



TRENDS IN SOUTHEAST ASIA

THE LABOUR POLITICS OF APP-BASED DRIVING IN VIETNAM

Joe Buckley

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FOREWORD

The economic, political, strategic and cultural dynamism in Southeast Asia has gained added relevance in recent years with the spectacular rise of giant economies in East and South Asia. This has drawn greater attention to the region and to the enhanced role it now plays in international relations and global economics.

The sustained effort made by Southeast Asian nations since 1967 towards a peaceful and gradual integration of their economies has had indubitable success, and perhaps as a consequence of this, most of these countries are undergoing deep political and social changes domestically and are constructing innovative solutions to meet new international challenges. Big Power tensions continue to be played out in the neighbourhood despite the tradition of neutrality exercised by the Association of Southeast Asian Nations (ASEAN).

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The Labour Politics of App-Based Driving in Vietnam

By Joe Buckley

EXECUTIVE SUMMARY

- Over the past decade, app-based driving services like ride-hailing and delivery have become an integral part of business, employment and daily life in Vietnam. This growth, however, has been accompanied by tensions and conflicts between ride-hailing platforms and traditional taxi companies, *xe ôm* (motorbike taxi drivers), the authorities and the drivers working for these platforms.
- Most drivers on these services are male and work long hours for low wages. Their working conditions are precarious because platforms classify them as partners rather than employees, denying them basic rights and benefits. Although platforms offer bonuses, organize events to celebrate drivers' contributions, and provide training courses, these do not address the fundamental exploitation in the employment relationship.
- The Ministry of Labour, Invalids and Social Affairs (MOLISA) has not taken sufficient action to protect drivers or taken a stance on whether they should be classified as contractors or employees. The Vietnam General Confederation of Labour (VGCL) is working towards securing social protection for drivers and increasing their representation in labour associations. While some members of the VGCL have argued that app-based drivers are actually workers and should be afforded the same rights and benefits as all workers, this is as yet not the formal position of the confederation.
- Drivers have taken to organizing strikes and protests to demand better treatment from the platforms. Their methods of activism are rooted in both traditional Vietnamese labour activism and global trends of platform protest.

- The emergence of the gig economy in Vietnam is a challenge to sustainable development. Policymakers and practitioners are called upon to ensure that platform work contributes to improved livelihoods and decent lifestyles for all.

The Labour Politics of App-Based Driving in Vietnam

By Joe Buckley¹

INTRODUCTION

The platform economy consists of three broad categories of companies: those that “provide digital services and products to individual users, such as social media”; those that “mediate exchange of goods and services, such as e-commerce or business-to-business (B2B) platforms”; and digital labour platforms, which “mediate and facilitate labour exchange between different users, such as businesses, workers, and consumers”.² Digital labour platforms can be classified into two main types: “gig work platforms”³ or “location-based platforms”⁴ which refer to work that is done in a specific location (e.g., driving or domestic services); and “cloudwork”⁵ or “online web-based platforms”⁶ which refer to work that can be done remotely from anywhere in the world (e.g., online private tuition, data entry or translation).

¹ Joe Buckley is a researcher specializing in Southeast Asian labour relations and labour politics. He is the author of *Vietnamese Labour Militancy: Capital-Labour Antagonisms and Self-organised Struggles* (Routledge, 2021), and the co-Principal Investigator of a Fairwork Vietnam project that evaluates digital labour platforms against measures of fairness.

² ILO, *World Employment and Social Outlook: The Role of Digital Labour Platforms in Transforming the World of Work* (Geneva: ILO, 2021), p. 31, https://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_771749.pdf

³ Fairwork, “About”, n.d., <https://fair.work/en/fw/about/>

⁴ ILO, *World Employment and Social Outlook*, p. 75.

⁵ Fairwork, “About”.

⁶ ILO, *World Employment and Social Outlook*, p. 74.

In recent years, digital labour platforms have become an integral part of business and employment, as well as the epitome of the gig economy in Vietnam, and in the world. Against this backdrop, app-based driving has become a major focus for the international labour movement, labour scholars and policymakers worldwide. Workers, their unions, and researchers have long argued that the practices of platforms are, in many cases, “precaritising workers”,⁷ leading to “the pauperisation of labour”,⁸ and even contributing to “the extreme threat posed to the planet by the growth of contingent work, poverty, and enduring and expanding inequalities”.⁹ There have been numerous protests by platform workers around the world,¹⁰ and February 2020 saw the establishment of the International Alliance of App-based Transport Workers (IAATW), a network of app-based driver unions and associations.¹¹ The International Transport Workers’ Federation (ITF), which is the global union federation for transport workers, has made the impact of technology a central focus of its work,¹² and the Governing Body of the International Labour Organization (ILO), the UN body responsible for labour issues, has

⁷ U. Rani and N. Gobel, “Job Instability, Precarity, Informality, and Inequality: Labour in the Gig Economy”, in *The Routledge Handbook of the Gig Economy*, edited by I. Ness (Abingdon, Oxon; New York, NY: Routledge, 2023), pp. 15–32.

⁸ P. Zanoni and F.H. Pitts, “Inclusion through the Platform Economy? The ‘Diverse’ Crowd as Relative Surplus Populations and the Pauperisation of Labour”, in *The Routledge Handbook of the Gig Economy*, edited by I. Ness (Abingdon, Oxon; New York, NY: Routledge, 2023), pp. 33–45.

⁹ I. Ness, “Introduction”, in *The Routledge Handbook of the Gig Economy*, edited by I. Ness (Abingdon, Oxon; New York, NY: Routledge, 2023), pp. 1–12.

¹⁰ I. Bessa, S. Joyce, D. Neumann, M. Stuart, V. Trappmann, and C. Umney, *A Global Analysis of Worker Protests in Digital Labour Platforms*, ILO Working Paper 70 (Geneva: ILO, 2022), https://www.ilo.org/wcmsp5/groups/public/---dgreports/---inst/documents/publication/wcms_849215.pdf

¹¹ *IAATW.org*, “The International Alliance of App-Based Transport Workers”, n.d., <https://www.iaatw.org/>

¹² International Transport Workers’ Federation, “Future of Work”, n.d., <https://www.itfglobal.org/en/in-focus/future-work>

announced plans to set international labour standards for platform work.¹³ In addition, there have been major regional and national-level campaigns and struggles, such as the proposed EU platform work directive, which, despite having been weakened from the original proposal, should make it easier for gig workers to be considered as employees.¹⁴

In tandem, labour studies scholars have written extensively on various aspects of the gig economy and app-based driving.¹⁵ In Vietnam, however, research on this topic has been limited until recently. The Friedrich Ebert Stiftung (FES) Vietnam office has commissioned two studies on app-based driving,¹⁶ alongside shorter articles and op-eds like Toan Le's article in *Asian Labour Review*¹⁷ and this author's series of articles for *Fulcrum*.¹⁸ The Fairwork project also has a Vietnam team assessing digital labour platforms in the country according to Fairwork's

¹³ International Labour Organization, "Decision Concerning a Normative Gap Analysis of Decent Work in the Platform Economy", 21 March 2023, https://www.ilo.org/gb/GBSessions/GB347/pol/WCMS_872938/lang--en/index.htm.

¹⁴ Gig Economy Project, "EU Member-States Agree Platform Work Directive Position", *Brave New Europe*, 12 June 2023, <https://braveneweuropa.com/gig-economy-project-eu-member-states-agree-platform-work-directive-position>

¹⁵ See, for example, J. Woodcock, and M. Graham, *The Gig Economy: A Critical Introduction* (Cambridge; Oxford; Boston; New York: Polity Press, 2019); J. Woodcock, *The Fight Against Platform Capitalism: An Inquiry into the Global Struggles of the Gig Economy* (London: University of Westminster Press, 2021); I. Ness, ed., *The Routledge Handbook of the Gig Economy* (London; New York: Routledge, 2023).

¹⁶ Q.C. Do, *Voice and Representation of Platform Drivers in Vietnam* (Hanoi: FES Vietnam, 2022), p. 2; H.H. Do, T. Le, T.N.T. Huynh, T.M.C. Nguyen, T.C. Dinh, M.S. Luong, and Q.T. Nguyen, *Behind the Myth of "Business Partnership": Precarious and Vulnerable Vietnamese Platform Workers Under the Urgent Need of Legal Protection* (Hanoi: FES Vietnam, forthcoming).

¹⁷ T. Le, "'Mercedes in Two Years?' Grab Workers' Mounting Discontent and Wildcat Strikes in Vietnam", *Asian Labour Review*, 3 February 2023, <https://labourreview.org/grab-workers-in-vietnam/>

¹⁸ J. Buckley, "App-Based Drivers in Vietnam: More Workers than Contractors", *Fulcrum*, 6 June 2022, <https://fulcrum.sg/app-based-drivers-in-vietnam-more-workers-than-contractors/>

global methodology.¹⁹ Despite this, there have not been any peer-reviewed academic articles on the subject in Vietnam, although gig workers in Vietnam have been featured in some comparative studies.²⁰

This paper seeks to fill this gap in the literature by examining the political economy and labour politics of platform work in Vietnam, with a particular focus on app-based driving. The paper starts by discussing the rise of Vietnam's gig economy in the 2010s and the tensions that occurred during that time, followed by an examination of the major players and investment trends. After that, the article looks into the labour politics of app-based driving, focusing on the precarious working conditions of platform drivers and responses from four groups of stakeholders: the platforms, the Ministry of Labour, Invalids and Social Affairs (MOLISA), the state-led Vietnam General Confederation of Labour (VGCL), and the workers themselves. Finally, the article considers the challenges posed by the gig economy to sustainable development and proposes measures to ensure that platform work contributes to secure livelihoods, decent work and sustainable development.

THE POLITICAL ECONOMY OF APP-BASED DRIVING IN VIETNAM

The Past: The First App Battles

Brazil's EasyTaxi was the first ride-hailing app to enter the Vietnamese market, with its launch in Ho Chi Minh City, the country's biggest city, in

¹⁹ Fairwork, "Fairwork Vietnam Joins the Fairwork Network", 18 April 2023, <https://fair.work/en/fw/blog/fairwork-vietnam-joins-fairwork/>.

²⁰ See, for example, a series of articles by scholars at the Oxford Internet Institute, including: M. Graham, I. Hjorth, and V. Lehdonvirta, "Digital Labour and Development: Impacts of Global Digital Labour Platforms and the Gig Economy on Worker Livelihoods", *Transfer* 23, no. 2 (2017): 135–62; A.J. Wood, M. Graham, V. Lehdonvirta, and I. Hjorth, "Networked but Commodified: The (Dis)Embeddedness of Digital Labour in the Gig Economy", *Sociology* 53, no. 3 (2019): 931–50; A.J. Wood, M. Graham, V. Lehdonvirta, and I. Hjorth, "Good Gig, Bad Gig: Autonomy and Algorithmic Control in the Global Gig Economy", *Work, Employment and Society* 33, no. 1 (2019): 56–75.

February 2014. This was soon followed by an expansion into Hanoi, the capital, in June of the same year. However, other major players quickly followed suit, with regional giant Grab introducing GrabTaxi in early 2014 and GrabBike (moped services) in October 2014. Global behemoth Uber also began operating in Vietnam in July 2014.

Thus began Vietnam's first ride-hailing app battle. EasyTaxi did not last long, withdrawing from the country in 2015. Despite having millions of dollars from venture capital firms, it could not keep up with the amount of money being invested by other platforms.²¹ Uber was able to hold out for longer, but made a few mistakes. In a cash-based economy, Uber did not introduce cash payments until August 2015,²² giving Grab over a year to draw in cash-paying customers. Additionally, in a country where two-wheeled mopeds are the most popular way to get around, including on *xe ôm* (motorbike taxis), Uber did not launch a motorbike taxi service until January 2016,²³ 18 months after their initial operations and more than a year after Grab's moped service began.

Uber also had more clashes with the authorities than Grab. In late 2014, Ho Chi Minh City authorities declared that Uber's operations were illegal and began apprehending and fining its drivers.²⁴ In July 2015,

²¹ VnExpress, “Cuộc chiến giành thị phần ở Việt Nam của ‘taxi công nghệ’”, *Tiền Phong*, 27 March 2018, <https://tienphong.vn/cuoc-chien-gianh-thi-phan-o-viet-nam-cua-taxi-cong-nghe-post1017871.tpo>; Ngọc Mai, “Easy Taxi chỉ gần 1 triệu USD tại VN để ‘dụ’ người dùng ứng dụng di động bắt taxi”, *CafeBiz*, 6 August 2014, <https://cafebiz.vn/cau-chuyen-kinh-doanh/easy-taxi-chi-gan-1-trieu-usd-tai-vn-de-du-nguoi-dung-ung-dung-di-dong-bat-taxi-2014080622411191715.chn>

²² L. Cosseboom, “Uber Lets Riders Use Cash in Vietnam”, *Tech in Asia*, 21 August 2015, <https://www.techinasia.com/uber-cash-payment-rollout-vietnam>

²³ Quynh Tran, “Uber chính thức ra mắt dịch vụ xe ôm với cước phí 3.700 đồng/km”, *kenh14.vn*, 20 April 2016, <https://kenh14.vn/uber-chinh-thuc-ra-mat-dich-vu-xe-om-voi-cuoc-phi-3700-dong-km-20160420100833198.chn>

²⁴ C.D.A. Icasiano and A. Taeihagh, “Governance of the Risks of Ridesharing in Southeast Asia: An In-depth Analysis”, *Sustainability* 13, no. 11 (2021): 6474, <https://doi.org/10.3390/su13116474>, p. 11.

the Ministry of Transport approved a trial licence for Grab, but rejected Uber’s application for the same licence due to its failure to declare and pay taxes (Uber was eventually granted the licence in April 2017).²⁵ In October 2017, the authorities declared that Uber had evaded nearly VND67 billion (US\$2.86 million) in taxes. The company initially denied this was the case, but eventually agreed to pay the amount.²⁶

In March 2018, Uber threw in the towel and agreed to a deal with Grab in which it would exit all of Southeast Asia, including Vietnam, in exchange for a 27.5 per cent stake in Grab.²⁷ Despite an investigation by the Vietnamese government due to the deal giving Grab over 50 per cent of market share, which might constitute a breach of the country’s anti-trust law,²⁸ no violations were found.²⁹ This resulted in Grab emerging as the dominant ride-hailing platform, leaving smaller, mostly Vietnamese-owned ride-hailing apps struggling to compete.³⁰

This period saw not only battles between the major platform companies, but also clashes between the platforms and other stakeholders.

²⁵ Ibid.

²⁶ Bao Bao, “Phải chăng đây là chi báo ‘chấm hết’ cho Uber Việt Nam: Bị truy thu 67 tỷ đồng, đề đối thủ đi sau vượt mặt, CEO rời công ty”, *CafeBiz*, 3 October 2017, <https://cafebiz.vn/phai-chang-day-la-chi-bao-cham-het-cho-uber-viet-nam-bi-truy-thu-thue-67-ty-dong-de-doi-thu-di-sau-vuot-mat-ceo-roi-cong-ty-20171002141121944.chn>; *Viet Nam News*, “Uber Pays Off Tax Debts”, 11 September 2018, <https://vietnamnews.vn/economy/465524/uber-pays-off-tax-debts.html>

²⁷ R. Waters and L. Lucas, “Uber Exits South-East Asia with Sale to Rival Grab”, *Financial Times*, 26 March 2018, <https://www.ft.com/content/7b415e82-3098-11e8-b5bf-23cb17fd1498>

²⁸ Icasiano and Taeihagh, “Governance of the Risks of Ridesharing in Southeast Asia”.

²⁹ Dat Nguyen, “Vietnam Ruling: Grab-Uber Deal Does Not Violate Antitrust Laws”, *VnExpress International*, 19 June 2019, <https://e.vnexpress.net/news/business/companies/vietnam-ruling-grab-uber-deal-does-not-violate-antitrust-laws-3940742.html>

³⁰ *Viet Nam News*, “Local Ride-Hailing Apps Struggle to Compete with Grab”, 21 July 2018, <https://vietnamnews.vn/economy/451680/local-ride-hailing-apps-struggle-to-compete-with-grab.html>

For example, riding-hailing app drivers began striking and protesting,³¹ which will be explored further in the next section of this article. There were also frequent and sometimes violent clashes between ride-hailing app drivers and traditional *xe ôm* drivers, who had been accustomed to finding customers by waiting on street corners. The rise of ride-hailing apps was destroying their livelihoods by driving down prices and drawing customers away from the traditional street-side negotiation.³² Eventually, however, these conflicts ceased as the platforms took over.

Traditional taxi companies have also had clashes with ride-hailing apps due to these apps' detrimental impact on their business. In 2016, for example, Mai Linh, one of Vietnam's two biggest taxi companies—alongside Vinasun—reported losses of VND84 billion (US\$3.59 million). Both companies also laid off many employees.³³ Between 2015 and 2018, taxi associations in Hanoi and Ho Chi Minh City accused Uber and Grab of unfair competition and tax avoidance, and demanded the government and Ministry of Transport to either prohibit the activities of Uber and Grab or regulate them equally.³⁴ At that time, Uber and Grab were not officially classified as transportation companies and thus not subject to the same regulations or taxes as traditional taxi companies.³⁵

³¹ J. Buckley, “Mapping Ride-Hailing App Driver Strikes in Vietnam”, *New Mandala*, 16 December 2020, <https://www.newmandala.org/mapping-ride-hailing-app-driver-strikes-in-vietnam/>

³² Truong Son, “Thấy gì sau hơn 130 vụ xô xát giữa xe ôm truyền thống và công nghệ”, *Lao Động*, 28 September 2017, <https://laodong.vn/xa-hoi/thay-gi-sau-hon-130-vu-xo-xat-giua-xe-om-truyen-thong-va-cong-nghe-566991.ldo>; Quynh Trang, “Grab or Xe Om? The Clashing Paths of Vietnamese Drivers”, *VnExpress International*, 26 June 2017, <https://e.vnexpress.net/projects/grab-or-xe-om-the-clashing-paths-of-vietnamese-drivers-3603667/index.html>

³³ Dai Nguyen et al., “Hai năm sóng gió của Uber Grab tại Việt Nam”, *Người Lao Động*, 20 December 2017, <https://nld.com.vn/thoi-su/emagazine-uber-grab-2-nam-song-gio-tai-viet-nam-20171220124657877.htm>

³⁴ *Ibid.*; Icasiano and Taeihagh, “Governance of the Risks of Ridesharing”, p. 11.

³⁵ Trang Bui and Anh Minh, “Grab, Uber Benefit from ‘Unfair Competition’: Vietnamese Ministries”, *VnExpress*, 29 October 2017, <https://e.vnexpress.net/news/business/grab-uber-benefit-from-unfair-competition-vietnamese-ministries-3662554.html>

In October 2017, Vinasun staged a protest by adorning their taxis with bumper stickers stating that Grab and Uber must comply with the law. However, this action faced backlash from both the local government and customers. Vinasun later claimed that the protest was a wildcat action by their drivers, which the drivers themselves denied.³⁶

In the food delivery sector, what is now known as app-based food delivery began in 2011 with the emergence of online food ordering websites. These websites listed restaurants and handled payments but did not engage drivers to provide delivery services. Although these companies faced less political controversy than ride-hailing services, competition for market share was just as fierce. Some of the first companies in this sector included Eat.vn (acquired by VC Corp, a major Vietnamese tech investor, in 2012),³⁷ chonmon.vn (also belonging to VC Corp),³⁸ and Vietnammm (acquired by the Netherlands-based Takeaway.com in 2013).³⁹

Foodpanda, the Singapore-based leading food delivery platform in Asia, launched in Vietnam in 2012 under the name HungryPanda. However, just three years later, they sold their Vietnam operations to

³⁶ Huu Nguyen, “TP HCM nói dân bằng rôn phản đối Grab, Uber là ‘không hay’”, *VnExpress*, 9 October 2017, <https://vnexpress.net/tp-hcm-noi-dan-bang-ron-phan-doi-grab-uber-la-khong-hay-3653245.html>; Minh Nhan, “Nhiều tài xế Vinasun kêu gọi gỡ bỏ decal vì không đồng tình với khẩu hiệu phản đối Uber và Grab”, *kenh14*, 9 October 2017, <https://kenh14.vn/nhieu-tai-xe-vinasun-keu-goi-cung-nhau-go-bo-bang-ron-phan-doi-uber-grab-vi-cho-rang-hinh-anh-do-gay-phan-cam-20171009112846133.chn>

³⁷ *GenK*, “VC Corp mua lại Eat.vn với giá 2,6 tỷ đồng để phát triển dịch vụ cho người nước ngoài và đặt món trực tuyến”, 31 July 2012, <https://genk.vn/vc-corp-mua-lai-eatvn-voi-gia-26-ty-dong-de-phat-trien-dich-vu-cho-nguoi-nuoc-ngoai-va-dat-mon-truc-tuyen-20120731065944671.chn>

³⁸ Viet Duc, “Cuộc chiến của các công ty giao đồ ăn trực tuyến”, *Zing*, 30 October 2018, <https://zingnews.vn/cuoc-chien-cua-cac-cong-ty-giao-do-an-truc-tuyen-post886461.html>

³⁹ A.M. Do, “Om Nom Nom! Takeaway.com Acquires Vietnammm to Take on Vietnam’s Food Delivery Market”, *Tech in Asia*, 23 October 2013, <https://www.techinasia.com/om-nom-nom-takeawaycom-acquires-vietnammm-vietnams-food-delivery-market>

Vietnam.⁴⁰ Foodpanda’s main investor was Rocket Internet, the same company behind EasyTaxi, which had a shorter stint in Vietnam. Grab, now one of the top food delivery apps in the country, did not offer this service until May 2018 in Ho Chi Minh City and September 2018 in Hanoi.⁴¹

The Present: Major Players, Controversies and Challenges

Battles for market share of app-based ride-hailing and food delivery services continue. Table 1 shows that since the ride-hailing sector began in 2014, Grab, Gojek and Be have collectively captured 99 per cent of the market,⁴² with Grab alone taking around 75 per cent,⁴³ although some smaller, largely domestic companies are still attempting to get a slice. Vietnam’s ride-hailing market has grown at an average rate of 30–35 per cent per year since 2015, with a turnover of US\$2.4 billion in 2021. Similarly, Grab, Gojek, Baemin and Shopee occupy the majority of the app-based food delivery market, with Grab being the most used.⁴⁴

⁴⁰ J. Balea, “New Twist in Vietnam’s Online Food Delivery Battle: Foodpanda Gets Acquired by Rival”, *Tech in Asia*, 8 December 2015, <https://www.techinasia.com/foodpanda-sells-failed-business-to-vietnammm>

⁴¹ Grab, “Grab chính thức triển khai dịch vụ thức ăn GrabFood tại Hà Nội”, 2 October 2018, <https://www.grab.com/vn/press/business/grab-chinh-thuc-trien-khai-dich-vu-giao-nhan-thuc-an-grabfood-tai-ha-noi/>.

⁴² Mai Phuong, “Grab, Be, Gojek... chạy đua cạnh tranh để chiếm ‘miếng bánh’ thị trường 2,4 tỉ USD”, *Thanh Niên*, 24 March 2022, <https://thanhnien.vn/grab-be-gojek-chay-dua-canhh-tranh-de-chiem-mieng-banh-thi-truong-2-4-ti-usd-post1441870.html>

⁴³ Thanh Duong, “Grab vẫn giữ ngôi số một thị phần gọi xe công nghệ Việt”, *VnExpress*, 20 November 2020, <https://startup.vnexpress.net/tin-tuc/xu-huong/grab-van-giu-ngoi-so-mot-thi-phan-goi-xe-cong-nghe-viet-4194242.html>

⁴⁴ Duy Vu, “Doanh nghiệp ngoài chia miếng bánh gần 40 triệu USD của thị trường đồ ăn trực tuyến”, *Ictnews*, 22 January 2022, <https://ictnews.vietnamnet.vn/cuoc-song-so/grabfood-shopeefood-gojek-chiem-linh-thi-phan-giao-do-an-truc-tuyen-403242.html>

Table 1: Major Companies in Vietnam’s App-Based Ride-Hailing and Food-Delivery Sectors

Company	Service and Debut Year		Details
	Ride-Hailing	Food Delivery	
Grab	2014	2018	Founded in 2012, Grab, the Singapore-based regional behemoth, has dominated Vietnam’s ride-hailing and food delivery markets since 2014. What began as a “super app” and food delivery service has since grown into a “super app” that offers a variety of services such as grocery shopping, cashless payments, bill payments, hotel bookings, and prepaid top-ups. In 2019, Grab began operating cloud kitchens, and in December 2021, it went public on the Nasdaq platform with a market valuation of US\$40 billion—the largest ever US listing by a Southeast Asian company. ^a With 190,000 drivers and around 25 per cent of Vietnam’s population of nearly 100 million people as Grab users, ^b the platform is currently active in 36 cities in the country. ^c
Gojek	Bikes in 2018 (as GoViet), taxis in 2021	2018 (as GoViet)	Gojek, the Indonesian regional competitor to Grab, launched in Vietnam in 2018 as GoViet. GoViet initially offered motorbike ride-hailing, food delivery and courier services

				and later expanded to taxi services in 2021. GoViet was rebranded as Gojek in 2020. Gojek has grown to become a super app, further expanding its services following a merger with Tokopedia in 2021, after which the holding company became known as GoTo. Gojek claims to have 150,000 drivers in Vietnam. ^d
Be	2018	2022		This is a Vietnamese app owned by Be Group. Since its launch in 2018, the platform has grown exponentially and now offers ride-hailing, courier, grocery shopping, flight booking, digital banking, and food delivery services. Be has become a super app, claiming to have 100,000 riders nationwide. ^e
Baedel Minjok (Baemin)	Not available	2019		Beamin, a South Korean food delivery app formerly owned by Woowa Brothers, entered the Vietnamese market in 2019. Upon arriving in Vietnam, Baemin purchased and shut down Vietnammm. ^f In 2021, Baemin was acquired by Delivery Hero, which also owns Foodpanda. Baemin operates several cloud kitchens in Vietnam.
ShopeeFood	Not available	2012		ShopeeFood began in 2012 as Foody, a Vietnamese start-up for online food listings, offering food delivery and courier services. In 2015, it launched the food delivery app and

continued on next page

Table 1 — cont'd

Company	Service and Debut Year		Details
	Ride-Hailing	Food Delivery	
ShopeeFood	Not available	2012	rebranded as DeliveryNow, which was later simplified to Now. In 2017, the company was acquired by Singaporean tech conglomerate Sea Group, which owns the e-commerce platform Shopee. As a result, the Vietnamese branding was changed to ShopeeFood in 2021.g and later combined with the company's other services in Vietnam—online shopping (Shopee) and e-wallet services (ShopeePay)—to become a super app.

Notes:

- a. Nasdaq, “Nasdaq Welcomes Grab, the Largest Foreign SPAC Combination”, 3 December 2021, <https://www.nasdaq.com/articles/nasdaq-welcomes-grab-the-largest-foreign-spac-combination>
- b. *VietnamNet*, “Kết quả kinh doanh của Grab như thế nào sau 6 năm vào Việt Nam?”, 10 December 2020, <https://vietnamnet.vn/ket-qua-kinh-doanh-cua-grab-nhu-the-nao-sau-6-nam-vao-viet-nam-696234.html>
- c. Grab, n.d., “Vietnam Locations”, <https://www.grab.com/vn/locations/>
- d. Gojek, n.d., “About Us”, <https://www.gojek.com/vn/about/>
- e. Ngoc Pham, “Gojek, Be, Grab có bao nhiêu tài xế tại Việt Nam?”, 24h, 29 April 2021, <https://www.24h.com.vn/cong-nghe-thong-tin/gojek-be-grab-dang-co-bao-nhieu-tai-xe-tai-viet-nam-c55a1247751.html>
- f. Anh Thu, “Woowa Brothers to Shut Down Vietnam Food App”, *VnExpress International*, 27 November 2020, <https://e.vnexpress.net/news/business/companies/woowa-brothers-to-shut-down-vietnammm-food-app-4197616.html>
- g. Thanh Duong, “Now đổi tên thành ShopeeFood”, *VnExpress*, 17 August 2021, <https://startup.vnexpress.net/tin-tuc/xu-huong-now-doi-ten-thanh-shopeefood-4340518.html>

Source: Author’s compilation.

One of the major themes in Vietnam’s gig economy in recent years has been clashes between platforms and authorities regarding taxes and fees, as the government struggles to regulate such companies. As previously mentioned, ride-hailing platforms were exempted from the tax and regulations applicable to other transport companies for many years. However, in 2017, Vinasun successfully sued Grab for losses resulting from unfair competition. This led to the Ho Chi Minh City People’s Court ruling in late 2018 that Grab had to pay Vinasun VND4.8 billion (US\$207,000) in damages, since it was acting as a transport company but not being subjected to the same regulations. Grab appealed in 2019, but the Ho Chi Minh City Appeals Court upheld the original decision in 2020.⁴⁵

In December 2020, a new decree came into effect, declaring that app-based transport companies were to be classified as transport companies and thus must pay a 10 per cent value-added tax (VAT), a major increase from the previously imposed 3 per cent.⁴⁶ Despite the platforms’ vehement opposition to the ruling, claiming it would hinder the development of Vietnam’s digital economy,⁴⁷ the government stood their ground and the decree came into force on 5 December 2020. In response, Grab attempted to transfer the tax hike to its drivers by increasing the platform’s commission rate for each ride; sparking the largest strike seen in the sector at that point.⁴⁸

⁴⁵ Hai Duyen, “Appeals Court Upholds Earlier Ruling, Grab to Pay Vinasun Damages”, *VnExpress International*, 11 March 2020, <https://e.vnexpress.net/news/business/companies/appeals-court-upholds-earlier-ruling-grab-to-pay-vinasun-damages-4067499.html>

⁴⁶ *Viet Nam News*, “New Tax Policy for Ride-Hailing Services Sets Off Storm”, 28 December 2020, <https://vietnamnews.vn/economy/business-beat/837351/new-tax-policy-for-ride-hailing-services-sets-off-storm.html>

⁴⁷ Hung Le, “Grab: Becoming a Taxi Company a Step Back from Industry 4.0”, *VnExpress International*, 26 October 2018, <https://e.vnexpress.net/news/business/companies/grab-becoming-a-taxi-company-a-step-back-from-industry-4-0-3829805.html>

⁴⁸ *Tuoi Tre News*, “Drivers Strike in Hanoi to Protest Grab’s Increased Charges”, *Tuoi Tre News*, 8 December 2020, <https://tuoitrenews.vn/news/business/20201208/drivers-strike-in-hanoi-to-protest-grabs-increased-charges/58165.html>

A more recent controversy occurred around extra fees charged by platforms, especially Grab's "hot weather surcharge". The surcharge was introduced in July 2022 and applied when temperatures reached over 35 degrees Celsius. Grab said that 100 per cent of this fee, after tax, was transferred to drivers.⁴⁹ This new fee generated many customer complaints and also drew attention to extra fees charged by other platforms, such as night surcharges applied by Be and Gojek.⁵⁰ As a result, the Ministry of Finance announced that they would revise the law on prices to manage such issues,⁵¹ and the Vietnam Competition and Consumer Authority led a group to investigate Grab's surcharge. Consequently, Grab dropped the surcharge in August 2022.⁵²

Notably, the major companies operating in Vietnam's ride-hailing and food delivery space have struggled to make a profit, frequently posting large losses. For example, Grab reported a loss of US\$3.6 billion in 2021, including a loss of VND301 billion (US\$12.86 million) in Vietnam. Interestingly, 2020 is the only year in recent years in which Grab Vietnam made a profit.⁵³ Also in 2021, GoTo, which owns Gojek, incurred a loss of US\$1.47 billion,⁵⁴ while Sea Group, which owns Shopee, posted losses of US\$1.5 billion.⁵⁵ Delivery Hero, which owns Baemin, reported a loss

⁴⁹ *Vietnam News*, "Grab Stops Collecting Hot Weather Surcharge", 17 August 2022, <https://vietnamnews.vn/economy/1298566/grab-stops-collecting-hot-weather-surcharge.html>

⁵⁰ Ha Linh, "Bộ Tài chính: Sẽ quản lý giá đối với việc Grab, Be, Gojek thu phụ phí", *KinhDoanhNet*, 3 August 2022. <https://kinhdoanhnet.vn/bo-tai-chinh-se-quan-ly-gia-doi-voi-viec-grab-be-gojek-thu-phu-phi-45639.html>

⁵¹ *Ibid.*

⁵² *Vietnam News*. "Grab Stops Collecting Hot Weather Surcharge".

⁵³ Thuy Linh, "Vì sao Grab lỗ hàng trăm tỷ đồng trong khi có thị phần lớn nhất Việt Nam?", *BNews*, 23 July 2022, <https://bnews.vn/vi-sao-grab-lo-hang-tram-ty-dong-trong-khi-co-thi-phan-lon-nhat-viet-nam/252154.html>

⁵⁴ E. Maulia and N. Shibata, "Indonesian Double Unicorn Goto Posted \$1.5bn Net Loss in 2021", *Nikkei Asia*, 30 May 2022, <https://asia.nikkei.com/Business/Technology/Indonesian-double-unicorn-GoTo-posted-1.5bn-net-loss-in-2021>

⁵⁵ B. Cher, "Sea FY2021 Losses Widen to US\$1.5 Billion, Revenue up 127.5 per cent", *Business Times*, 1 March 2022, <https://www.businesstimes.com.sg/garage/sea-fy2021-losses-narrow-to-us13-billion-revenue-up-1275-per-cent>

of €781 million (US\$801.51 million),⁵⁶ with Asia operations specifically making a loss of €421.6 million (US\$432.67 million).⁵⁷ Be Group may be an exception, with the company claiming to have broken even in 2020 and expecting to turn a profit in 2021.⁵⁸ Globally, it is not unusual for app-based transport companies to make losses, with many of the major players in the gig economy, such as Uber and Deliveroo, having never reached profitability.⁵⁹

With investors becoming impatient to see a profit, the end of cheap credit, and a “funding winter” across the region,⁶⁰ the platforms announced a push for profitability in 2022 and 2023.⁶¹ For Grab, for example, this has involved laying off formal employees (not drivers) while also cutting

⁵⁶ T. Bradshaw, “Delivery Hero Shares Tumble as Losses Set to Continue”, *Financial Times*, 10 February 2022, <https://www.ft.com/content/21487bc0-faff-41bf-a5ea-3a3bdd8b1984>

⁵⁷ Delivery Hero, *Annual Report 2021* (2022), <https://ir.deliveryhero.com/download/companies/delivery/Annual%20Reports/DE000A2E4K43-JA-2021-EQ-E-01.pdf>

⁵⁸ L. Hoang, “Gojek Starts Car-Hailing Service in Vietnam In Challenge to Grab”, *Nikkei Asia*, 17 May 2021, <https://asia.nikkei.com/Business/Technology/Gojek-starts-car-hailing-service-in-Vietnam-in-challenge-to-Grab>

⁵⁹ J. Woodcock, *The Fight Against Platform Capitalism: An Inquiry into the Global Struggles of the Gig Economy* (London: University of Westminster Press, 2021), p. 31; R. Hargreaves, “Deliveroo Keeps on Growing—But When Will It Turn a Profit?”, *Money Week*, 22 April 2022, [https://www.ft.com/content/a454447f-c0b9-44fc-a24a-2781f1b7717e](https://moneyweek.com/investments/stockmarkets/uk-stockmarkets/604697/deliveroo-keeps-on-growing-but-when-will-it-turn-a-; D. Lee, “Uber Reports Positive Cash Flow for the First Time”, <i>Financial Times</i>, 3 August 2022, <a href=)

⁶⁰ T. Suruga, “ASEAN’s VC ‘Funding Winter’ Worsens on Grab, GoTo Slowdown”, *Nikkei Asia*, 5 June 2023, <https://asia.nikkei.com/Spotlight/Market-Spotlight/ASEAN-s-VC-funding-winter-worsens-on-Grab-GoTo-slowdown>

⁶¹ See, for example, T. Suruga, “Singapore’s Sea to Deepen Cost Cuts After Nearly \$1bn Q2 Loss”, *Nikkei Asia*, 17 August 2022, https://asia.nikkei.com/Business/Technology/GoTo-seeks-path-to-profit-as-a-key-player-takes-a-step-back;

incentives for drivers and reducing consumer incentives.⁶² Another key part of platforms’ strategies to achieve profitability is to become super apps, moving beyond the core ride-hailing and delivery services and expanding into other areas. These include online shopping, bookings for hotels, flights, events, and financial services such as banking, investments and digital payments.⁶³ As a result, the three types of digital platform companies mentioned at the very beginning of this paper—platforms that provide digital services and products, platforms that mediate the exchange of goods and services, and digital labour platforms—are increasingly blurring into one in Vietnam. As a result, Grab and GoTo’s losses have both fallen significantly; Grab is expected to reach adjusted EBITDA break-even in Quarter 3 of 2023,⁶⁴ with GoTo aiming to achieve the same in Quarter 4.⁶⁵ Sea Group turned profitable earlier in 2023, but its share price has fallen again recently.⁶⁶

T. Suruga, “Singapore’s Grab to ‘Taper’ Incentives in Drive for Profitability”, *Nikkei Asia*, 19 May 2022, <https://asia.nikkei.com/Business/Startups/Singapore-s-Grab-to-taper-incentives-in-drive-for-profitability>; Bradshaw, “Delivery Hero Shares Tumble as Losses Set to Continue”.

⁶² T. Suruga, “Singapore’s Grab Speeds up Profit Forecast as Losses Narrow”, *Nikkei Asia*, 24 August 2023, <https://asia.nikkei.com/Business/Technology/Singapore-s-Grab-speeds-up-profit-forecast-as-loss-narrows2>

⁶³ Thanh Van, “Super App Explosion Signalling a Digital Payment Revolution”, *Vietnam Investment Review*, 20 May 2021, <https://vir.com.vn/super-app-explosion-signalling-a-digital-payment-revolution-84302.html>

⁶⁴ Suruga, “Singapore’s Grab Speeds up Profit Forecast as Losses Narrow”.

⁶⁵ N. Shibata, “Indonesia’s GoTo First-Half Net Loss Narrows to \$470m”, *Nikkei Asia*, 15 August 2023, <https://asia.nikkei.com/Business/Technology/Indonesia-s-GoTo-first-half-net-loss-narrows-to-470m>

⁶⁶ T. Suruga, N. Shibata, and D. Loh, “Grab Shares Jump but Sea’s Diver as Investors Applaud Cost Cuts”, *Nikkei Asia*, 28 August 2023, <https://asia.nikkei.com/Spotlight/Market-Spotlight/Grab-shares-jump-but-Sea-s-dive-as-investors-applaud-cost-cuts>

LABOUR ISSUES AND LABOUR POLITICS

Working Conditions

The vast majority of drivers in the food delivery and ride-hailing industry, including both car taxi drivers and motorbike drivers, are men, with one estimate putting the figure as high as 98.6 per cent.⁶⁷ Drivers come from diverse backgrounds. They are largely concentrated in the major cities, especially Hanoi and Ho Chi Minh City. A survey of drivers in the two cities conducted from December 2020 to February 2021 revealed that 81 car drivers and 274 moped riders were predominately male (100 per cent and 89.4 per cent respectively). Most had previously worked as employees in companies or household businesses (62.5 per cent), while some were self-employed (22.5 per cent), students (11.5 per cent) or traditional bike riders (2 per cent). Over a third of respondents in the survey reported losing their previous jobs due to the COVID-19 pandemic. The survey also showed that most drivers were aged between 26 and 40 (58 per cent), followed by 41 to 60 (21.1 per cent) and 18 to 25 (20.6 per cent).⁶⁸ At the end of 2022, social media users were taken aback by the impressive educational backgrounds of many drivers. This surprise was sparked when a food delivery driver from ShopeeFood posed a question in French to renowned novelist Marc Levy during a literary event in Ho Chi Minh City.⁶⁹

The platforms classify drivers as “partners” (*đồng tác*), rather than employees. They claim that drivers are independent contractors who operate as sole traders and have a business relationship with the platforms. In practice, this means that platforms can avoid paying minimum wages

⁶⁷ Internal report by Grab, in Q.C. Do, *Voice and Representation of Platform Drivers in Vietnam* (Hanoi: FES Vietnam, 2022), p. 2.

⁶⁸ Do, *Voice and Representation of Platform Drivers in Vietnam*, p. 6.

⁶⁹ Quynh Nguyen, “Nam shipper ‘bắn’ tiếng Pháp gây bão mạng”, *VnExpress*, 15 November 2022, <https://vnexpress.net/nam-shipper-ban-tieng-phap-gay-bao-mang-4536419.html>

or providing drivers with the rights and benefits that employees are entitled to, such as holidays. Drivers are instead paid per job, with the platform taking a cut of each. They do not get paid when they are not on a job, such as the time spent waiting to be allocated one. In addition, because drivers are classified as partners, there is no formal procedure for lay-offs. The apps can simply “deactivate” a driver’s account without any recourse to a formal appeal mechanism. As a result, driving for the platforms is highly precarious, with long hours, low wages and poor conditions, and no guarantee that drivers will be allocated jobs or that their account will even still exist the next day.⁷⁰

Many drivers were initially drawn to the job due to the potential for flexibility and high wages. It was even claimed that one could afford a Mercedes after two years of driving for these platforms.⁷¹ Drivers could work on their own terms, choosing when they wanted to work simply by turning on the app and accepting jobs at their own convenience. The platforms presented themselves as junior partners in a business relationship that would only take a small percentage of drivers’ earnings as commission for matching them with jobs.

In practice, the purported flexibility turns out to be a myth. If drivers do not accept jobs regularly or if they do not frequently log into the app, they will not be prioritized for jobs. In addition, for many drivers, the work is their full-time job, and they have families and children to support. Consequently, they end up working excessive hours and have limited autonomy in deciding which jobs to take on.⁷² Furthermore, platforms often unilaterally increase their commission rates and adjust bonus policies without any consultation with drivers, further impacting their already meagre earnings.⁷³

On initial inspection, drivers’ income appears to be relatively high, with estimates ranging from around VND9 million (US\$378) to VND12

⁷⁰ Buckley, “App-Based Drivers in Vietnam: More Workers than Contractors”.

⁷¹ Le, ““Mercedes in Two Years?””.

⁷² Ibid.

⁷³ See, for example, *ibid.*

million (US\$504) per month.⁷⁴ This is certainly well above the legal minimum wage, which is currently VND4,680,000 (US\$196) in major urban centres and surpasses the estimated living wage, which was approximately VND7,446,000 (US\$313) per month in 2020 for Ho Chi Minh City. However, these figures are misleading for several reasons. First, drivers work far more than the standard 48-hour workweek. A study by Do Quynh Chi finds that the average workweek for full-time drivers is 75.6 hours per week.⁷⁵ Meanwhile, Le calculates that if drivers worked a standard working week of eight hours per day for six days per week, their income would be VND6,210,672 (US\$261), which is below the living wage.⁷⁶ Formal workers are usually entitled to overtime pay for working more than 48 hours per week, but app-based drivers do not receive this, as they are classified as partners rather than employees.

Second, drivers' take-home pay is actually lower than what they are initially paid. This is because they are responsible for all the costs of doing business, including vehicles, vehicle maintenance, petrol and Internet-connected phones. In addition, because of their classification as independent contractors, drivers are excluded from benefits and protections provided in the labour code, such as overtime pay, sick pay, holidays or employer-contributed social insurance.⁷⁷

Drivers are exposed to numerous health and safety risks while on the roads all day, such as hazardous road conditions, air pollution, and extreme weather conditions. Although some platforms offer basic accident and injury insurance, few drivers are part of the national social

⁷⁴ J. Buckley, "Time for Vietnam to Apply Minimum Wage to Gig Economy Workers", *Fulcrum*, 10 August 2022, <https://fulcrum.sg/time-for-vietnam-to-apply-minimum-wage-to-gig-economy-workers/>; Thu Hang, "Thu nhập của tài xế công nghệ từ 7 – 12 triệu đồng/tháng", *Thanh Niên*, 5 May 2022, <https://thanhnien.vn/thu-nhap-cua-tai-xe-cong-nghe-tu-7-12-trieu-dong-thang-1851455508.htm>

⁷⁵ Do, *Voice and Representation of Platform Drivers in Vietnam*.

⁷⁶ Le, "Mercedes in Two Years?"

⁷⁷ *Ibid.*; Buckley, "Time for Vietnam to Apply Minimum Wage to Gig Economy Workers".

insurance scheme,⁷⁸ which is mostly available to formal workers with limited participation for informal workers, including app-based drivers.⁷⁹

Given the numerous challenges faced by drivers, such as unstable incomes, low pay, harsh working conditions and a lack of a strong voice and representation,⁸⁰ there have been various efforts by different stakeholders to improve these conditions. The next section will discuss the initiatives taken by four key stakeholders: the platform companies, MOLISA, VGCL and the drivers themselves.

Stakeholders Responses to Drivers’ Low Pay and Poor Working Conditions

The Platforms

Ride-hailing platforms claim to value their drivers, offering them financial bonuses such as extra amounts on top of job fees. For example, during the Lunar New Year holiday, many platforms offer drivers extra money for working instead of celebrating with family.⁸¹ Additionally, a number of platforms have introduced extra surcharges for customers ordering rides or deliveries at certain times, such as at night or when the weather is hot. The platforms assert that these fees are passed on to the drivers. However, as noted above, the extra charges proved highly

⁷⁸ T.H.A. Nguyen. “Tiếp cận an sinh xã hội của lái xe công nghệ Grab tại Hà Nội và thành phố Hồ Chí Minh”, *Tạp chí Nguồn Nhân Lực và An Sinh Xã Hội* 5 (2022): 54–60.

⁷⁹ PV, “Quan tâm hơn đến lao động phi chính thức, giảm thiểu nguy cơ ‘lọt lưới an sinh’”, *Bảo hiểm Xã hội*, 18 August 2022, <https://baohiemxahoi.gov.vn/UserControls/Publishing/News/BinhLuan/pFormPrint.aspx?UrlListProcess=/content/tintuc/Lists/News&ItemID=19058&IsTA=False>

⁸⁰ Le, “‘Mercedes in Two Years?’”.

⁸¹ Dy Tung, “Ride-Hailing Platforms’ Bonuses Unable to Lure Drivers During Tet”, *VnExpress International*, 22 January 2023, <https://e.vnexpress.net/news/economy/ride-hailing-platforms-bonuses-unable-to-lure-drivers-during-tet-4562753.html>

controversial, and Grab had to withdraw its hot weather surcharge in the summer of 2022.⁸² The surcharges do not cost the platforms anything, as they are borne entirely by customers.

Platforms will sometimes organize events to celebrate their drivers and give drivers the chance to show their appreciation for the companies. For instance, in September 2022 Grab drivers in Hanoi and Ho Chi Minh City were invited to an event that offered haircuts, health checks, games, performances and gifts. The event was meant to show gratitude for the eight years of Grab's presence in the country and to bring drivers peace of mind.⁸³ Such events also aim to strengthen the bond between drivers and the platforms they drive for.

Many platforms offer drivers training and courses to improve their skills and maximize their earnings. For example, Gojek has established the Gojek Vietnam Academy to provide online training courses.⁸⁴ Similarly, Grab, Be, Baemin and ShopeeFood each have their own training platforms—Grab Academy, beAcademy, Baemin Academy, and ShopeeFood Uni, respectively.⁸⁵ These courses include basic and advanced classes to help drivers become more productive and increase the value they contribute to the platforms.

⁸² *Viet Nam News*, “Grab Stops Collecting Hot Weather Surcharge”, 17 August 2022, <https://vietnamnews.vn/economy/1298566/grab-stops-collecting-hot-weather-surcharge.html>

⁸³ *VnExpress*, “Hàng nghìn đối tác tài xế Grab tham gia sự kiện tri ân”, 13 September 2022, <https://vnexpress.net/hang-nghin-doi-tac-tai-xe-grab-tham-gia-su-kien-tri-an-4510675.html>

⁸⁴ Gojek, “Tài liệu buổi học “Cơ Bản” và Giới thiệu “Học Viện Gojek Việt Nam” (2022), <https://www.gojek.com/vn/blog/gioi-thieu-khoa-hoc-gojek/>

⁸⁵ Grab, “Grab ra mắt GrabAcademy – Khóa học trực tuyến về tiếp thị số dành cho đối tác và khách hàng kinh doanh online”, 21 December 2018, <https://www.grab.com/vn/press/tech-product/grab-ra-mat-grabacademy-khoa-hoc-truc-tuyen-ve-tiep-thi-so-danh-cho-doi-tac-va-khach-hang-kinh-doanh-online>; Be, “Chương trình đào tạo – beAcademy”, 17 November 2022, <https://be.com.vn/tai-xe/chuong-trinh-dao-tao-beacademy/>; Baemin, “Học Viện Baemin”, n.d., <https://academy.baemin.vn/>; *ShopeeFood*, “ShopeeFood Uni”, n.d., <https://merchant.shopeefood.vn/edu/>

Many platforms provide accident and injury insurance—but not health or other insurance—to drivers while they are undertaking an order or ride. Some platforms also have other policies to benefit workers. For example, Gojek provides a top-up income for drivers who accumulate a set number of points per day if their financial earnings remain under a certain threshold. Points are determined by how many orders or rides a driver completes.⁸⁶

While better than nothing, none of these measures address the fundamental issues of drivers' low wages, precarious work and poor conditions. Instead, they are superficial attempts to distract from the need for more meaningful reforms. At times, the platform's initiatives come in direct response to driver activism to avoid confronting the fundamental problems that led to drivers' dissatisfaction.

It is not surprising that platforms are not taking meaningful steps to improve drivers' working conditions. This is because such conditions are integral to their business model, and platforms are not likely to change them voluntarily. Instead, they have gone to great lengths to avoid addressing the issue, from hosting flashy events described above to touting “flexibility” for drivers. Yet, they fail to mention that flexibility also means drivers can be hired and fired, and subjected to changing conditions without legal protection or minimum wages and labour standards. This allows platforms to continue exploiting drivers for profit rather than investing in decent pay and conditions. Platforms will only act if it is cost-effective for them, such as by charging customers extra, or if they are forced to respond to workers' activism, such as the protests over high petrol prices that occurred in 2022.⁸⁷

⁸⁶ Fairwork, “Best Practices of Digital Labour Platforms in Vietnam” (forthcoming).

⁸⁷ J. Buckley, “Vietnam’s App-Based Driver Protests Surge amidst Rising Petrol Prices”, *Fulcrum*, 6 July 2022, <https://fulcrum.sg/vietnams-app-based-driver-protests-surge-amidst-rising-petrol-prices/>

MOLISA

MOLISA is responsible for labour issues and has been actively considering the rights of app-based drivers. In February 2020, MOLISA Minister Dao Ngoc Dung met with Grab to discuss better protection for their drivers, even suggesting that the platform could be a trailblazer in implementing an hourly minimum wage, which was being debated at the time.⁸⁸ Unfortunately, shortly after, the COVID-19 pandemic came to dominate all social issues. When the hourly minimum wage eventually came into effect in July 2022, it only applied to formal workers. Consequently, gig workers, including app-based drivers, were excluded.⁸⁹ Since then, MOLISA has not publicly advocated for an hourly minimum wage for app-based drivers.

Over the past year, the VGCL has been pushing MOLISA to develop policies that would provide social protection to app-based drivers.⁹⁰ As previously mentioned, most app-based drivers are not covered by the national social insurance scheme, leaving them without a safety net. Therefore, VGCL has urged MOLISA to develop a policy that is flexible and that allows app-based drivers to participate. However, as of August 2023, MOLISA had not yet produced a formal policy proposal on the issue.

⁸⁸ G. Nam, “Bộ trưởng Đào Ngọc Dung: Lương tối thiểu theo giờ sẽ giúp bảo vệ người lao động”, *Người Lao động*, 10 February 2020, <https://nld.com.vn/cong-doan/bo-truong-dao-ngoc-dung-luong-toi-thieu-theo-gio-se-giup-bao-ve-nld-20200210101602503.htm>

⁸⁹ J. Buckley, “Time for Vietnam to Apply Minimum Wage to Gig Economy Workers”, *Fulcrum*, 10 August 2022, <https://fulcrum.sg/time-for-vietnam-to-apply-minimum-wage-to-gig-economy-workers/>

⁹⁰ T.H.A. Nguyen, “Tiếp cận an sinh xã hội của lái xe công nghệ Grab tại Hà Nội và thành phố Hồ Chí Minh”, *Tạp chí Nguồn Nhân Lực và An Sinh Xã Hội* 5 (2022): 54–60; Y. Yen, “Giải pháp thu hẹp ‘khoảng cách chính sách’ cho lái xe công nghệ”, *Tạp chí Điện tử Lao động và Công đoàn*, 4 May 2022, <https://laodongcongdoan.vn/giai-phap-thu-hep-khoang-trong-chinh-sach-cho-lai-xe-cong-nghe-75927.html>

Perhaps the biggest issue concerning unions and policymakers around the world is classifying gig workers as employees, contractors or something else. Many jurisdictions have decided that gig workers should have access to rights and benefits such as minimum wages, sick pay, and holidays.⁹¹ While MOLISA is aware of the issue and discusses it internally, different departments and officials have varying opinions on the matter.⁹² Publicly, however, the Ministry has not stated a position, nor has it started any kind of consultation or formal investigation into the issue. Consequently, app-based drivers continue to be classified as contractors and be denied rights and benefits usually given to formal workers. The lack of action implies that the Ministry accepts this legal classification, at least for now.

In sum, MOLISA's actions have been limited. However, with an hourly minimum wage now being in place, there is potential for MOLISA to legislate for this to apply to app-based drivers. The Ministry could also consider requiring platforms to contribute to drivers' social insurance, and an investigation into the legal status of app-based drivers is also a potential avenue. The fact that the Ministry is considering the issues indicates that workers and unions may be able to exert further pressure in the future.

VGCL

Vietnam has a single, state-led union federation, the VGCL. Despite some limited reforms to promote freedom of association at the start of 2021,⁹³

⁹¹ International Lawyers Assisting Workers Network, *Taken for a Ride 2: Accelerating Towards Justice*, Issue Brief, December 2022, <https://www.ilawnetwork.com/wp-content/uploads/2022/12/ISSUE-BRIEF-Taken-for-a-Ride-2.pdf>

⁹² H.H. Do, T. Le, T.N.T. Huynh, T.M.C. Nguyen, T.C. Dinh, M.S. Luong, and Q.T. Nguyen, *Behind the Myth of "Business Partnership": Precarious and Vulnerable Vietnamese Platform Workers Under the Urgent Need of Legal Protection* (forthcoming).

⁹³ The 2019 Labour Code, which became law in January 2021, allows for "worker organizations" independent of the VGCL. These are not unions and are more

independent unions not affiliated with the state are still prohibited. As a state-led union, the VGCL has been met with criticism for its inability or reluctance to properly represent workers and its alleged complicity in oppressive measures.⁹⁴ However, on certain issues such as the minimum wage debate, the VGCL has taken pro-worker positions and engaged in heated debates with MOLISA. During the COVID-19 pandemic, the VGCL strongly opposed both MOLISA and employer representatives who sought to freeze the minimum wage.⁹⁵ The VGCL has also made attempts to become more representative of workers.⁹⁶

Back when motorbike taxi driving was entirely unregulated and informal, the VGCL had formed associations of informal workers in

limited in what they can do compared to unions. Procedures for establishing and registering a worker organization are also unclear; a further implementing decree is required in order to legislate these details. At the time of writing, the decree has not yet been promulgated, meaning that, in practice, worker organizations are currently unable to exist as there is no procedure for their establishment or registration. See also J. Buckley, “Freedom of Association in Vietnam: A Heretical View”, *Global Labour Journal* 12, no. 2 (2021): 79–94.

⁹⁴ T.K. Tran, in a number of articles for the BBC’s Vietnamese service, makes arguments along these lines. See, for example, T.K. Tran, “Vi sao cần phân biệt nghiệp đoàn và công đoàn ở Việt Nam?”, *BBC Vietnamese*, 2 April 2021, <https://www.bbc.com/vietnamese/forum-56602774>; T.K. Tran, “Ngoài Công đoàn, VN cần cho các tổ chức khác hoạt động vì người lao động”, *BBC Vietnamese*, 30 October 2021, <https://www.bbc.com/vietnamese/forum-59089257>; T.K. Tran, “VN: Công nhân đình công liên tiếp và vai trò mờ nhạt của Công đoàn của Nhà nước”, *BBC Vietnamese*, 14 February 2022, <https://www.bbc.com/vietnamese/forum-60343718>; T.K. Tran, “Công đoàn VN lo tăng thành viên mà không đấu tranh tăng lương người lao động?”, *BBC Vietnamese*, 24 December 2022, <https://www.bbc.com/vietnamese/forum-64085738>

⁹⁵ J. Buckley, “The Dual Structure of Vietnam’s Labour Relations”, in *COVID-19 in Southeast Asia: Insights for a Post-Pandemic World*, edited by H.B. Shin, M. Mckenzie, and D.Y. Oh (London: LSE Press, 2022), pp. 108–17.

⁹⁶ E. Schweissshelm and Q.C. Do, “From Harmony to Conflict: Vietnamese Trade Unions on the Threshold of Reform”, in *Trade Unions in Transition: From Command to Market Economies*, edited by R. Traub-Mertz and T. Pringle (Berlin: Friedrich-Ebert-Stiftung, 2018), pp. 109–47.

a wide variety of sectors, including street vendors,⁹⁷ fishermen⁹⁸ and *xe ôm* drivers. These associations were not particularly active, and the VGCL itself talked about the need to make them more effective.⁹⁹ However, they did provide support, such as helping *xe ôm* drivers access low-interest loans to undertake essential maintenance through the VGCL-owned microfinance lender Capital Aid for Employment of the Poor (CEP),¹⁰⁰ or organizing English classes for drivers in central Ho Chi Minh City.¹⁰¹

In the era of digital labour platforms, the VGCL has continued to work towards social protection for app-based drivers. A joint study released in 2022 by the VGCL and the Centre for Health Consultation and Community Development revealed that few Grab drivers had access to social protection. Thus, the VGCL is advocating for more flexible policies from MOLISA to allow drivers to join and contribute to social protection schemes. It has also called for the formation of associations for the drivers, to enable the spread of information and education about social protection.¹⁰² While social protection may be an essential aspect,

⁹⁷ T. Thuy, “Vĩnh Long: Vận động người bán hàng rong vào nghiệp đoàn”, *Người Lao động*, 29 September 2019, <https://nld.com.vn/cong-doan/vinh-long-van-dong-nguoi-ban-hang-rong-vao-nghiep-doan-20190928203130667.htm>

⁹⁸ H. Do, “Ra mắt Nghiệp đoàn nghề cá Việt Nam”, *Báo Điện tử Chính phủ*, 25 April 2014, <https://baochinhphu.vn/ra-mat-nghiep-doan-nghe-ca-viet-nam-102162932.htm>

⁹⁹ See, for example, *VietnamPlus*, “Informal Labourers Need Stronger Protections”, 13 November 2015, <https://en.vietnamplus.vn/informal-labourers-need-stronger-protection/84695.vnp>; M.T. Vu, “Syndicates in the Informal Sector in Vietnam”, *Trade Union Reform Newsletter* 2 (2018): 10–11, https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-hanoi/documents/publication/wcms_648912.pdf

¹⁰⁰ CEP, n.d., *CEP*, <https://cep.org.vn/>

¹⁰¹ Hong Dao, “Các bác tài xe ôm học tiếng Tây”, *Người Lao động*, 2 December 2007, <https://nld.com.vn/nhip-song-cong-nghiep/cac-bac-tai-xe-om-hoc-tieng-tay-208893.htm>

¹⁰² T.H.A. Nguyen, “Tiếp cận an sinh xã hội của lái xe công nghệ Grab tại Hà Nội và thành phố Hồ Chí Minh”, *Tạp chí Nguồn Nhân Lực và An Sinh Xã Hội*

especially for drivers facing health and safety risks, the VGCL should also pressure the platforms themselves to provide a social safety net for drivers, including employer contributions to social protection schemes. Without tackling this issue, the social protection enrolment drive will likely only have limited success.

The VGCL does not have an official stance on the status of app-based drivers as workers or contractors. However, within the confederation, there is a lively debate about the topic. For example, in December 2020, Le Dinh Quang, then Deputy Director of the VGCL's Labour Relations Department, argued for drivers to be classified as employees. He based his argument on the legal principle of an existing "labour relationship", which states that if a relationship between an employer and employee can be demonstrated in practice, the worker is an employee regardless of their contract. Quang argued that such a relationship does exist between platforms and drivers, as the drivers are given instructions on where to go, what to do, what to wear, and how much they will be paid. Therefore, he asserted that drivers should be treated as employees and provided with rights and benefits such as minimum wages.¹⁰³ Similarly, in 2021, Vice-President of the VGCL, Ngo Duy Hieu, expressed his support for the UK Supreme Court's ruling that Uber drivers are workers, not contractors.¹⁰⁴ This demonstrates that the VGCL is actively discussing the matter, but it remains unclear whether the confederation will eventually adopt a formal position.

5 (2022): 54–60; Y. Yen, "Giải pháp thu hẹp 'khoảng cách chính sách' cho lái xe công nghệ", *Tạp chí Điện tử Lao động và Công đoàn*, 4 May 2022, <https://laodongcongdoan.vn/giai-phap-thu-hep-khoang-trong-chinh-sach-cho-lai-xe-cong-nghe-75927.html>

¹⁰³ Van Hung, "Tài xế là lao động của Grab", *Zing.vn*, 18 December 2020, <https://zingnews.vn/tai-xe-la-lao-dong-cua-grab-post1164432.html>

¹⁰⁴ C. Trung, "Gọi tài xế công nghệ là đối tác: cách gọi lười lách", *Tuổi trẻ*, 23 March 2021, <https://tuoitre.vn/goi-tai-xe-cong-nghe-la-doi-tac-cach-goi-luon-lach-20210322222647495.htm>

The Drivers

Drivers are the most important actors in the struggle for better wages and benefits. As the ones who create the profits for platforms and experience their daily exploitation, they are the most knowledgeable and effective when it comes to organizing and resisting. This is evidenced by Do's findings that 53.95 per cent of drivers discuss their grievances with fellow drivers, and 24.86 per cent take collective actions. Furthermore, 38 per cent of drivers report that the platforms only respond to their grievances when they take collective action.¹⁰⁵

Workers' collective actions come in two primary forms: mutual aid groups on social media, and collective actions of resistance, like strikes and protests. In Vietnam, one of the largest mutual aid groups for app-based drivers is "Hội A E Grabbike Sài Gòn", a Facebook group with 85,000 drivers who work for Grab.¹⁰⁶ Here, members discuss everything from jokes and funny anecdotes to more serious topics, such as legal issues, advice on how to earn more money, and organizing collective strikes and protests. The jokes and less serious posts act as a basis for building bonds and mutual trust among members, which make it easier to organize collective actions when necessary. These social media groups are not formally constituted or registered. Rather, they are very loose groupings of drivers who help each other through mutual aid activities. Similar groups can be found in many other contexts, such as Indonesia.¹⁰⁷

The second type of collective action undertaken by drivers is strikes and protests. One form of protest is the "collective app switch-off" (*đồng loạt tắt app*), as often euphemistically described by the media. These actions are entirely self-organized by drivers and do not involve official

¹⁰⁵ Do, *Voice and Representation of Platform Drivers in Vietnam*, p. 12.

¹⁰⁶ *Hội A E Grabbike Sài Gòn*, Facebook, <https://www.facebook.com/groups/1886011144995341>

¹⁰⁷ F. Panimbang, "Solidarity across Boundaries: A New Practice of Collectivity Among Workers in the App-Based Transport Sector in Indonesia", *Globalizations* 18, no. 8 (2021): 1377–91, <https://doi.org/10.1080/14747731.2021.1884789>

organizations such as trade unions. Common demands include platforms reducing the commission taken from drivers, as well as other issues such as taxation, high petrol prices, and more.¹⁰⁸ It is worth noting that, in Vietnam, drivers' strikes and protests have not focused on the issue of legal status, which has been the subject of national and international policy debates.

At times, drivers simply switch off the app and stay at home, while at other times, they may gather in front of company offices or drive around cities to protest. In December 2020, a major protest against new tax rates occurred, with drivers demonstrating for days in various locations around the country.¹⁰⁹ Although such actions are usually carried out by motorbike drivers, taxi drivers have also been known to partake in these protests. Strikes and protests by food delivery drivers may share some similarities with those of ride-hailing drivers, though further research is needed to confirm this.

It is difficult to determine the exact number of strikes and protests that have taken place. Several studies have counted a total of thirteen app-based driver strikes from 2016 to 2020.¹¹⁰ However, since then, there have been many more strikes, such as those sparked by rising petrol prices in the summer of 2022.¹¹¹ The fact that drivers are classified as independent contractors rather than employees further complicates the issue of what does and does not class as a strike. In Vietnamese labour law, a strike must be organized by a group of employees. In the case of

¹⁰⁸ J. Buckley, "Mapping Ride-Hailing App Driver Strikes in Vietnam", *New Mandala*, 16 December 2020, <https://www.newmandala.org/mapping-ride-hailing-app-driver-strikes-in-vietnam/>; Do, *Voice and Representation of Platform Drivers in Vietnam*.

¹⁰⁹ Le, "'Mercedes in Two Years?'".

¹¹⁰ Do, *Voice and Representation of Platform Drivers in Vietnam*, p. 13; Buckley, "Mapping Ride-Hailing App Driver Strikes in Vietnam".

¹¹¹ J. Buckley, "Vietnam's App-Based Driver Protests Surge amidst Rising Petrol Prices", *Fulcrum*, 6 July 2022, <https://fulcrum.sg/vietnams-app-based-driver-protests-surge-amidst-rising-petrol-prices/>

drivers, however, they are their own bosses and are free to work or not, as they please. While certain collective actions, such as a large group of drivers switching off their app and gathering outside the platform companies with banners and demands, can be seen as a strike, other cases are less clear. For example, if a group of ten riders switch off their app but only some do not switch it on again, does that count as a strike or quitting? Additionally, if a strike is conducted on a large scale across many cities on different days, would it be considered one strike or many? At the same time, some actions are on a small scale, making them difficult for researchers to identify.

Placing app-based driver strikes in their broader context reveals two remarkable trends. Firstly, it is interesting how closely app-based driver activism mirrors the long-standing traditions of Vietnamese labour militancy in various economic sectors. Secondly, it is also amazing how closely drivers' activism is in line with the current global trends of strikes and protests on digital labour platforms.

Until the rise of labour activism in the app-based driving sector, strikes in Vietnam were largely confined to workers in industrial export manufacturing, particularly the garment industry. Since the turn of the century, thousands of strikes by these workers have been recorded. A standout feature of such strikes is their wildcat nature: they are self-organized by workers without the involvement of any trade unions.¹¹² Scholars have noted the crucial role of social media in uniting workers and organizing strikes in the garment industry.¹¹³ Strikes are decentralized, with small groups of workers taking autonomous actions.¹¹⁴ This same pattern can be observed in strikes by app-based drivers.

¹¹² A.N. Tran, *Ties that Bind: Cultural Identity, Class, and Law in Vietnam's Labor Resistance* (Ithaca, New York: Cornell University Press, 2013); J. Buckley, *Vietnamese Labour Militancy: Capital-Labour Antagonisms and Self-Organised Struggles* (London; New York: Routledge, 2021).

¹¹³ Buckley, *Vietnamese Labour Militancy*.

¹¹⁴ *Ibid.*

This raises the question of why strikes in different sectors follow similar forms of organization. One possible explanation is the nature of contemporary Vietnamese capitalism. It could be that labour in industrial production and labour in the gig economy are not as distinct as previously believed. Robert Ovetz’s suggestion that “we are all gig workers” may be relevant here.¹¹⁵ This is especially true in Vietnam, where workers are often subject to short-term contracts and can be laid off at short notice.¹¹⁶ As this author has argued elsewhere, decentralized, self-organized forms of militancy are an effective form of working-class organization where precarious, insecure work is concerned.¹¹⁷ A second possibility is that self-organized strikes are the standard form of worker militancy in the country, which is what workers know and continue to do. Alternatively, app-based drivers who are most active in organizing strikes and protests may be former industrial workers who bring their experiences of militancy into the gig economy.

Labour researchers’ typical explanation for why all strikes in Vietnam are wildcat is that the VGCL and labour relations institutions are inadequate.¹¹⁸ This argument has been applied mainly to industrial sector strikes. However, when it comes to app-based drivers, this argument becomes more complex. Drivers’ activism in Vietnam reflects not only traditional Vietnamese labour activism but also international trends of

¹¹⁵ R. Ovetz, “We Are All Gig Workers”, *The Chief*, 14 February 2023, <https://thechiefleader.com/stories/we-are-all-gig-workers,49807>

¹¹⁶ J. Buckley, “Formalising and Informalising Labour in Vietnam”, *Journal of Contemporary Asia* 53, no. 2 (2023): 207–32. A recent example of this is the layoff of 2,358 workers at the Pou Yuen shoe factory in Ho Chi Minh City, the biggest employer in the city. A major difference is that these workers will receive severance pay, while app-based drivers do not if they are deactivated. See Le Tuyet, “Taiwanese Shoemaker Announces \$11.5 million Severance Pay for 2,300 Workers As Orders Dry Up”, *VnExpress International*, 24 February 2023, <https://e.vnexpress.net/news/news/taiwanese-shoemaker-announces-11-5m-severance-pay-for-2-300-workers-as-orders-dry-up-4574678.html>

¹¹⁷ Buckley, *Vietnamese Labour Militancy*.

¹¹⁸ See *ibid.*, for a review of various scholars who have made this argument.

platform protest, which are present even in countries with reliable unions and labour relations institutions. This is corroborated by the Leeds Index of Platform Protest,¹¹⁹ a project that tracks gig economy protests globally. Many of the trends identified in that project are present in Vietnam. For example, demands over pay are the primary demands, as they are in Vietnam, featured in 63.8 per cent of protest cases in the Index.¹²⁰ Similarly, the Index finds that, like in Vietnam, strikes or log-offs are the most frequent type of protest, accounting for 38.1 per cent of cases recorded.¹²¹ In the Global South, strikes and demonstrations are the most frequent forms of protest,¹²² while in Europe, Central Asia and North America, there is a more even mix of strikes, demonstrations and legal actions.¹²³

Perhaps most interestingly, global platform protests do not predominantly take a union form. Data from the Leeds Index shows that self-organized groups of workers accounted for approximately 80 per cent of cases, making them the key form of collective organization in platform worker protests worldwide. This is in stark contrast to traditional forms of labour activism in many countries, which have been largely union-oriented.¹²⁴ Strikes and labour protests by gig economy workers could therefore be considered a departure from traditional forms of

¹¹⁹ Leeds Index of Platform Labour Protest, n.d., <https://leeds-index.co.uk/>

¹²⁰ I. Bessa, S. Joyce, D. Neumann, M. Stuart, V. Trappmann, and C. Umney, *A Global Analysis of Worker Protest in Digital Labour Platforms*, ILO Working Paper 70 (Geneva: ILO, 2022), p. 19, https://www.ilo.org/global/publications/working-papers/WCMS_849215/lang--en/index.htm

¹²¹ For context, demonstrations accounted for 36 per cent of protests while legal actions accounted for 15.8 per cent of protest events. See *ibid.*, p. 36.

¹²² *Ibid.*, pp. 23–24.

¹²³ *Ibid.*, pp. 23–24.

¹²⁴ For a critique of this perspective, see M. Atzeni, “Workers’ Organizations and the Fetishism of the Trade Union Form: Towards New Pathways for Research on the Labour Movement?”, *Globalizations* 18, no. 8 (2021): 1349–62, <https://doi.org/10.1080/14747731.2021.1877970>

militancy, with only 31.4 per cent of protests involving a form of union organization.¹²⁵

As discussed above, however, Vietnamese labour activism since the turn of the century has often taken self-organized, non-union forms. Therefore, gig economy protests are not a deviation from the norm. Moreover, global trends of platform protest are becoming increasingly similar to traditional Vietnamese forms of militancy. It will be intriguing to observe if and how this convergence continues.

CONCLUSION: SUSTAINABLE DEVELOPMENT IN VIETNAM

Over the past decade, the gig economy in Vietnam has drastically transformed the landscape of taxi and food delivery services and is poised to do the same for other services. The rise of the gig economy is seen as an essential part of the country's digital transformation, which is crucial to the country's goal of becoming a developed economy by 2045.¹²⁶ But to ensure that such development is sustainable and brings social benefits, careful regulation is needed. This should involve progressive and fair taxation of the revenue earned by gig work platforms to enable Vietnam to adequately fund health, education, and other essential social services. We have witnessed how app-based transport companies initially resisted paying the same levels of taxation as other transport companies, but eventually acquiesced. Debates over taxation levels will continue, but it is crucial that companies pay their fair share of tax.

¹²⁵ Bessa, Joyce, Neumann, Stuart, Trappman, and Umney, *A Global Analysis of Worker Protest in Digital Labour Platforms*, p. 20. Some protests involve both self-organized groups of workers and a form of union organization, which is why these numbers total more than 100 per cent.

¹²⁶ A. Cameron, T.H. Pham, J. Atherton, D.H. Nguyen, T.P. Nguyen, S.T. Tran, T.N. Nguyen, H.Y. Trinh, and S. Hajkowicz, *Vietnam's Future Digital Economy—Towards 2030 and 2045: Summary Report* (Brisbane: CSIRO, 2019).

It is also important to develop regulations to ensure that drivers receive fair compensation and that their work is safe and secure. This should include social security and minimum wages, legal regulations to secure other fundamental rights and benefits for drivers, and rights for workers and their unions to bargain and negotiate collectively with platforms. This general approach can take numerous different forms, as it does in many other jurisdictions. For example, a labour court in Brazil recently ordered Uber to hire its drivers and recognize them as employees;¹²⁷ Spain's Rider Law carries a presumption of employment for workers in the gig economy;¹²⁸ the Senate of the Philippines is considering a number of bills to provide better benefits and protections for such workers;¹²⁹ new legislation in Australia will allow the Fair Work Commission to set standards for platform workers;¹³⁰ and, while not addressing legal status, Singapore is introducing new regulations for collective negotiations between app-based drivers and platforms.¹³¹

Although the gig economy and the opportunities and challenges it brings go far beyond app-based driving, policymakers, practitioners

¹²⁷ Reuters, "Uber to Appeal Brazil Court's \$205 Million Fine for Irregular Labor Relations", 15 September 2023, <https://www.reuters.com/technology/uber-appeal-brazil-courts-205-mln-fine-irregular-labor-relations-2023-09-14/>

¹²⁸ F. Defossez, "The Employment Status of Food Delivery Riders in Europe and the UK: Self-Employed or Worker?", *Maastricht Journal of European and Comparative Law* 29, no. 1 (2022): 25–46.

¹²⁹ Fairwork, *Fairwork Philippines Ratings 2023: Worker Health, Safety, and Security* (Manila, Philippines; Oxford, United Kingdom; Berlin, Germany: Fairwork, 2023).

¹³⁰ P. Karp, "Labor Is Promising to Close 'Loopholes' That Hurt Workers. What's Changing and How Will It Work?", *The Guardian*, 4 September 2023, <https://www.theguardian.com/australia-news/2023/sep/04/labor-is-promising-to-close-loopholes-that-hurt-workers-whats-changing-and-how-will-it-work>

¹³¹ K. Yufeng, "Platform Workers in Singapore to Get More Bargaining Power, Better Representation", *Straits Times*, 14 July 2023, <https://www.straitstimes.com/singapore/platform-workers-in-singapore-to-get-more-bargaining-power-better-representation>

and researchers tend to focus on ride-hailing and food delivery when discussing the gig economy. This is unsurprising, as drivers are the most visible gig economy workers. They have also been the most vocal and active in advocating for their rights. However, the overemphasis on drivers may risk overlooking other forms of gig economy work. In Vietnam, non-driving gig work is growing rapidly, particularly among women. Examples of this are domestic work and private tuition, both of which have become increasingly popular. Several companies are offering on-demand cleaning, ironing and other household services through apps.¹³² Meanwhile, the popularity of private tuition apps increased during the COVID-19 pandemic, as parents sought ways to ensure their children’s learning while schools remained closed.¹³³ Despite their prevalence, these two sectors have not received much attention from researchers and policymakers.

In addition to the location-based gig economy, many young Vietnamese people also find work on international cloudwork platforms.¹³⁴ These platforms advertise a wide range of opportunities, such as data entry and translation, which can be done remotely and which are not tethered to any physical space. This type of work has created a “planetary labour market” where people from all over the world compete for the same job.¹³⁵ There has been little discussion on how to regulate this sector in

¹³² T.D. Mai, “TOP 5 app giúp việc nhà, tìm người giúp việc tốt nhất trên Android, iOS”, *thegioididong.com*, 2021, <https://www.thegioididong.com/game-app/top-5-app-giup-viec-nha-tim-nguoi-giup-viec-tot-nhat-tren-1331545>

¹³³ Ảnh Dương, “Gia sư trực tuyến: Xu hướng mới của nền giáo dục hiện đại”, *CafeBiz*, 20 November 2021, <https://cafebiz.vn/gia-su-truc-tuyen-xu-huong-moi-cua-nen-giao-duc-hien-dai-20201120154925907.chn>

¹³⁴ M. Graham, I. Hjorth, V. Lehdonvirta, “Digital Labour and Development: Impacts of Global Digital Labour Platforms and the Gig Economy on Worker Livelihoods”, *Transfer* 23, no. 2 (2017): 135–62.

¹³⁵ M. Graham and M.A. Anwar, “The Global Gig Economy: Towards a Planetary Labour Market?”, *First Monday* 24, no. 4 (2019), <https://doi.org/10.5210/fin.v24i4.9913>

Vietnam. Nonetheless, given the global nature of the work, it would be hard for any individual state to introduce controls or minimum standards. Regulations would largely need to happen at a global level.¹³⁶

To ensure the gig economy in Vietnam contributes positively to sustainable development and improves livelihoods, a holistic approach is necessary. This should consider all aspects of the gig economy, including but not limited to, app-based driving. An urgent task for researchers is to shed light on the difficulties and struggles faced by gig workers. Similarly, policymakers and labour practitioners have a responsibility to develop fair regulations to ensure that digital labour platforms provide decent work for all.

¹³⁶ J. Berg, “An International Governance System for Digital Work in the Planetary Market”, in *Digital Work in the Planetary Market*, edited by M. Graham and F. Ferrari (Cambridge, MA; London: MIT Press, 2022), pp. 283–89.

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