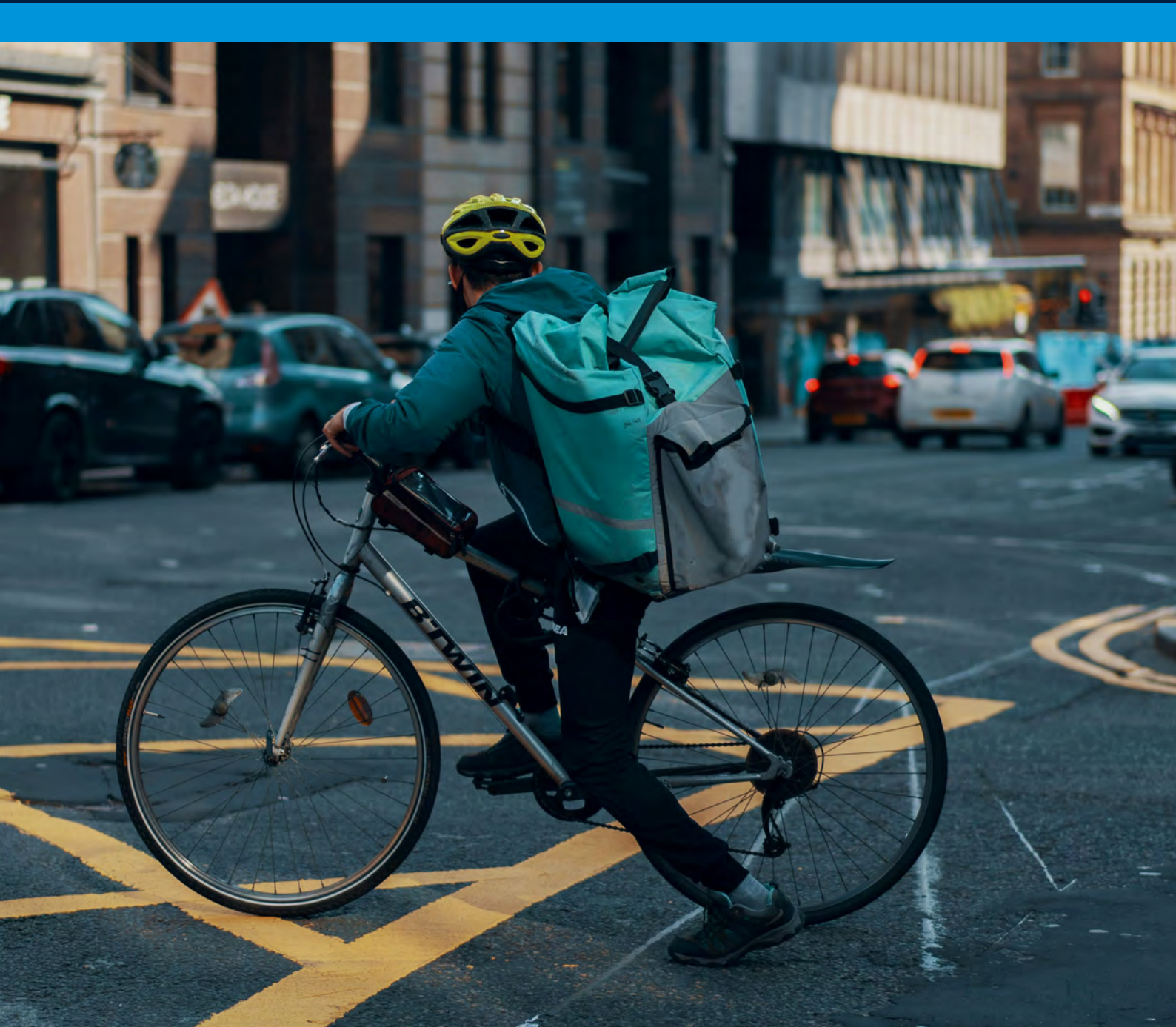


Fair Gig Work in Scotland?

A Review of Employment Practices in the Scottish Food Delivery Work

May 2024



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Executive Summary

“FairWork” tackles employment challenges, but Scotland’s report reveals disparities for marginalised groups, worsened by COVID-19. Over five years, crucial indicators show deteriorating progress in flexible working, increased zero-hours contracts, diminished skills utilisation, reduced workplace learning, and declining trade union membership (see Finlay, 2020). Despite a heightened FairWork focus in Scotland, our research reveals a glaring oversight: the gig economy is neglected in national measures, a significant concern given its acknowledged precarious nature. The platform food delivery sector lacks essential policies, normalising unfair practices and impeding workers’ and migrants’ advancement.

Our findings reveal that trade union membership remains remarkably low, with a staggering 88.1% of respondents indicating non-membership. However, an intriguing contrast emerges when examining perceptions, as over 65% of participants view trade unions as important or extremely important for enhancing working conditions.

Voicing concerns proves challenging, with over 60% of respondents reporting limited to no opportunity to express their views about work. A mere 0.5% receive responses on working conditions from food delivery companies. Barriers to effective expression include a lack of willingness to hear concerns (57%) and cumbersome technology provided by platform companies (31%).

Our report highlights that platform food delivery serves as a crucial opportunity for labour market entry, with 48% selecting it as their primary income source. Migrant workers, comprising a significant portion, face barriers such as qualification recognition, visa constraints, and language proficiency, limiting their chances of moving to more secure employment.



The emergence of informal labour markets intensifies worker vulnerability, particularly affecting undocumented migrants who resort to renting accounts for weekly fees. Lack of access to health and safety protections compounds the precariousness, creating significant challenges for breaking free from low-paid and unsafe employment cycles.

Despite gig workers being self-employed, there is a high dependency on food delivery work, with over 40% working 40 hours or more weekly. Dissatisfaction prevails, as 62% express dissatisfaction with pay rates, citing low rates for effort spent (77%) and no payment for waiting times (63%).

A concerning 81% of participants feel unsafe as food delivery workers, with 78% perceiving employers focus on customers over workers. Workplace abuse and harassment are widespread, encompassing verbal/psychological abuse (90%), sexual harassment (100% of female respondents), racial or ethnic abuse (60%), and physical abuse (55%). Furthermore, the study highlights the widespread health and safety hazards linked to food delivery companies and their couriers. Respondents reported engaging in unsafe behaviours on the streets, such as crossing red lights and driving on pavements, not only jeopardizing their own safety but also posing risks to other road users and pedestrians. These risky behaviours are often driven by time pressures and the need to maximize income.

The transition to a digital nation must address deep-rooted challenges in gig work. Thus, this report proposed policy guidelines based on FairWork Principles to rectify issues in the food delivery platform industry, fostering fair treatment for delivery couriers and platform companies.

Scotland's journey to fair work necessitates a delicate balance between technological progress and equitable labour practices. Embracing the digital future requires addressing immediate concerns related to security, fair wages, and labour rights, ensuring sustainable development and equity in Scotland's workforce.



Background

The concept of “Fair Work” has received increasing attention from policymakers and academic researchers as a necessary framework to address employment problems, including low and unequal pay; underemployment and skills under-utilisation; work intensification; income insecurity and limited social mobility (see Finlay, 2020). Writings on fair work, fair work regulation and national frameworks in the UK, specifically in Scotland and Wales, identify similar dimensions of fair work, encompassing fair reward; employee voice and collective representation; security and flexibility; opportunity for access, growth and progression; safe, healthy and inclusive working environments as well as respected legal rights (FWO, 2015; FWC, 2016; Sisson, 2019; Alsos and Dølvik, 2021; Kougiannou and Mendonça, 2021; Cunningham et al, 2022).

Despite the increased focus on Fair Work, particularly in Scotland, the gig economy remains overlooked in national fair work measures. This oversight is highly problematic, considering the widely acknowledged precarious nature of work in this sector (Mendonça and Kougiannou, 2023). Our research indicates that work life in the platform food delivery industry lacks sufficient policies and rights to ensure minimum standards of fair work. This is due to companies promoting self-employment and condoning highly precarious working lives (Mendonça et al., 2023). While meeting legal obligations is crucial for ensuring equal access and opportunities in work, the current framework falls short in providing a conducive environment for workers’ development and for migrants to step up from low-paid positions and highly precarious working conditions. This points to a normalisation of unfair work practices and the complicity of workers in accepting unfair working conditions.



*Scotland's Fair Work Framework



Fair work offers all individuals an effective voice, opportunity, security, fulfilment and respect. It balances the rights and responsibilities of employers and workers. It generates benefits for individuals, organisations and society.

Effective voice

For individuals, the opportunity to have an effective voice (i.e., have a say over matters that affect their interests at work and over work and organisational affairs) is crucially important. Having a say at work is consistent with the broader suite of rights available to citizens in democratic societies.

Opportunities

It is a reasonable aspiration to want work that is fair – and for fair work to be available to everyone. Fair opportunity allows people to access work and employment and is a crucial dimension of fair work.

Security and Fulfilment

Security of income can contribute to greater individual and family stability and promote more effective financial planning, including investment in pensions.

Fulfilment can arise from positive and supportive workplace relationships that promote a sense of belonging, and this overlaps strongly with respect as a dimension of fair work.

Respect and Safety

Respect at work enhances individual health, safety and wellbeing. Dignified treatment can protect workers from workplace-related illness and injury and create an environment free from bullying and harassment.

Methods

The research was conducted in two phases. The first phase involved semi-structured interviews with 39 platform food delivery couriers to gather data on working conditions, employment relations and overall experiences of work life. Interviews were conducted between 2019 and the end of 2023. Interview respondents varied in nationality and citizenship status, with nine being undocumented migrants (that is, workers without the right to work in the UK).

	Total	Citizenship status		
		Native British	Migrant with right to work in the UK	Undocumented migrant
Couriers	39	18	12	9

Table 1: Interviewees sample details

The second phase involved a survey assessing the quality of work, experiences of employment, and perceptions of fair work of gig workers working in the Scottish platform-mediated food delivery sector. The survey was distributed via social media and face-to-face in Scottish cities between June and December of 2023, with 211 usable responses being gathered.

Survey Demographics

Reflective of the gig economy sector more broadly, most respondents reported being under 35 years old, with the most common age range for participants being 26-35.

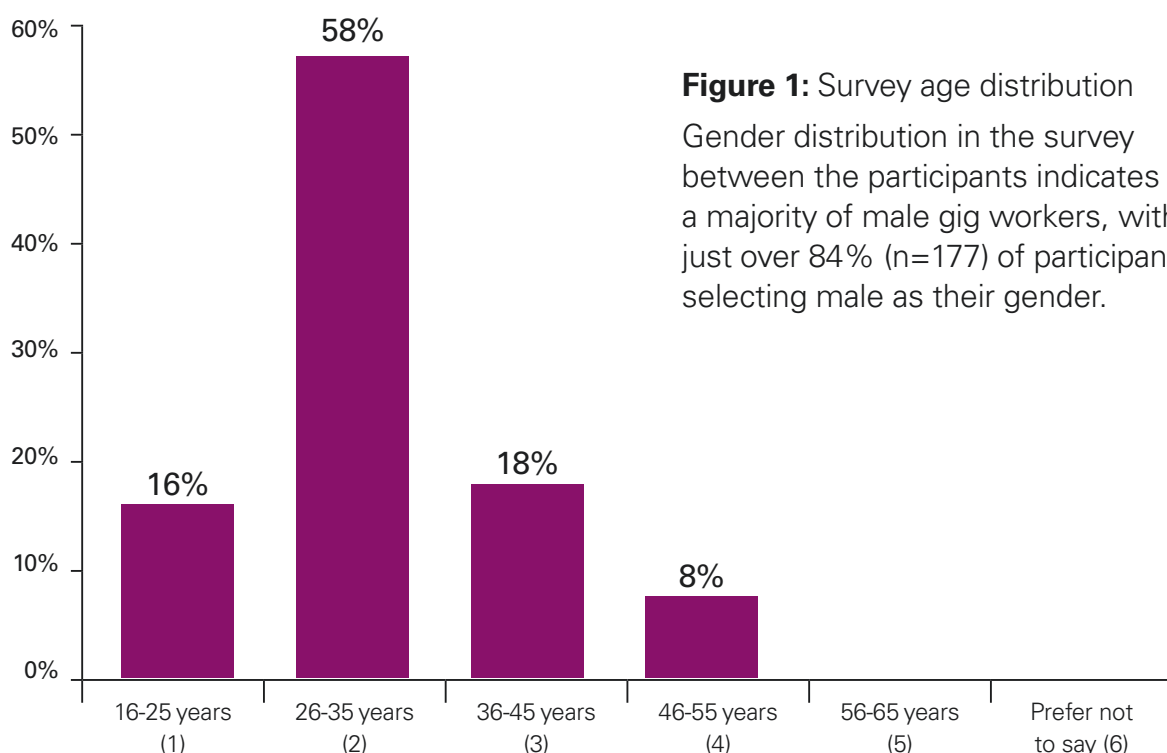


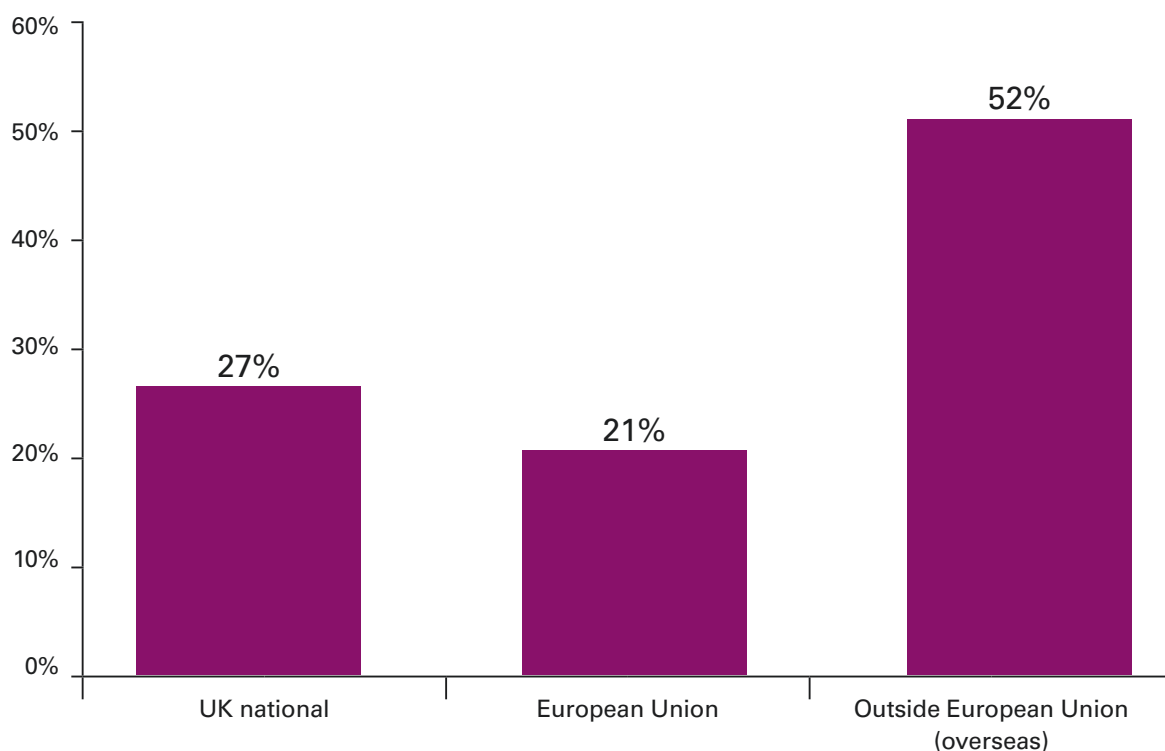
Figure 2: Survey gender distribution

Gender distribution in the survey between the participants indicates a majority of male gig workers, with just over 84% (n=177) of participants selecting male as their gender.



Figure 3: Survey respondents' nationality and place of origin

73% of the survey respondents identified their nationality from outside the UK, showing a significant incidence of nationalities such as Indian (16%), Brazilian (8%), Nigerian (7%), Polish (7%), and Bangladeshi (5%).





Measuring Fair Work in Scotland's Gig Economy

Effective Voice	Opportunity	Security and Fulfilment	Respect and Safety
Limited voice effectiveness stems from the prohibition of union representation due to the self-employed status.	High level of dependency on gig work to pay bills	Long working hours for decreasing pay rates	High workplace hazards with insufficient mitigation efforts from companies
Over 65% of workers think union is important	Sector highly dependent on migrant labour	Payment below the National Minimum Wage	Female workers facing constant sexual harassment
Unwillingness from companies to address worker concerns and work-related issues	Gig work perceived as a trap with no advancement opportunities;	Calculation of rates deemed arbitrary and not fair for the effort put into work	Racial and ethnic abuse is ripe in the gig economy (by customers, restaurants and colleagues)
App and algorithmic are seen as barriers to effective voice	Hot-bed for informal labour market and employment practices	Lack of basic employment rights (holiday pay, sick pay, and effective workplace insurance)	Majority of workers engage in unsafe work practices (cross red lights, speed over limits) and the pressure from the company deemed the main culprit

Summary of findings across themes in Scottish food delivery work

(In)effective Voice: Trade Union membership and gig work



Trade Union density in the gig economy is notoriously low, and the results from this study further confirm this, with **88%** of respondents stating they were not members of a union.

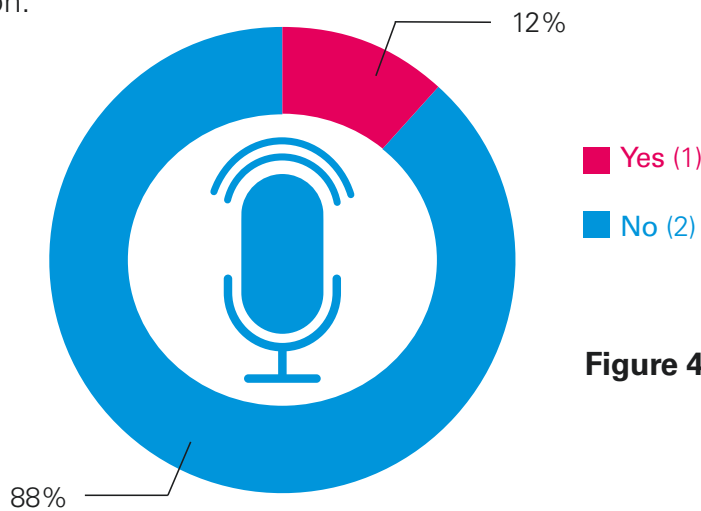


Figure 4: Union Membership

However, when asked about their perception of trade unions' importance in improving working conditions, over **65%** of the sample considered them important or extremely important.

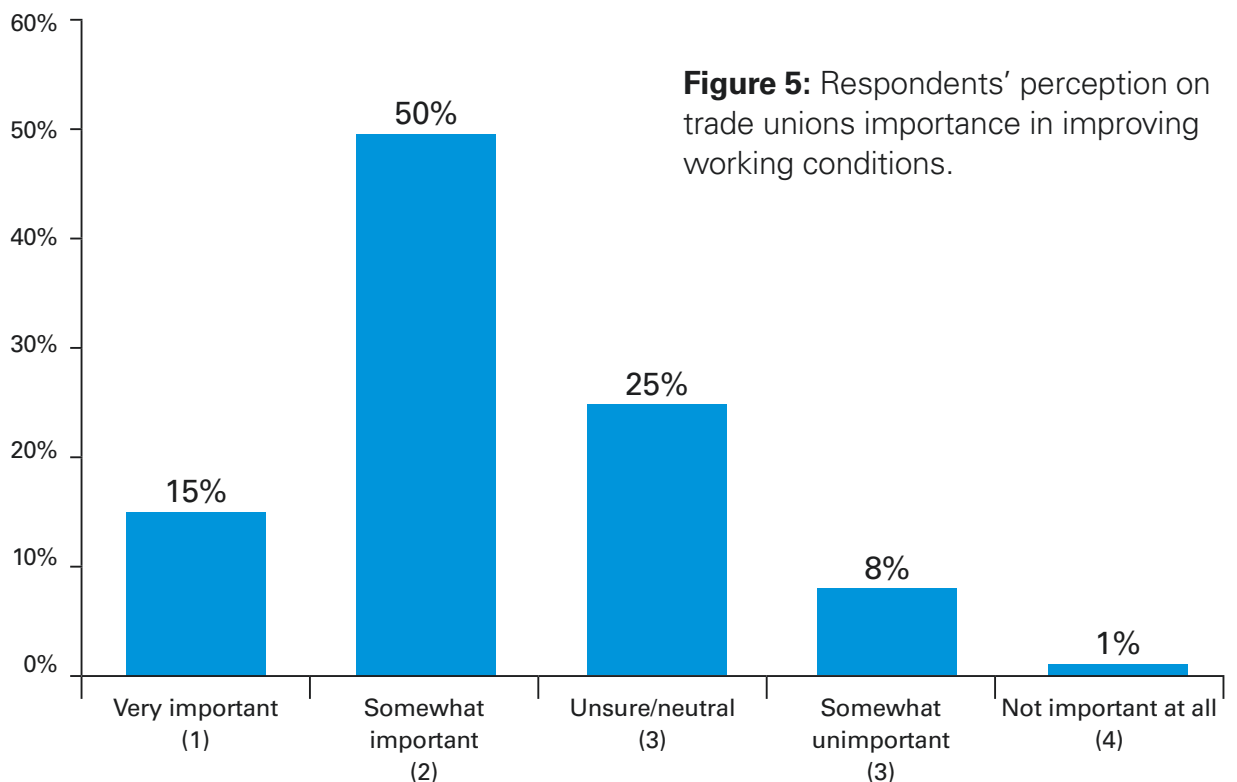


Figure 5: Respondents' perception on trade unions importance in improving working conditions.

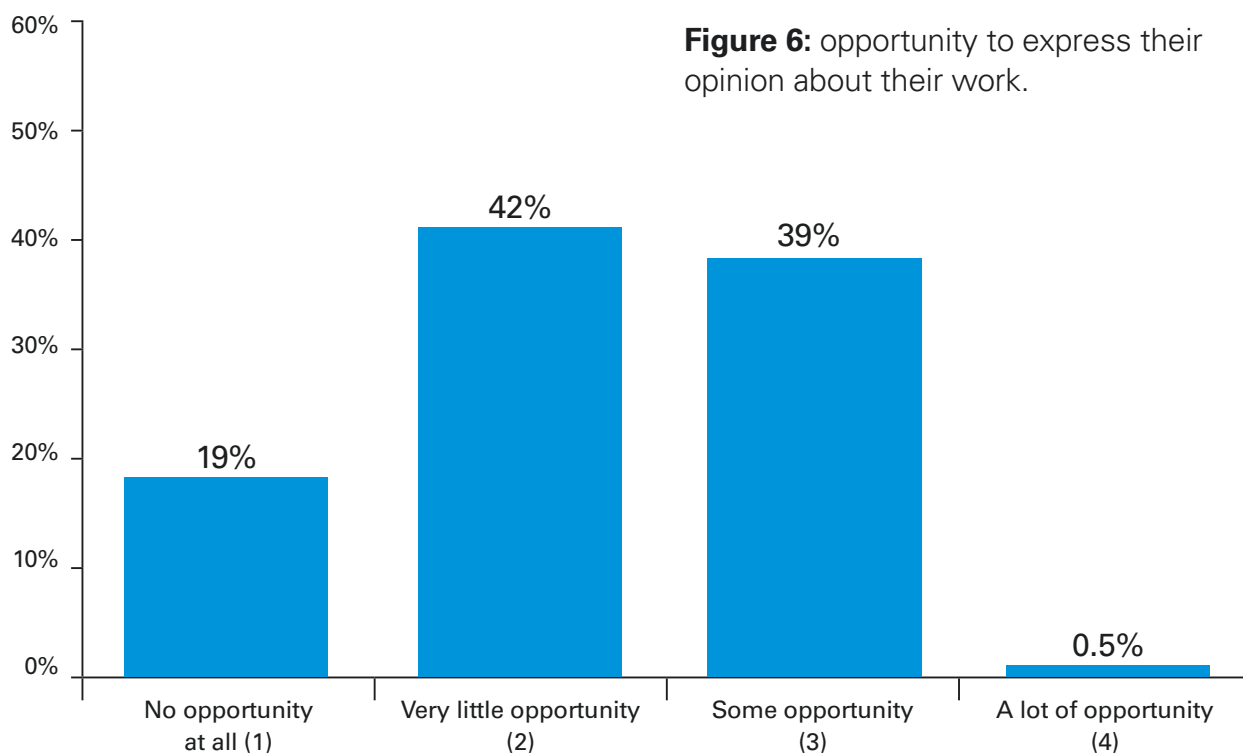
It must be highlighted that most participants responding as union members were employed in another full-time job, suggesting they were members of a union related to the other occupation they undertook.

Those who were not union members were asked whether they would consider joining a trade union, with **52%** responding they were likely or extremely likely to join a union. For those who stated that they did not wish to join a trade union, reported reasons for this answer varied:

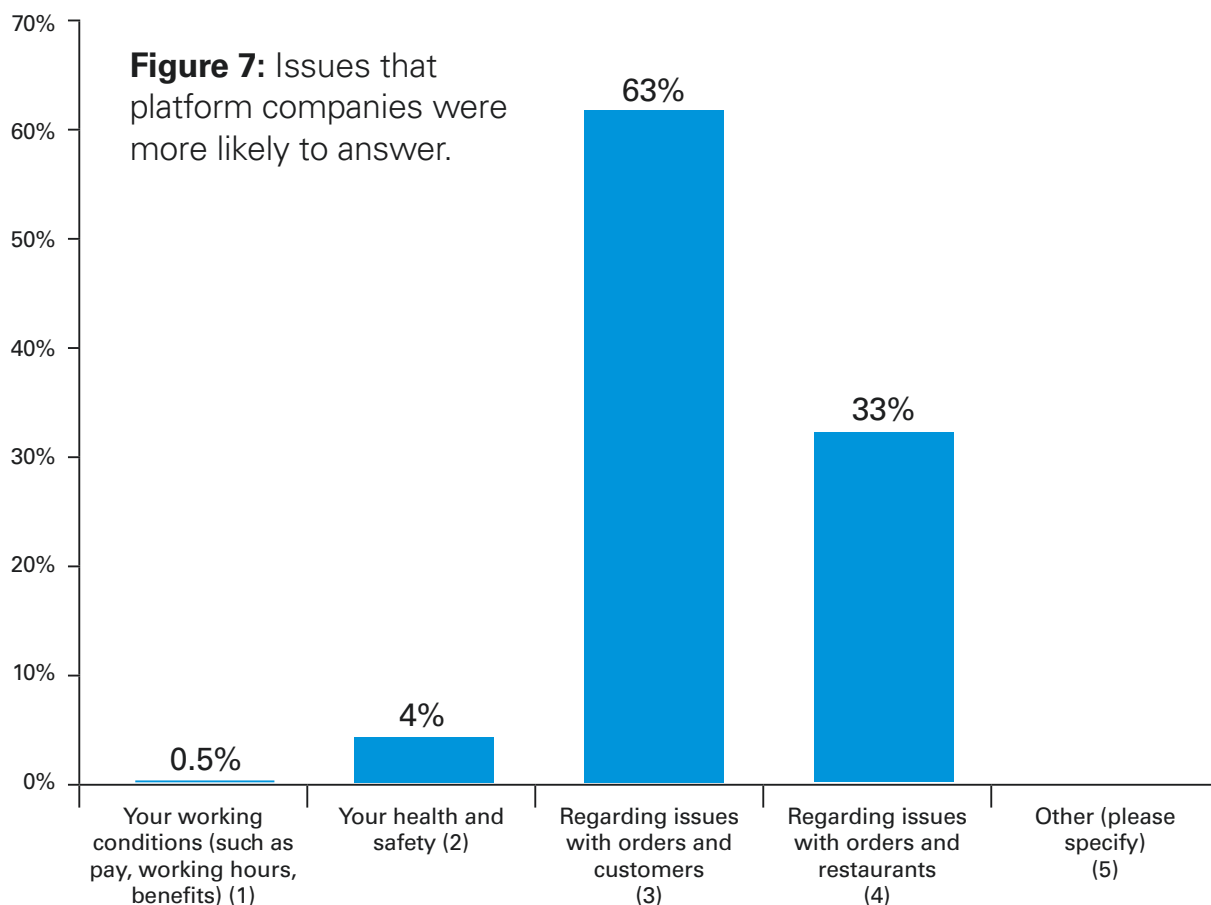
- 9% believed that trade unions were not important in improving working conditions;
- The majority referred to their employment status as the main impediment to having effective representation;
- Respondents highlighted the lack of formal and effective representation that trade unions had within platform food delivery, given the self-employment status gig workers are under.

Opportunity for Voice

Over 60% of the respondents reported that they experience very little or no opportunity at all to express views about their work. Of the respondents who reported having very little or some opportunity, the vast majority (over 90%) reported that this was done through online forums or feedback forms provided by the company (see figure 6).



A staggering lower than 0.5% of respondents reported getting answers from food delivery companies on working conditions. The issues that food delivery companies are more likely to provide answers were reported to relate to orders and customers (62%) or orders and restaurants (34%) (see figure 7).



In addition, an astonishing **76%** of respondents reported disagreeing or strongly disagreeing that they could provide anonymous feedback without fear of reprisal.

Respondents refer to several barriers to expressing their work concerns effectively. The first barrier relates to a "lack of willingness to hear their concerns" (57%), and the second issue is related to the cumbersome technology provided by the platform companies (30.7%).

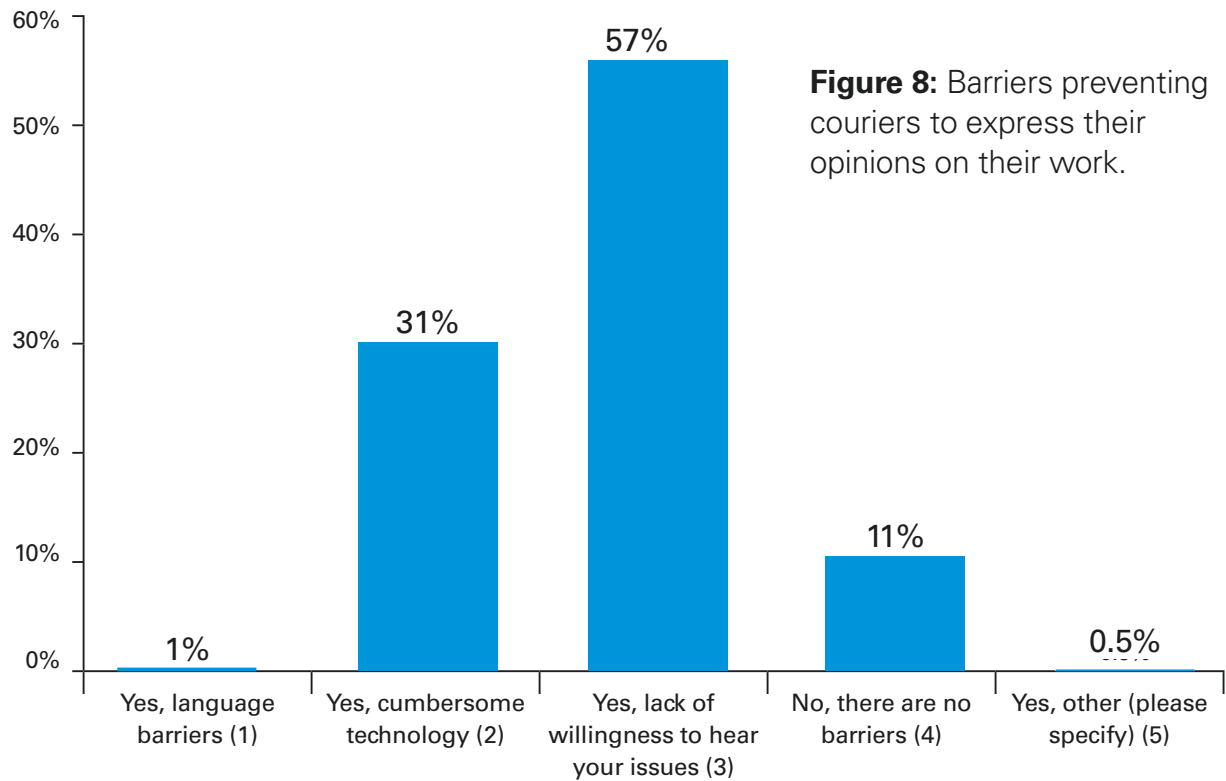


Figure 8: Barriers preventing couriers to express their opinions on their work.



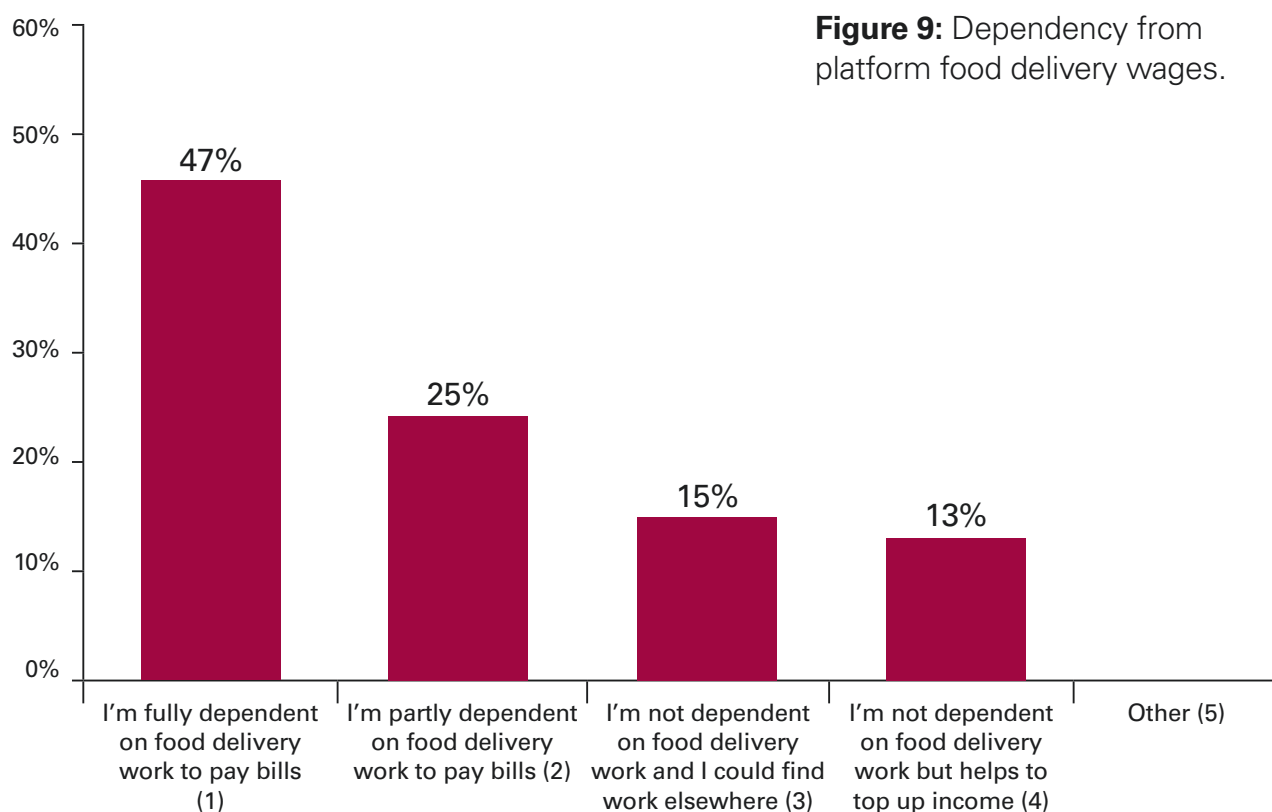
“There’s no way of talking to [platform company] because what you are dealing with is a screen, you don’t know with what you are interacting with when you send feedback. It just feels you are at the mercy of the algorithm.”
(Ben, Courier)



Opportunities – Trapped in Gig Work



A significant part of the respondents reported platform food delivery as an opportunity to enter the labour market and get waged labour (mostly for overseas migrant couriers) or as a top-up income (mostly for British national couriers). Almost half of the respondents (48%) selected food delivery work as their main activity and main source of income, whilst 30% referred being employees (part-time and full-time) in other sectors, whereas the remaining were students (22%). In terms of how much dependent respondents reported being of food delivery wages, the majority (47%) reported being fully dependent, and 25% reported being partly dependent (see figure 9).



Of respondents identifying as British nationals (n=57), only four reported being fully dependent on food delivery wages to pay the bills, and 20 participants reported being partly dependent.

Comparatively, out of the 110 respondents coming from outside the UK and the European Union, 97 of them reported (representing 88% of this group) being fully dependent or partly dependent on food delivery wages to pay bills (figure 10 below). Moreover, data suggests that migrant workers become fully dependent on this sector with little to no opportunities to move to better-paying and more secure jobs. Respondents reported that lack of qualification recognition, visa constraints and language were the primary barriers to moving to other sectors with better jobs.

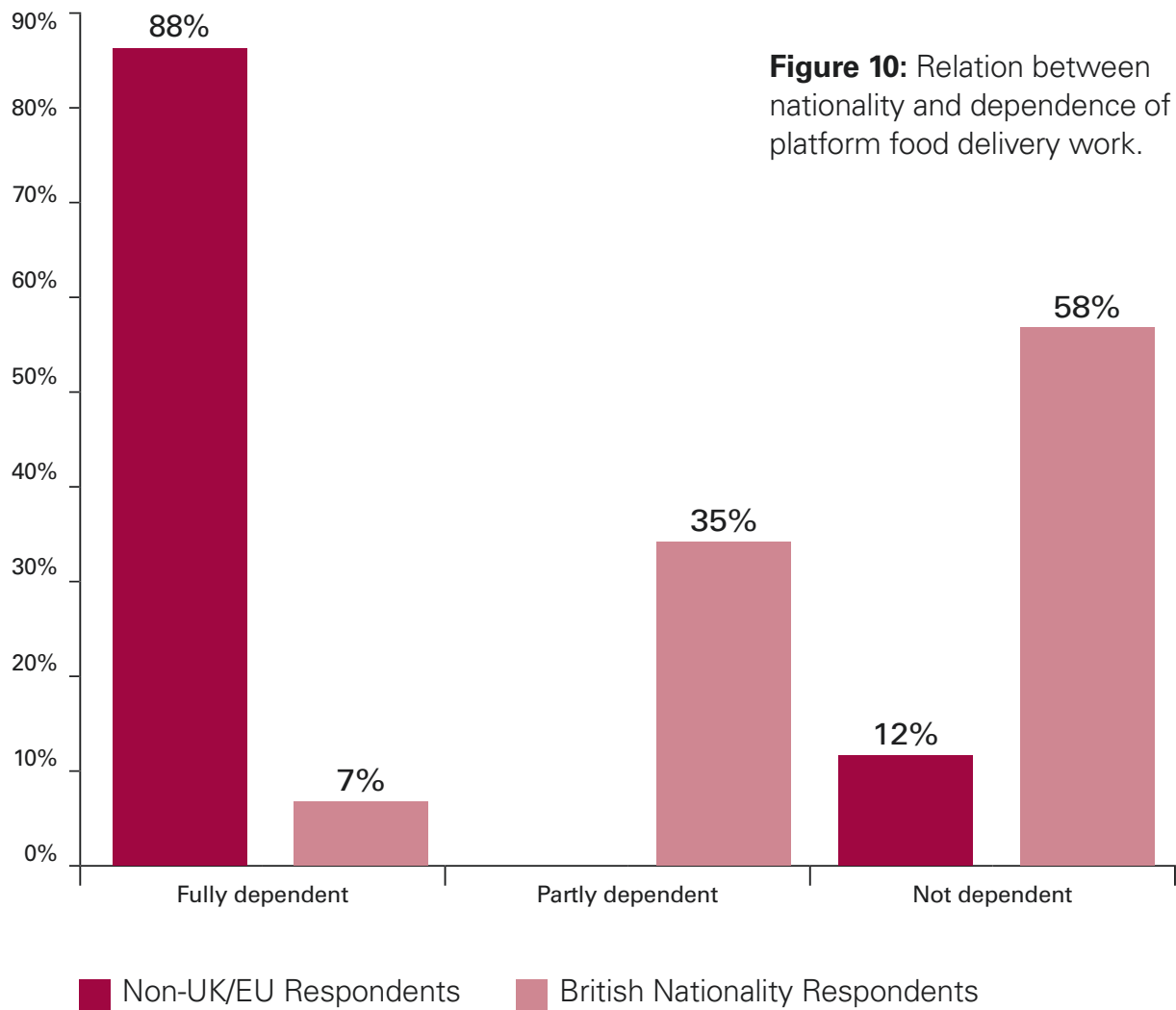


Figure 10: Relation between nationality and dependence of platform food delivery work.

One respondent, a single mother working for a food delivery platform, faces obstacles in advancing her career. The absence of policies such as pension contributions and career development opportunities confine her to a low-paid position, limiting her ability to provide a better future for herself and her children.

Immobile informality
 “It’s so frustrating to think back home (home country) I’m seen as versatile and able to do many things but here I’m stuck in food delivery with no prospects of moving to other type of job.”
 (ALI, Courier)

Immobile informality
 “To get my qualification recognised (in the UK) is extremely time-consuming. But even when I got it there’s still so many barriers... or because the degree is not from the UK; or you don’t have [work] experience [in the UK]; or getting references.”
 (Leonardo, Courier)

Informal labour market – Lack of opportunity

Furthermore, the industry fosters the emergence of informal labour markets, exacerbating the vulnerability of workers, especially migrants, many of whom are undocumented. Our research shows individuals resorting to renting accounts for weekly fees (at the time of data collection, fees would vary between £70 and £120), creating a dependency on food delivery as the primary means to make ends meet. Our research uncovered that many of the renters are undocumented, that is, without the right to work in the UK.

Undocumented couriers rent an account from other formal account holders, paying them a weekly fee. In return, undocumented couriers can get paid for their food delivery work – pay they desperately need to pay off debts incurred to get into the UK and support their families. Because they are informally working for food delivery companies, they cannot access basic health and safety protections, leaving them in a highly precarious position, with little room for advancement and significant challenges in breaking free from the cycle of low-paid and unsafe employment.



High vulnerability in food delivery

“I work all day just to get by. There’s no sick pay or insurance if something happens. I want to be legal (sic), but the process is complicated, and I’m scared of being deported.”

(Mario, Courier)



Between a rock and a hard place

“I am dealing with the paperwork and on the phone trying to sort things out, or I am out on the bike trying to earn some money. It’s a choice between eating or getting the [legal] documents.”

(Edu, Courier)



Security and Fulfilment




The findings of our research highlight some key issues concerning fair contracts for workers in the Platform Food Delivery segment in Scotland. First, all gig workers are self-employed, which means they do not have employment contracts with any food delivery platform company. As a result, gig workers do not have access to basic employment rights such as social security contributions, statutory employment benefits (such as paid time off, sick leave, or maternity/paternity leave that are commonly provided to traditional employees), collective bargaining rights, and protection from unfair dismissal.

However, the findings from the survey show that the level of dependency on food delivery work is high. Over **40%** of respondents indicated working 40 hours or more weekly on food delivery, of which **26%** work over 50 hours or more. This indicates a clear dependency on food delivery work despite not being formally employed (see Figure 11).



Increasing working hours for decreasing wages
 “They are always cutting [pay] rates to the point that now I must do 50% more to earn the same—roughly 60/65 hours a week and weekend.”
 (Serkan, Courier)



At the whim of the algorithm
 “Anything can happen at any moment – I don’t know if I’m not getting any orders because business is slow or because I’m not being assigned a job by the algorithm.”
 (Edna, Courier)

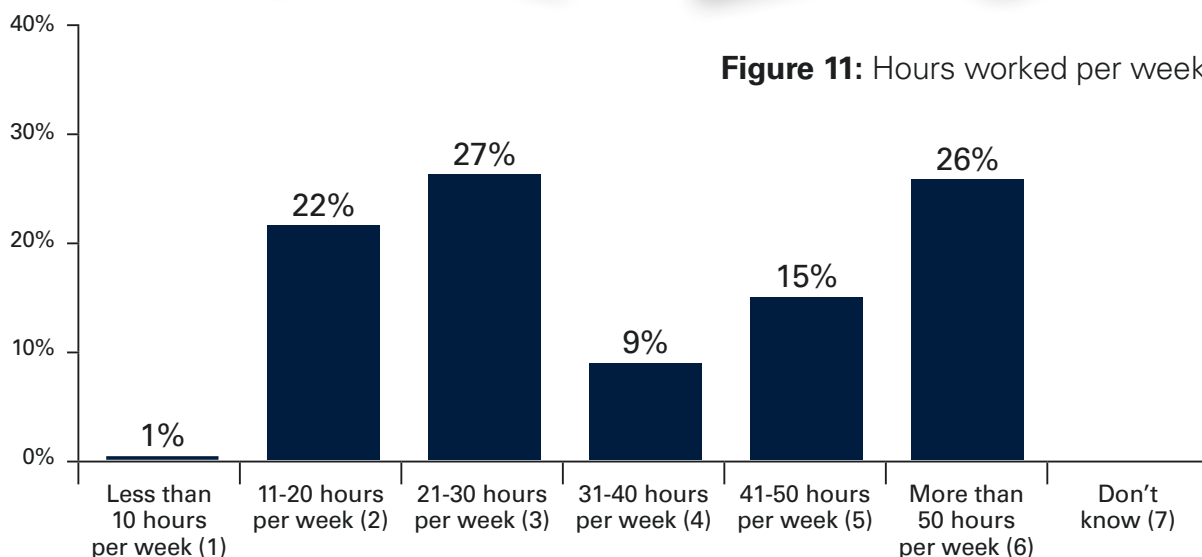
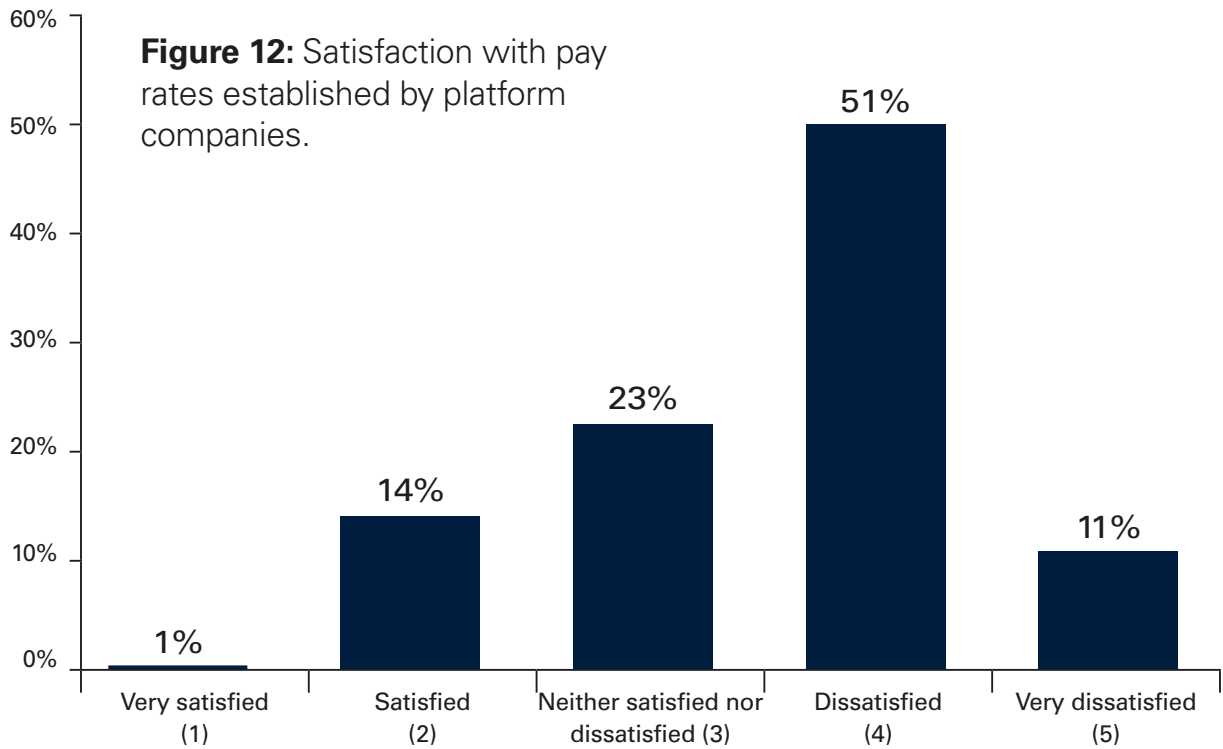
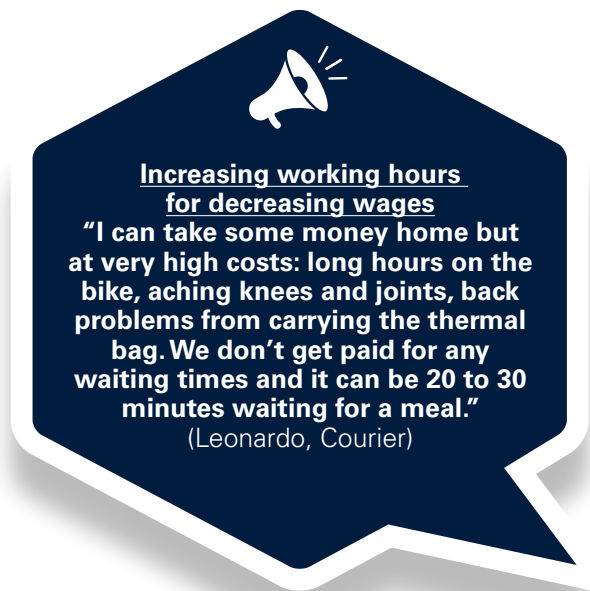


Figure 11: Hours worked per week.

According to the respondents, the long hours do not necessarily translate into income security and fulfilled working lives since **62%** of the participants reported being dissatisfied or very dissatisfied with the current pay rates, as shown in figure 12.





When asked about the reasons for the dissatisfaction, the vast majority considered rates unfair by reporting that the rates are low for the effort spent (77%), followed by no payment for waiting times (63%). However, a significant percentage of workers also considered pay insecure, with over 58% reporting it as insecure or not providing basic employment benefits such as insurance, holiday and sick pay.

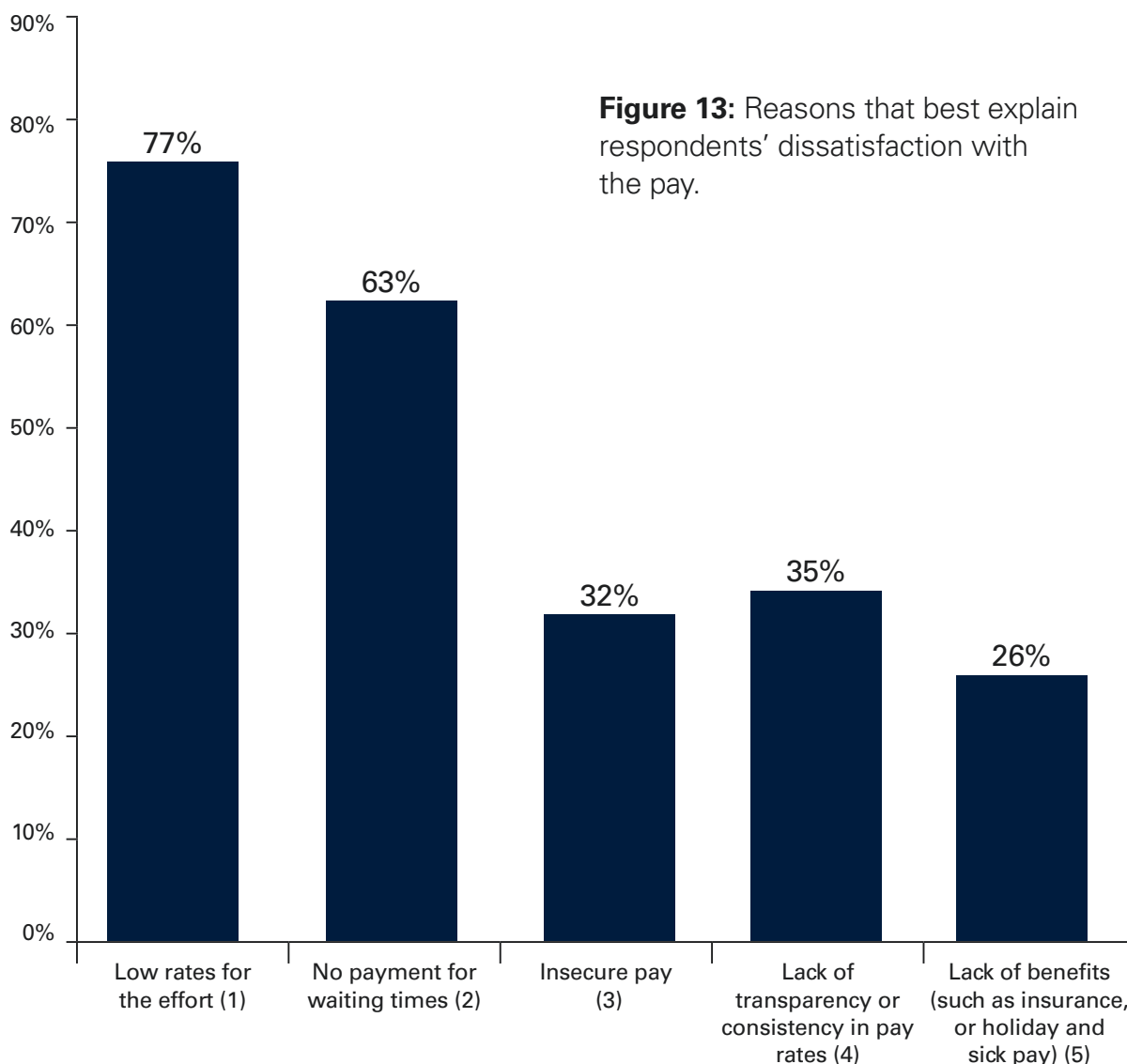


Figure 13: Reasons that best explain respondents' dissatisfaction with the pay.



Respect and Safety



The most striking finding to come out of the research with regard to respect during working times was the high levels of workplace abuse and harassment experienced by the vast majority of participants.



Over **81%** of participants reported feeling unsafe as food delivery workers, yet they continue to work in food delivery due to financial necessity.

Over **78%** responded that the employer would focus more on the customers' needs rather than workers' (figure 14).

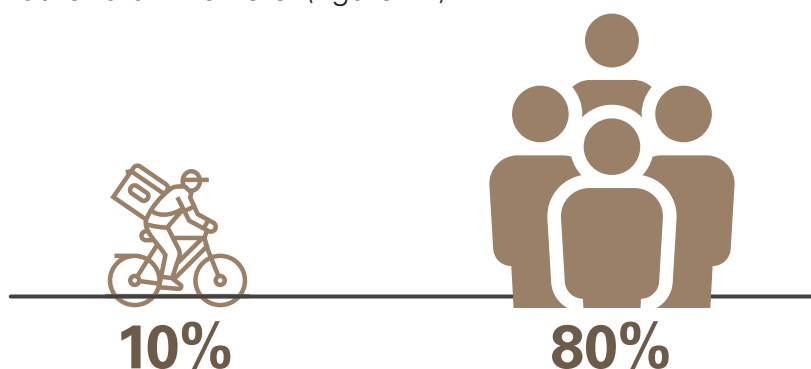


Figure 14: who does the employer prioritise.

The most widely reported form of abuse that respondents experienced was verbal/psychological abuse, with over 90%. Participants reported varied reasons for feeling unsafe and not respected at their work:

- **All respondents (n=33) identifying as female** reported being sexually harassed or abused in the workplace;
- Over **60% (n=123)** of respondents reported suffering from racial or ethnic abuse;
- Over **55%** reported being physically abused;
- The survey shows that bullying practices are present for most respondents (77%).

Sexual Harassment
100% of Female respondents reported having been at some time sexually harassed or abused during their work as food delivery couriers.



Participants were asked to indicate who were the main perpetrators of the abuse they experienced (figure 16):

- Over **83%** of respondents reported that the source of abuse comes from restaurants, and 78% reported originating from customers.
- More than half of respondents (56%) alarmingly reported that colleagues are also the main perpetrators.
- Interestingly, over **37%** reported that the platform or employer was also an abuse perpetrator.

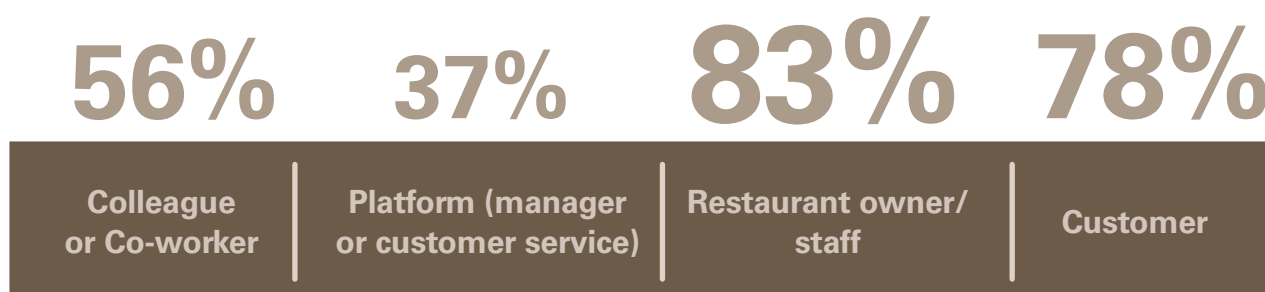
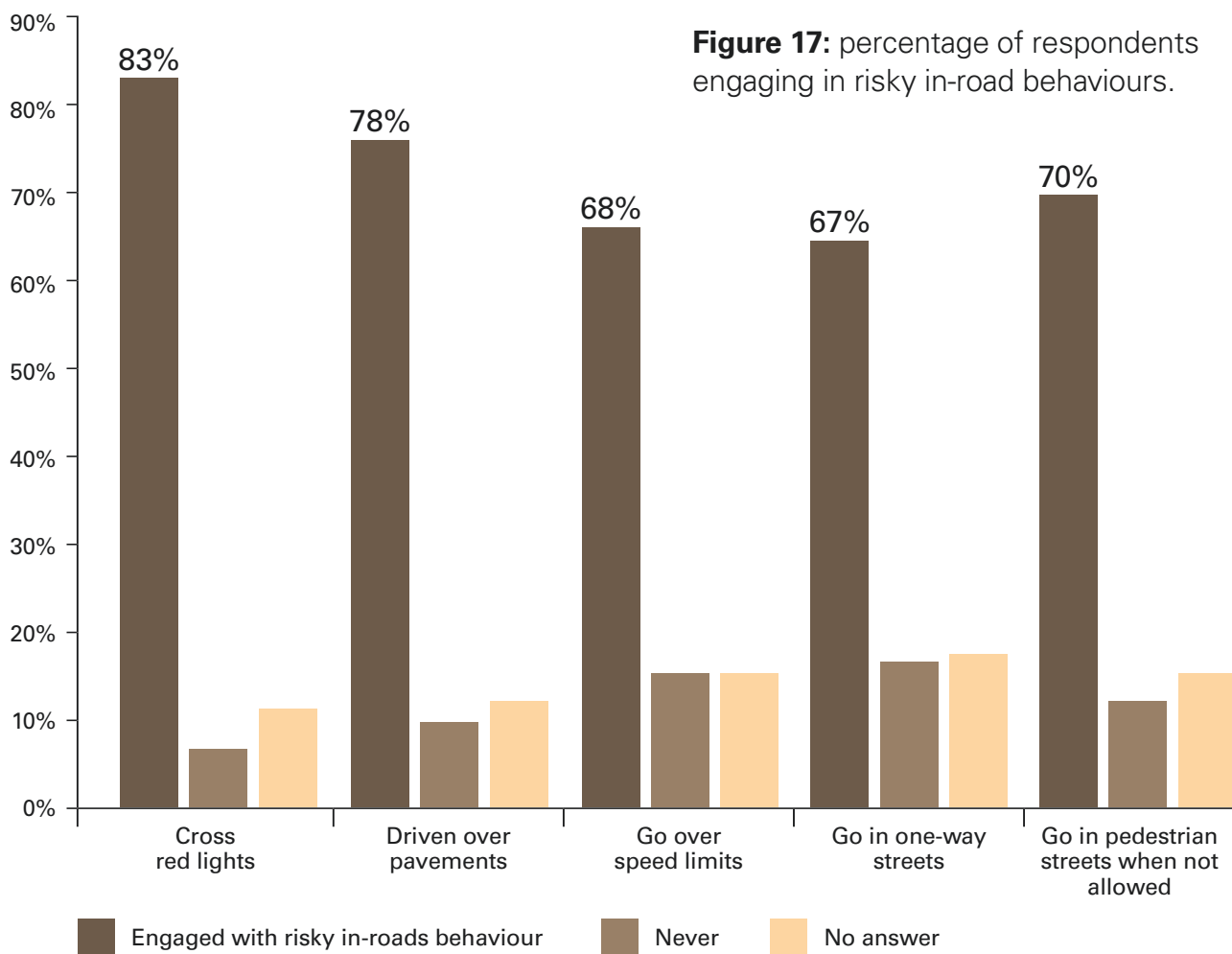


Figure 16: perpetrator of the abuse experienced.



Safety in the street

A noteworthy and striking finding within our research project pertains to the pervasive health and safety risks associated with food delivery companies and couriers. Over 80% of the participants admitted to engaging in risky behaviours while on the road. Specifically, **83%** of them reported crossing red lights, and a substantial number (78%) also confessed to driving over pavements, actions that pose dangers not only to themselves but also to other road users and pedestrians.



The table below reveals that more than 40% of respondents frequently engage in risky behaviours, such as crossing red lights and driving over pavements. These actions not only put at risk their own safety but also endanger pedestrians and other road users.

	Very frequently	Frequently	Occasionally	Rarely	Never
Cross red lights	17.9%	22.9%	22.1%	20.2%	6.1%
Driven over pavements	15.8%	22.9%	21.5%	17.9%	10.1%
Go over speed limits	15.8%	19.3%	18.0%	15.0%	15.9%
Go in one-way streets	14.8%	11.9%	16.3%	24.3%	16.2%
Go in pedestrian streets when not allowed	14.8%	17.4%	19.2%	18.5%	13.8%

Table 2: Frequency in engagement with unsafe and risky work practices

Interestingly, **62%** of respondents reported that they have modified their e-bikes to increase speed and complete orders faster (Figure 18). Modified e-bikes are not permitted in Scotland and cannot be insured. This not only renders such modifications illegal under the Scottish legal framework but also exposes couriers to various risks. Firstly, riding a modified e-bike could result in legal consequences such as fines or even confiscation of the vehicle. Additionally, without insurance coverage, couriers are personally liable for any accidents or damages they cause while riding the modified e-bike, potentially leading to financial ruin in case of an incident. Moreover, the increased speed of these modified e-bikes poses a significant safety risk to both the rider and other road users, increasing the likelihood of accidents and injuries.

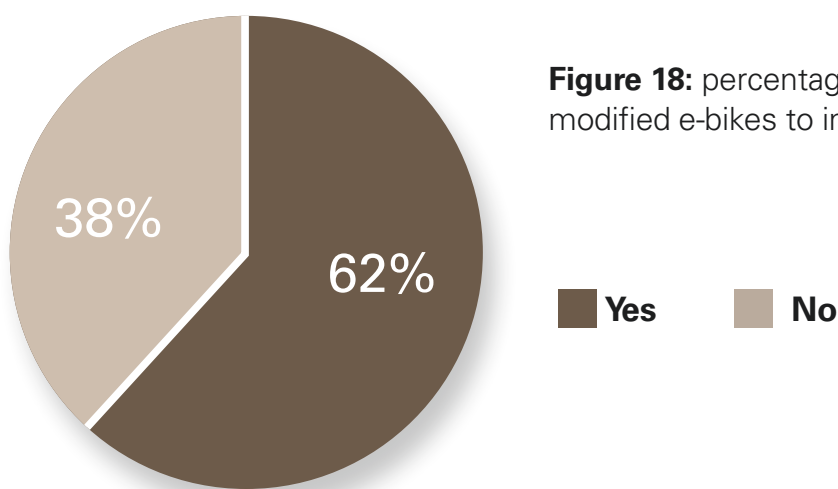


Figure 18: percentage of couriers who modified e-bikes to increase speed.

When asked about motivations and reasons for engaging in these behaviours, respondents underscored factors originating from the platform companies, indicating a clear emphasis on elements intrinsic to the platform environment as driving forces behind their actions, such as tight control of time and low pay rates per order:



78% of respondents emphasised the significance of time pressures by the platform company in completing orders promptly and then swiftly moving on to the next task.



82% of respondents highlighted the importance of maximising income due to low rates and the ongoing steady decline.



Customer pressure consistently receives a lower score as an important factor in engaging in risky work practices.



High risk for low pay
 “We are so much under pressure to deliver fast that they’re pushing people to breaking the law, these companies. You need to cut corners all of the time to meet their expectations because if you drop and take longer than last week you probably going to get less orders”
 (Alan, Courier)

Conclusions and recommendations towards a path to a fair work nation

The Scottish Government’s commitment to fair work, as outlined in the Fair Work Framework (2016), aims to establish a world-leading working life by 2025. In the quest to transition towards a digital nation, the glaring reality persists that Scotland is far from embodying the principles of a fair work nation. While the focus on technological advancements is visible, it is crucial to recognise the simultaneous existence of deeply rooted issues in labour. The path to a digital nation is hindered by the persistent problem of precarious work, leaving a substantial portion of the workforce in an increasingly vulnerable position. As this research shows, this is particularly evident in the gig and platform economies, such as ride-hailing and food delivery services. Embracing digital transformation must not overshadow the urgent need to address and rectify the ongoing challenges related to security, fair wages, and labour rights. Striking a balance between technological progress and ensuring a fair work environment is paramount for the sustainable development of Scotland’s workforce and the realisation of a truly equitable nation. This report proposes policy guidelines based on Scotland’s Fair Work Framework to address persistent issues in the food delivery platform industry, fostering fair treatment for delivery couriers and platform companies. The realization of Scotland’s vision to become a fair work nation hinges significantly on the effective implementation of these recommendations.

Effective Voice	Opportunity	Security and Fulfilment	Respect and Safety
Limited voice effectiveness stems from the prohibition of union representation due to the self-employed status.	High level of dependency on gig work to pay bills	Long working hours for decreasing pay rates	High workplace hazards with insufficient mitigation efforts from companies
Over 65% of workers think union is important	Sector highly dependent on migrant labour	Payment below the National Minimum Wage	Female workers facing constant sexual harassment
Unwillingness from companies to address worker concerns and work-related issues	Gig work perceived as a trap with no advancement opportunities;	Calculation of rates deemed arbitrary and not fair for the effort put into work	Racial and ethnic abuse is ripe in the gig economy (by customers, restaurants and colleagues)
App and algorithmic are seen as barriers to effective voice	Hot-bed for informal labour market and employment practices	Lack of basic employment rights (holiday pay, sick pay, and effective workplace insurance)	Majority of workers engage in unsafe work practices (cross red lights, speed over limits) and the pressure from the company deemed the main culprit

Effective voice

The Scottish Government should actively advocate for the recognition of food delivery couriers as workers, ensuring access to full employment rights, including the right to organise and join trade unions.

Policy action:

- Encourage the establishment of partnership agreements between food delivery platform companies and workers' representatives, particularly trade unions, to enhance workers' rights and employment conditions.
- Actively collaborate with platform companies and trade unions to improve employment conditions in the food delivery sector, fostering a collective approach to addressing workers' concerns.
- Actively collaborate with trade unions to improve employment conditions in the food delivery sector, fostering a collective approach to addressing workers' concerns.

By actively pursuing these policy actions, the Scottish Government can create a more equitable and empowered environment for food delivery couriers. Recognising their worker status is key to achieving institutionalised partnership agreements set in legal procedures. Collaborating with platform companies to align with the broader Fair Work Framework can foster an effective voice and contribute to the vision of a Fair Work Nation in Scotland.

Opportunities

Acknowledge and address the existence of informal labour markets within food delivery platforms and conduct regular audits to identify instances of informal labour practices, focusing on undocumented workers and those facing exploitation. Collaborate with platform operators to implement measures that prevent the informal renting of accounts and provide them with the opportunity to join the formal labour market in food delivery, ensuring fair and legal employment.

Policy action:

- Develop initiatives to address barriers hindering migrant workers' progression to better jobs, such as lack of qualification recognition, visa constraints, and language barriers.
- Reform the migration regime to make it more inclusive, expediting visa processing for workers seeking legal employment opportunities in Scotland.
- Implement programmes to facilitate the integration of undocumented workers into the formal labour market and society- collaborate with NGOs and community organisations to offer support services, including language classes, legal assistance, and community integration programmes.

By implementing these policy actions, Scotland aims to create a fairer and more inclusive labour market, ensuring that both British and migrant workers in the gig economy have access to opportunities for career advancement, legal employment, and improved working conditions.

Security and fulfilment

Pay consistency and transparency are some of the most relevant issues couriers raise. Delivery workers should be fairly compensated on an hourly basis, ensuring that their earnings meet or exceed the National Minimum Wage. Platform companies should be required to uphold this standard consistently, regardless of fluctuations in order demand. The government should actively monitor and enforce compliance with employment laws, imposing penalties on non-compliant platform companies. Living Wage Advocacy: Policymakers should actively promote a Real Living Wage for delivery workers. Platform companies are encouraged to undergo regular pay reviews (and programming it onto their algorithm), ensuring wages align with the rising cost of living.

Policy action:

- Work with platform companies to implement a minimum fee of £5 per delivery;
- Compensation for the time it takes a courier to get to the pick-up point;
- Increased pay when delivering more than one order from a particular food outlet. Holiday Pay and Rest Breaks: Workers are entitled to fair holiday compensation and should receive regular rest breaks as per existing employment legislation. Employers are responsible for providing accurate hourly payslips reflecting these entitlements. The government ought to closely monitor adherence to these requirements to ensure fair compensation on an hourly basis.

Respect and security

Delivery platforms must prioritise the safety and well-being of their workers before customer satisfaction, addressing issues of abuse and harassment. Protocols and policies should be established for dealing with difficult customers, and organisations should invest in management training programmes addressing abuse and harassment. Victims of abuse or harassment must receive proper support, including mental health and trauma counselling. Legislation and regulations should be developed to protect digital platform workers from third-party abuse and harassment.

Policy action:

- Introduce new legislation and regulations to protect food delivery workers from third-party abuse and harassment.
- Collaborate with relevant stakeholders, including law enforcement agencies and advocacy groups, to draft and enact legislation addressing the unique challenges faced by food delivery workers.
- Establish a monitoring and enforcement body to ensure compliance with the new regulations and support victims seeking legal recourse.



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Photography

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* This framework and diagram were adopted by
the Fair Work Convention and are available online at:
<https://www.fairworkconvention.scot/the-fair-work-framework/>

This report was funded by the Royal Society of Edinburgh



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