

INFORMALITY, ACCOUNTABILITY, AND LABOR RIGHTS FOR DATA WORKERS IN EAST AFRICA

Although artificial intelligence (AI) and social media platforms are often thought of as amorphous, autonomous technologies, they require a vast unseen human labor force to be produced and operated. Content moderators, who determine if user-generated content meets community guidelines, and data annotators, who train AI models by identifying objects, patterns, and audio, make this tech possible. However, data workers face systemic vulnerabilities that mirror labor issues of more traditional industries. Tech companies based in the Global North often outsource this labor to other countries, relying on layers of subcontracting to access inexpensive labor while avoiding responsibility for labor abuses. Tech firms such as Meta, OpenAI, Microsoft, and ByteDance outsource labor both through online platforms directly to microtasking workers and through business process outsourcing firms (BPOs).



Data worker vulnerabilities parallel those of workers in the informal economy, where workers have temporary or no work contracts and lack access to social security benefits. **This informality undermines data workers’ agency in global supply chains and leads to lower wages, poor working conditions, and minimal social protections.** Moreover, the data work outsourcing system is embedded in a broader system of “digital colonialism,” in which value flows out of the Global South while decision-making power remains with actors in the Global North, perpetuating a vicious cycle of exploitation.

“Technology always has the potential to advance development and achieve sustainable development goals, but we are also aware that technology has potential in every link of the value chain to trigger inequality. It’s a paradox.”
 – Dr. Nagla Rizk, Access to Knowledge for Development Center

Poor Working Conditions: Despite the extremely graphic content to which they can be exposed, data workers have reported that they are offered no or inadequate psychological support. Their vicarious trauma extends into their personal lives and seeking support has often led to consequences at work, including termination. Precarity is compounded by extreme performance standards and excessive surveillance. Vulnerabilities are particularly acute for women and migrant workers.

Below Living Wages: Data workers suffer multiple forms of wage-related injustice, including low wages, unpaid overtime requirements, income volatility, and irregular pay delivery methods. There is significant instability; workers report that performance-based bonuses can account for

up to 70 percent of their total compensation and can be forfeited by failing to meet algorithmically determined performance thresholds. Others work unpaid overtime to meet these thresholds, and some workers report payment only in gift cards or cryptocurrency.

Worker Vulnerabilities

In the data work life cycle



Lack of Agency: Short-term contracting keeps workers from benefiting from many legal protections and leaves workers with no recourse in cases of abrupt operational shutdowns, bullying from management, or unfair termination. Algorithmic management and strict non-disclosure agreements make self-advocacy even more precarious and difficult.

Primary Legal Challenges:

1. Many workers are legally classified as independent contractors in an intentional effort to deny them protection from most existing labor laws.
2. The multi-step nature of the supply chain makes it unclear who bears responsibility for protecting workers.

Though recent efforts to protect data workers have marked progress, they are not yet sufficient. Global North countries must demand supply chain due diligence from their multinational corporations and expand their enforcement mechanisms. Countries in the Global South should strengthen and harmonize their labor protections to safeguard workers and prevent regulatory arbitrage. Workers unions and associations must be strengthened, supported, and meaningfully included in decision-making processes. Ultimately, tech companies must take responsibility for human rights abuses in their supply chains. Without directly confronting informality as a core feature of contemporary data labor markets and creating system-wide changes to the way labor rights are addressed, data workers will continue to be undervalued and exploited.



Access the full report via the QR code above.

RECOMMENDATIONS

For Policymakers

1. Expand existing labor laws to protect data workers
2. Demand supply chain due diligence
3. Classify data workers as employees, rather than independent contractors

For the Private Sector

1. Accept responsibility for human rights violations within supply chains
2. Engage with worker organizations
3. Ensure fair compensation

For Unions and Worker Organizations

1. Document workplace harms
2. Litigate strategically
3. Coordinate internationally

For Civil Society

1. Pressure companies to take responsibility
2. Provide legal, organizational, and financial support to workers
3. Support the inclusion of digital labor in global decent work agendas