

FACT SHEET | JULY 2025

Towards Transparency and Accountability in App-Based Work

Federal bill would level the playing field for workers managed by digital labor platforms

Ridehail and delivery giants like Uber, Lyft, DoorDash and Amazon,¹ as well as corporations that provide on-demand temp labor, including Wonolo, Veryable and Shiftgig, all use digital labor platforms to provide their services.

At least some of these platforms use data from both workers and consumers to shape working conditions, to evaluate workers and make work-related decisions, including decisions on how much to pay a worker, which workers get which assignments, and whether, when, or for how long a worker will be suspended or 'deactivated.'²

These data-driven, automated decision systems are opaque to workers, consumers and regulators, creating information imbalances and masking wage theft, discrimination, and price-gouging. They also hinder enforcement of consumer and employment laws.³

New federal legislation, introduced by Senators Brian Schatz and Chris Murphy in the U.S. Senate, begins to address these issues through **transparency** and **accountability** requirements.

Transparency requirements

Companies using digital labor platforms must provide to app-based workers:

Disclosure of electronic monitoring and automated decision systems used, including:

- The data collected by these tools;
- How these tools will be used in setting pay, offering work, determining consumer charges, and suspending or terminating workers (detailed 'use' notices will be provided to workers or their authorized agents upon request); and
- Information on how data is stored, who can access it, and how it may be accessed.

Itemized receipts after every work assignment, including:

- Total amount paid by the consumer;
- The amount paid to the app-based worker;
- The take-rate, or company's share of the price charged (for ridehail);
- The total time the worker spent performing the assignment; and
- Whether and for how much the work was offered to another worker.

Weekly pay statements that include:

- Total compensation, excluding tips and costs reimbursed to the worker;
- The weekly average take-rate (for ridehail);
- Total amount paid by consumers, and the total paid as tips;
- Total time worked;
- Hourly wage; and
- Information on compensation offered for uncompleted assignments.

Workers may authorize an agent to receive all disclosures to which they are entitled.

Authorized agents may aggregate disclosures of consenting app-based workers to gain a broader understanding of a digital labor platform's systemic practices.

Covered businesses must provide **consumer receipts** for each transaction, with what they paid, the total paid to the worker excluding any tip, and the take-rate (ridehail only).

Businesses that use digital labor platforms must make disclosures to the Department of Labor (DOL), and publish anonymized data on their websites, including:

- All disclosures to app-based workers about electronic monitoring and automated decision systems;
- Aggregated data from app-based workers' weekly pay statements, including total number of workers with time worked, total compensation for all workers, average hourly compensation, take-rate, and percentage of total compensation earned as a bonus or incentive;
- Aggregated data for all workers nationally, disaggregated by state; and
- Demographic data, based on app-based workers' self-reporting.

Accountability requirements

Companies that rely on digital labor platforms are prohibited from:

- Imposing excessive take-rates: Ridehail drivers are entitled to at least 75% of the total amount paid by a consumer for each transaction;
- Violating equal pay for equal work by offering or paying different amounts to workers performing substantially similar or comparable work, including by using personal worker characteristics to offer or pay workers in different 'tiers' or 'bands' differently unless the differences are justified by the costs of performing the work;
- Using automated decision systems to infer things like immigration status, political opinion, religious beliefs, health status or history, union sympathy or likelihood of organizing; and
- Using a platform interface that contains unfair or deceptive information about an app-based worker's compensation, including obscuring or delaying a worker's access to such information in a way that inhibits their ability to make an informed decision.

Enforcement mechanisms to ensure compliance

The bill contains several provisions to further enforcement, including:

- Data preservation requirements: Digital labor platforms must keep accurate records of data to ensure compliance with lawful requests for data.
- Whistleblower protections: Digital labor platforms cannot discriminate or retaliate against app-based workers for exercising their rights under the Act.
- DOL authority to study, investigate and enforce: The bill authorizes the DOL to issue public reports on digital labor platforms' working conditions. DOL may also require additional disclosures from digital labor platforms and may investigate platforms to gather additional data about conditions and practices relevant to the Act. DOL is authorized to receive, investigate and resolve complaints about violations of the Act.
- Private right of action & attorneys' fees: These provisions guarantee access to court by rendering predispute arbitration agreements invalid and unenforceable with respect to violations of the Act.
- Strong remedies: The bill includes strong statutory damages for violations of the disclosure, accountability and whistleblower provisions, as well as significant civil penalties for enforcement actions brought by the DOL.

Endnotes

1. Amazon's "Flex" program uses a digital labor platform to hire and manage delivery workers.
2. *Prohibiting Surveillance Prices and Wages* (AI Now Institute, et al., 2025), <https://ainowinstitute.org/wp-content/uploads/2025/02/Real-Surveillance-Prices-and-Wages-Report.pdf>.
3. Id. See also: Annette Bernhardt, Lisa Kresge, and Reem Suleiman, *Data and Algorithms at Work: The Case for Worker Technology Rights* (UC Berkeley Labor Center, 2021), <https://laborcenter.berkeley.edu/wp-content/uploads/2021/11/Data-and-Algorithms-at-Work.pdf>.
4. The take-rate is the percentage of the total consumer bill that the digital labor platform does not pass on to the app-based worker as pay.

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