Travel time is also significant, not only to indicate the geographical representation of this socioeconomic divide, but also in the composition of a financial aspect that is crucial for service rendering, since workers must move to a new spot for the next collection as soon as they finalize each delivery, which is often not near. This travel time between activities and costs therein are not factored in for the purpose of remunerating those workers, but they bear significantly upon the amount of working hours. Remarkably, a 60.3% inflation accumulated between June 2020 and March 2021 had significant impact upon fuel costs, hitting hard on the local economy and particularly harder on couriers and overall app delivery workers (Codeplan, 2021).

With that, results are couriers being subjected to excessive long working hours that not rarely reach more than 60 hours per week, with no breaks within each journey nor any day off, which are factors that bear significantly upon their health and increase the potential of occupational risks.

3.1. Income or salary?

One aspect that is difficult to outline concerns the revenues of those couriers, in face of the different profiles of engagement and the blurred remuneration criteria set by those platform algorithms. In general terms, according to PNAD COVID-19 data, the category of "Couriers and app delivery Workers" received an average remuneration of R\$ 1.727,60 (US\$ 323.82) in the Federal District for November 2020 (Lapa, 2021). Notwithstanding, the fact that those workers foot all of their activity bills, that is, they pay for their fuel, for servicing their vehicle, their taxes and dues, including their cell phone connectivity packages, which allows us to infer that the final amount after those operational costs is near the national minimum wages, an equivalent to R\$ 1,045.00 (US\$ 197.56) in February 2020.

Among the interviewees in our research, between January and March 2021, median monthly yields amounted to a gross R\$ 2,400.00 (US\$ 449.85). However, as we indicated, app delivery workers undertake all expenses related with their work equipment. So, after that is accounted for, we have the median monthly net earnings of R\$ 1,237.50 (US\$ 231.95). In terms of a conventional job, that would be their average salary. And since we are not dealing with any traditional form of employment, which translates into no limit to the amount of working hours, an hourly wage had to be calculated in order to obtain the "real salary" and thus clarify labor intensity. So, as we divide the average net income by the total amount of work dedicated in a month, we find out that the median net income per hour for an app delivery worker in Brazil's Federal District was R\$ 5.03 (US\$ 0.94) in the beginning of 2021.

However, those average values do not allow us to unveil the central work management issue in digital platforms. In our sample, we could find persons such as E27 who works 336 hours per month and makes R\$ 7.93 (US\$ 1.49) per hour, while E29 works 392 hours per month and makes R\$ 5.31 (US\$ 1.0) per hour. And there

were cases in which courier yields were negative in the month of the interview. Discrepancies like these can be explained by gamified management of digital platforms for delivery purposes, as we shall try to explain next.

3.2. Logistics Operator (OL) and gamification on digital platforms

An app delivery worker's available time is crucial for a digital platform's business strategy because those platforms do not make a profit only on worker services, but also on worker unpaid time. In this case, data are produced continuously to feed algorithmic automation. However, this management strategy has become a very powerful way to impose control over worker activity (Amorim and Moda, 2020).

So, those company strategies involve more flexibility to labor relations and maximum control over the work process. Management by algorithmic automation was those digital platforms' first innovative step in this second strategy. However, some companies start to identify "faults" in their system as they combine maximum work time flexibility with gamification.

Even if the algorithm is secret and its operation will never be revealed to their "collaborators", couriers can rely on their own experience to identify some of the resources and logic behind those apps. For instance, they gradually realize the best time to secure the biggest number of deliveries or find out how to remain logged in to different apps and thus choose the best time windows or geographic regions for their purposes.

With that, we notice that those companies start to change their management strategy. They discover that total courier flexibilization has produced bottlenecks, with few couriers at certain periods. And some of those companies, particularly iFood, started to create "shifts" (fixed working hours) under the supervision of a manager for a fraction of the couriers subscribing to their platforms (See E52's testimony below).

With iFood, there are two ways to bind a courier to their app: the Cloud system or the OL (the Brazilian acronym for Logistics Operator, the individual or corporation in charge of courier fixed time windows). The former is the common bond for every app, that is, a courier logs up on the platform and starts to receive demands when they log in, according to their rating and other factors. In the OL system, couriers submit to the supervision of a Logistics Operator and to a fixed schedule for work during lunch time, afternoon snack and dinner time, for six days a week. This new modality allows the company to increase courier productivity and corporate control over those workers—in addition to having them available at "peak hours" for deliveries—at the same time that they exempt themselves from the dues they would otherwise have if they were on a traditional job's contract.

For a better explanation of how an OL system works, we reproduce some statements we collected during our survey:

In the OL system, you do not have a contract by you have a schedule. This way you make money, you see? Some couriers make up to R\$ 2,000 every week. But it is slave work. A guy has to work 7 days a week and there is a schedule to keep. So, you see! Can you live off the iFood app? Yes, you can, but you won't have a life of your own. (E50).

I am still very young and I can still do things. You can do what you want. But the app forces you to go to the OL. If you need, like I do right now. If you are frustrated with 99Taxi, iFood will be sort of your first choice, because it is excellent, you see! But you work until 10pm or midnight, nonstop, and the supervisor is all over your back. And there is one thing: you won't have a contract. You will be supervised by an iFood supervisor, but you won't have a contract. (E55).

So, you work in shifts [work in OL mode]. Lunch shift goes from 10am to 2pm, sometimes 2:30. [...] There's another category that goes from 2pm to 6pm. So, what happens is: there is this lunch shift and then the snack time shift, from 2pm to 6pm. And there is the dinner shift, from 6pm to 10pm. So, if you work only one shift on a motorbike, or two shifts, iFood will give you less deliveries than if you did three shifts. See? So, iFood enslaves you right there. If you don't work the three shifts, you will make less money. So, if you want a salary, say from R\$ 5,000.00 to R\$ 7,000.00, you will have to work the three shifts. But it's not them; they won't tell you, like "You have to work now, otherwise you're out". They force you through the system. If you don't accept it, you don't get deliveries to make. So, indirectly, they force you to take it [...] If you don't take those three shifts on your motorbike, if you don't behave properly, your score goes down. You can be the best rider and know every address and all, but your score will go down if you don't do as they tell you. (E52).

The statements above allow us to confirm that the fixed working hours strategy, with shifts that are enforced by a supervisor, as in the case of iFood's OL bond, intensifies the exploitation of labor. This relation is supported by the gamification logic, that is, by the score workers are given according to the number of deliveries they make. The higher their score, the more deliveries they will get to make. But, if they are to maintain high scores, they will have to work for three fixed shifts that amount to more than 12 hours a day, six or seven days a week.

That is how many negative effects befall the workers. The first one is intensified competition among couriers themselves in order to obtain the biggest number of deliveries and thus increase their remuneration. However, this competition takes place on rules that are strictly controlled by the companies, where the agent has no choice whatsoever. So, workers are under the illusion that the more engaged they are in the activity, the greater their monthly income. Unlike the engagement created by the "salary per piece" back in Marx's time, on digital platforms couriers have no control over the work process or over the number of deliveries they will make, even if they remain logged in to the app for hours on end.

Another effect of this shift and gamification system is political control those companies exercise over couriers. Those workers are supervised by a human being, the OL, who will have a better view of, for instance, workers who stop on a certain day to join a strike and punish them by totaling blocking their access to the platform or by significantly reducing the number of deliveries they will get to make.

We may thus refer back to Marx's definition of wage work conditions and control of a worker's working time (Marx, 1982). Though couriers earn on the basis of the number of deliveries they make, on-demand work—which causes many authors to correlate that with the debate on the salary per piece in *Das Kapital*—the condition is typical of wage work and the yields those workers receive from the apps at the end of a period is nothing more than a salary, though the companies insist on saying it isn't.

4. App delivery workers' struggles and claims in Brasília

When digital delivery platforms started to operate in Brazil, in mid-2010, they promised couriers willing to connect with them bigger revenues and more flexible working hours, free from alleged bureaucracy and taxes rising out of CLT contracts (ruled by the Brazilian Labor Law). Therefore, in addition to economic advantages, companies appealed to the positive-prone ideal of entrepreneurship that was so broad and widely disseminated at that moment. However, as years went by, those workers' working conditions and income levels deteriorated, as can be clearly seen the report provided by a Brasília leadership:

[...] when apps first came curbing the market, we saw the need for regulation, but initially, since they were paying really well, with remarkable financial appeal, no action was taken, but, again, we saw it coming. And it did, even before any courier could anticipate, because Uber started to add flexibilities and in a matter of 5 years driver apps were totally out of hand. But for couriers it was only a matter of 2. Flexibilization started in 2 years and last year [2020] was when it intensified and showed there is no way we can work under those new conditions.¹

Because of the above mentioned decaying work relations, complaints and protests started and the need for political-unionist organization emerged among couriers (Abilio *et al.*, 2021):

There is just more and more need for regulation, for labor recognition, some type of law that will cover for a worker's basic needs under these working conditions. I first got involved 3 years ago, me and some friends, but back then there were developments as there have been now [in 2020 with the *Breques dos APPs*]. Last year, in the middle of the year, there were two extraordinary facts in the Federal District. One was racial discrimination and this class thing, a courier and a client in Águas Claras, when we took to the streets to complain; and the other was when a Cop hit a courier in Taguatinga and we took to the streets again to complain. Those two were like a milestone when I felt like I should be there, fighting for the category. That's when we came up with the idea to start the association, in partnership with other couriers who wanted the same thing, so we got together and started the AMAE-DF, so that we are now better equipped to fight for basic rights for the category.²

The Self-Employed Delivery App Couriers Association of the Federal District (AMAE-DF) was put together after the encounter between some courier leaderships who were organizing specific protests in Brasília, a lawyer who offered to help with the bureaucracy involved in starting the association and District Councilor Fábio Felix, connected to the Socialism and Liberty Party (PSOL). Concerning the councilor's participation, interestingly enough, his advocacy did not stem from app delivery couriers but rather from within the field of human rights and defense of children and adolescents. When he became a District Councilor, it was in his capacity as president of the Human Rights Commission that he initiated contact with the category:

[...] we first met the couriers when the fights broke out in São Paulo and then we started to look here in the DF. We received complaints in the human rights commission regarding the treatment given to those couriers and one of those referred to the OLs, how the OLs conducted the issue of work during the day as if it were one set of working hours, while they had no formal work arrangement. Somebody was just blowing the whistle. We started to look for those who were involved in those events and, during the national strike, we went there and talked to them. Creating this routine interface with them. So, it became an issue, that we got close to them. We started to keep close track of what was going on, to be together and meet every other week. And that is how we got close, it was a long story, a long history of dialog. So, the way we trust AMAE-DF today has to do with it. [...] We presented a bill of law. They are always meeting with the government, they meet with other congresspersons. So, we were just doing our part. We have a relationship of respect.³

During the COVID-19 pandemic, while delivery activities were raised to *essential* and became crucial for the enforcement of social isolation of a significant part of the population, the conditions of digital platform worker life were unveiled as evidently superfluous. With the social and economic crisis being aggravated by high unemployment and informality rates, companies were faced with high worker demands to join their

¹ Abel Santos, Entrevista concedida ao projeto: O mundo do trabalho na Era Digital: plataformas digitais [28 de novembro de 2020]. Entrevistador: Ricardo Festi, 2020.

² Santos.

³ Fábio Felix, Entrevista concedida ao projeto: O mundo do trabalho na Era Digital: plataformas digitais [11 de novembro de 2020]. Entrevistadores: Ricardo Festi, Aline Gil e Pedro Burity, 2020.

apps, which allowed them to dispose of those who were no longer useful to them. Adding to the specific dissatisfactions and protests within the category, this context led to the explosion of protests across the country in 2020, which were known as *Breques dos APPs*, occurring on July 25, 2020 and September 15 that year.

Those manifestations were thus the apex of a process of localized courier uprising that eventually reached national dimensions. They were organized over the social media, particularly WhatsApp and Instagram. The fact that the category did not have solid organization tools capable of representing that host of flexible digital delivery workers, their claim resulted in a diversity of demands that ranged from ceasing unfair blocks, through supplying personal protection equipment (PPE) to the need for a regulatory framework for the category.

In the course of the three *Breques dos APPs*, we interviewed workers and leaderships about their working conditions and personal perceptions of the category's political demands. One dissent emerged in the app delivery worker regulation framework agenda. Most interviewees said they preferred to have specific labor legislation that was different from the nationally effective labor legislation. Two of them justified their position with the following statements:

Because in the CLT (T.N. – Brazilian national labor legislation), you are forced to keep a schedule, your working hours, and, using the app, I have the freedom to choose whatever time or day I want to work, and how I am going to produce for myself. And I do not have a specific boss: I actually have a lot of people, and I can work in different places. (Courier 1, interviewed on July 25, 2020, during the 2nd *Breque dos APPs* in Brasília, DF).

The CLT holds you tight, let's put it this way. You have to keep a schedule, meet goals and many other things in the legislation. It is not that motorcycle couriers are irregular, but they need to have their own schedule because they are self-employed, because they are on the app: "say, today I can work". And with the CLT, if you can't work, you are automatically discounted in your paycheck. (Courier 3, interviewed on July 25, 2020, during the 2nd *Breque dos APPs* in Brasília, DF).

Even though Interviewee 3 did agree to be under the CLT, he understands the need for protective legislation:

Because, in principle, app delivery workers are MEI (T.N. – a one-person company) and they provide services. They do not have a legislation focused on them, who are different from CLT couriers and have a trade union of their own. So, we are... in the hands of God, at the disposal of a jobs market, and we have to be very careful making deliveries because the company punishes you with a block every time you make a mistake. (Courier 3, interviewed on July 25, 2020, during the 2nd *Breque dos APPs* in Brasília, DF)

However, when we ask about the labor rights they would like to have ensured, even if it is under a new legislation, couriers mentioned exactly those that are ensured in the CLT that include paid holidays, weekly day-offs, leaves and so on.

Not all of them agreed, though, with being self-employed, and wished to be under the CLT, according to the following statement:

If we are to keep the schedule of a regular working day, we have more labor rights when we are under the CLT. When we are self-employed, we have no labor rights, you see! You are there, doing time and all... So, let's claim our labor rights which you don't have when you are self-employed. If I have to keep a schedule for a certain company, I don't want to work for a fare, you see! I'd have to have some type of guarantee because they do not give us any guarantee. If I happen to be involved in an accident, or anything, they will just replace me with somebody else and that's it. (Courier 7, interviewed on July 25, 2020, during the 2nd *Breque dos APPs* in Brasília, DF).

Our theory for this alleged contradiction is that there is, among these workers as there is among many others across Brazil, rejection against being subordinate to a boss and, consequently, the desire to work on one's own, to resort to one's own initiative and not report to anyone. Thus, a worker under the CLT would, in every formal term, represent this working condition, remarkably flexible and unstable, subject to overexploitation and to various forms of harassment, discrimination and what not.

This has been a classical issue in the Brazilian labor sociology since the 1950's (Brandão Lopes, 1964). Due to space limitations, this paper cannot offer further insights or interfaces with other work that problematize the issue brought forth in our research but suffices to mention commonalities among every other author speaking from this analytical perspective, which include acknowledging that this working-class awareness of one's autonomy can be partly explained by the singularity of a country that boasts an enslaver past and is marked by both patrimonialism and paternalism. Remarkably, Brazil did not become a nation on the grounds of Weber's referential work ethics. In colonial Brazil, working was synonymous with slavery and was therefore associated with an extremely negative outlook. So, "for the free and poor, working for someone else was but the vilest form of existence" (Kowarick, 2019: 16).

We cannot forget that the precariousness of labor has always been a structural condition in Brazil. Terms like *gig economy*, so fashionably used nowadays to characterize the erosion of Fordist labor in countries of advanced capitalism, are no conceptual novelty in the periphery or in the Global South. "Gigs", or *bicos* and *biscates* as they go locally, informality and disrespect for labor laws have been the rule in countries like Brazil, and they continue to be so. The new element in this uberized labor is that digital platforms masterfully tapped

from this structural precariousness and from these workers' desire for self-employment in order to secure their consent and engagement.

However, in the interviews conducted in 2021, with couriers in the DF, as per their leadership discourse, we could observe a shift towards the more critical side and in defense of labor rights, potentially due to the experiences arising out of the *Breque dos APPs*. When we asked again about a courier's job regulation, 69% said they now prefer to work under a proper labor contract, while 26% chose to remain self-employed and 5% would rather have a choice. Concerning fitting the category under the CLT, that is, with corporate recognition of the labor bond, 60% would go for the CLT.

4.1. The parliamentary avenue to secure rights

Despite the political importance of the *Breque dos APPs* and other courier manifestations during 2020 and 2021, the category made very few conquests. This is partly due to the companies' refusal to negotiate with the movement, because, as they do not recognize an employment bond with their employees, they also do not recognize their political-unionist representatives. Disputes are eventually resolved in the realm of Labor Justice and the municipal, state and federal parliaments. In the latter case, courier movements place their bets on Bills of Law (PLs, in the Brazilian acronym) that may regulate on the category, reassuring them and enforcing and/or ensuring their basic and labor rights.

From March 2020 to July 2021, according to an assessment made by the DIAP (the Interunion Department for Parliamentary Assistance), more than one hundred bills were presented in the lower house of the Brazilian Parliament, either directly or indirectly addressing app-mediated work. A commonality among those bill that seek to provide rights to those workers is their nature of an emergency response to what ought to be otherwise institutionalized, as a true "shock therapy to keep the man alive" (Coutinho, 1998).

Highlights go to PL 937/2020 that was eventually voted into Federal District Act 6.677/2020, concerted by District Councilor Fábio Félix, and to PL 1665/2020 authored by SP Federal Representative Ivan Valente. Both proponents tried to weave their projects among courier leaderships after the visibility the *Breque dos APPs* afforded their demands with.

PL 1665/2020 provides for courier rights when rendering app-mediated delivery services during the state of calamity resulting from the coronavirus pandemic. It is so that this bill does not propose to change the law or to provide any labor regulation for that category or workers. Nevertheless, it will hardly ever be brought upon for vote in the National Congress.

DF Act 6.677/2020 seeks to provide appropriate space for couriers to rest, have a drink of water and recharge their cell phone batteries before returning to work, since one of their complaints was that there was no shelter, which forced them to be exposed to the weather as well as to all sorts of conflicts and various forms of discrimination. However, when this law was finally passed, the governor vetoed the article that held the State responsible for enforcing company implementation of that line of support. If it is up to the companies to do so, couriers engaged in a new fight and renewed negotiation efforts to get companies to abide by the law and create those spaces throughout the city.

5. Final considerations

Erosion of the Fordist type of labor, typical form of juridical-political regulation of wage work all along the 20th Century, gained new momentum with the so-called digital revolution and the emergence of digital platform mediated jobs and services. In this context, app delivery workers have been the forefront of the work flexibilization process referred to as *uberization*. Many authors have compared these working conditions with those in the 19th Century, particularly in the absence of labor protective rights. Extremely long working hours are there to reinforce the argument, and so are low financial yields, payment made in the "salary per piece" mode (on demand work) and, mostly, the fact that workers undertake the costs for producing their own means and tools.

However, the very corporate strategies in place for controlling the labor process by means of algorithmic management, that is, greater flexibility on working hours and on the distribution of demands and services to workers (with direct impacts on their income), have exposed their limitations to the purpose of maximizing profits. Furthermore, political manifestations and the workers' underlying forms of resistance dispute the efficacy of this type of management from the corporate viewpoint. So, iFood's creation of a new mode whereby delivery workers can join their app, the Logistic Operator, has proven to innovative and sought to not only reduce their management problems but also, and particularly, to increase control over worker activities during the labor process.

From this perspective, uberized worker organization, as we sought to demonstrate in this paper through the app courier category, is still at its embryo stage, with a huge potential for explosive social conflicts in the coming years. Transformations in the realm of labor entailed by the digital revolution have brought about new challenges both for the social and unionist movement and for the social theory. What can be argued is that the current situation of labor overexploitation and progressive increase of social inequality cannot be sustained, even for the capitalist system.

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