

# Unpacking Gig Labour Rights in South Africa



## LABOUR RIGHTS INDEX

According to the Labour Rights Index South Africa does not provide labour protections for workers in the gig economy. The law recognises platform workers as independent contractors and therefore are excluded from protections under the LRA, BCEA, UIF, etc.



## EMPLOYMENT CONTRACTS

No platform in the country offers employee contracts. All gig workers are considered as independent contractors



## COURT RULINGS

Uber South Africa Technology Services Ltd v NUPSAW in 2017 determined that Uber drivers are independent contractors, not employees of Uber South Africa.



## REGULATIONS

- Labour Relations Act (LRA) 1995
- Basic Conditions of Employment Act (BCEA) 1997
- Fairwork Code of Good Practice for the Regulation of Platform Work in South Africa (2020)



## SUPPORT

- Western Cape E-Hailing Association (WECA)
- South African E-Hailing Association (SAEHA)
- Public Private Transport Association (PPTA)

