

**Food Delivery Service in Question: The Development of
Foodpanda in Taiwan and Its Problems about Labor Rights**

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Abstract

In 2019, the food delivery platforms were sweeping across Taiwan. However, food delivery employees had experienced a series of problems. For example, a common traffic accident might risk their lives by catching more orders. Thus, the thesis' focus is on employees' working experience in the case of Foodpanda. The study explores how Foodpanda is becoming a new business and work through survey and in-depth interview with Foodpanda employees. I have a major finding of this study. It shows a sense of relative autonomy argued by the employees who choose this work because it is a flexible job that is very suitable for people who do not want to be restricted by time. I also find that the pandemic in 2020 has brought them advantage and disadvantage. My research examines how employees' right cannot be fully protected via an occupational trade union, and how a new system failed to fulfill the basic demand of delivery employees. Despite resistance at time, the working conditions are still compromised.

Key words: Foodpanda, Employees, Labor right

TABLE OF CONTENTS

INTRODUCTION	1
Background.....	1
Motivation	5
Research Purpose.....	6
Research Questions	7
Contribution.....	8
Limit	8
Delimit.....	8
LITERATURE REVIEW	9
Food delivery development	9
I. Restaurant self- delivery V.S. online platform delivery	11
II. Covid-19 boosts delivery business.....	13
The new type of labor related to delivery service	15
I. Atypical Labor	15
II. Flexible Labor.....	16
III. Dispatched Labor	17
National labor policies.....	19
I. Germany: class labor.....	19
II. Japan: implementation plan of labor reform.....	20
The Event of Strike.....	21
I. Salary matters.....	22
II. Unsatisfactory “welfare”	24
III. Cutting wages in return for insurance	25
The work contracts: employment system vs. contract system	25
METHODOLOGY	27
I. Research Framework	27
II. Doing fieldwork.....	29
III. Process and Practice.....	29
DATA ANALYSIS	33
Interview example	33

I. Motive	34
II. Benefits	36
III. Working condition	39
IV. Representation.....	42
V. Exposure of contract content	44
CONCLUSION AND SUGGESTION	47
APPENDIX.....	51
BIBLIOGRAPHY	54
THE TRANSCRIPTS	56

LIST OF TABLES

Table 1 Interview List.....	31
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LIST OF FIGURES

Figure 1 Turnover Model,.....	15
Figure 2 Bonus system in Taipei	23
Figure 3 Bonus system in Taichung and Kaohsiung	23
Figure 4 New system vs. Old system.....	23
Figure 5 Research framework.....	29
Figure 6 Free shipping in March.....	37
Figure 7 Labor Service Contract.....	45

INTRODUCTION

Background

In human society, the word “Logistics”¹ has been around for a long time, from the early bird delivery message, and then to the transportation of goods through animals. During the Industrial Revolution, John Loudon McAdam (1756–1836) designed the first modern highways and new vehicles’ development. Since then, maritime transportation, rail transportation, and air transportation have begun to feed entrepreneurial business and travelers’ expeditions. Back in the 21st century, many traders use transportation to expand business opportunities, so home delivery has become popular, and the rise of the Internet. Modern people can buy things without going out, and they will receive what they ordered shortly. For example, PChome has a 24-hour home delivery service.

Besides, delivery services have been around for a long time. Shops, such as pizzerias and fast-food restaurants, have provided this service for a long time. However, due to the development and change of technology, the popularity of smartphones and the Internet has been a fantastic tool to cover various platforms. Now is faster supply/demand time and more and new business opportunities due to smartphones’ advanced functions. For example, Foodpanda, established in Taiwan in 2012, and UberEat was established in 2016; These two companies are currently the most popular brands in Taiwan. Taiwan’s most significant

¹ 美國 SOLE 國際物流協會台灣分會, 物流與運籌管理 = Logistics Management (2016).

advantage is that the land area is relatively small and urbanized, and locomotives can shuttle in the alleys. The metropolis can see this service very quickly.

The delivery platform further changes and attracts different consumer behaviors through its core resources like fast food delivery and convenience. In the first section about consumer behaviors, the delivery platform is used to match the resources of restaurant operators, consumers, and delivery personnel, making consumers become more experienced in the service and increase their curiosity about how easy and interesting the service would be. The rise of the platform, such as "Foodpanda," offered discount coupons and free delivery fees that have attracted office workers and student groups to place orders for the first time using the platform.

In the second section about consumer behaviors, consumers' inconvenient had overcome using professional delivery employee. For example, the service manages consumers' inconvenience, such as orders during rainy days, too far from the catering industry's physical storefronts, line up at rush hour, and other factors are all inconveniences when customers have to go out to buy meals. The services of the delivery platform provided just hit these consumers' needs, making consumers increasingly dependent on delivery platforms. In the third section about consumer behaviors, this app creates a customer experience of "online food" and diversified meals through the virtual delivery platform. Each

consumer's preferences and tastes are different. The delivery platform provides a various diversified exotic cuisine, desserts, drinks, snack and other types. This lazy business opportunity looks like a successful business from the outside, but we do not know the hidden secrets.

I. Information and Communications Technology

i. E-commerce: food, clothing, living, transportation, and entertainment

With the advancement of ICTs technology, emerging industries have gradually developed to take advantage of the digital infrastructure. Through the integration of the online platform's resources into a network effect.²

There are more and more logistics types, including home delivery, transportation, and food. The logistics combine the network is already a super industry. All industries exist and are satisfied with human needs, such as “food, clothing, living, transportation, and entertainment.” More importantly, in recent years, people have increasingly relied on the “Internet” to help them meet these needs. Take “transportation” as an example. The convenient mobile ticket booking app “T-Express” for the high-speed rail eliminates paper ticketing hassle. “Skyscanner” which can help you compare which airline tickets are cheaper. Besides, using taxi or Uber Apps can speed up and enhance their experience from point A to

² John III Hegal and Arthur G. Armstrong, *Net Gain: Expanding Markets through Virtual Communities* (Harvard Business Review Press, 1998).

point B. Take “living” as an example; you can book the hotel you want through Airbnb, Trivago, or Agoda. Besides, you can compare prices so that you will get into an excellent hotel's excellent high value. Take "food" as an example. EZTABLE provides 24-hour online booking for 500 restaurants. In terms of ingredients, PCHome and Momo can order fresh vegetables and fruits within 24 hours of shopping, or you can also use food delivery. It is suitable for people who do not want to go out.

II. The Gig Economy

Besides, social change leads to the loosening of laws and regulations that also represents a change of ideas. For example, people have social organizations for their needs. They are to deal with social changes, the fulfillment of wishes and achieve goals or ideals while molding society, so no matter where you look at, society has an impact on the value and contribution of itself. When society changes have taken place and all existing social-cultural relic system structures have been restrained. Social changes will affect the development of social progress. Therefore, young people are pursuing interests and developing a “Gig Economy” that can cut working hours.³ The Gig Economy, which is a traditional job type between full-time work and unemployment, including freelance work such as dispatch work and platform acceptance.⁴ Due to the rapid change of the Internet economy, many services can be

³ 勞動部, "工作的未來," 台灣勞工季刊 NO. 59 (2019).

⁴ Diane Mulcahy, *The Gig Economy: The Complete Guide to Getting Better Work, Taking More Time Off, and Financing the Life You Want!* (2016).

digitized, which drastically changes the way of working and conflicts with the employment relationship. Thus, the theme that I want to discuss this time is the future service of food delivery. I take Foodpanda as an example of the case as it was caught up with labor rights and employees' viewpoint.

Motivation

In 2019, the food delivery platforms are sweeping across Taiwan, and many delivery employees from different brands prevail on the road. More and more people are accustomed to using delivery platforms to order meals. Delivery people are often seen running around on the streets in Taiwan. Taking Foodpanda as an example, the service scope has covered 11 cities, including Taipei, Xinbei, Keelung, Taoyuan, Hsinchu, Miaoli, Taichung, Changhua, Chiayi, Tainan, and Kaohsiung, and more services will be provided in the future.

Problematic: Negative news in Taiwan

However, given the promising development above, I noticed negative news around Foodpanda to appear in the middle of the year in 2019. A series of delivery employees had died in a car accident. In recent years, food delivery services have risen, and food delivery platform operators often use the convenience of quick meals and multiple food types to choose food service, which is a reason that attracts people to use them. However, the delivery employee face pressures to catch orders within quick delivery time limit. The rules of time pressure have caused frequent accidents of food deliverers in car accidents

and caused public concern about delivery employees' safety.⁵ The delivery employee found little labor relations accidentally. It was not known during this period how many basic deliverers' rights had been ignored. However, under such a flawed system, many laborers are still entering the delivery platform. Some people even quit their full-time jobs and choose to be full-time delivery workers.⁶ Those reflect that the delivery platform has fundamental problems, contrary to the original intention of the Gig Economy.

Research Purpose

The boiling delivery service, after successive accidents of casualties in 2019, the problems behind it were also revealed. In addition to traffic safety concerns, the delivery employee and delivery platforms are not employment relations. There is no labor and health insurance or comprehensive auto insurance, accident insurance, occupational safety protection is insufficient, the situation of orders. Problems that they have to be faced. Below I would analyze how countries resolve the rights of "delivery employee."

Taiwan: the government and platform industry have different opinions

During the National Day holiday of 2019, there were two consecutive deaths of food delivery personnel in car accidents, and the labor rights of delivery employees aroused discussions. The Ministry of Labor determined that the platform industry and the delivery employee belong to an employment relationship. The platform industry should provide labor

⁵ 勞動部, "勞動事件法," 台灣勞工季刊 NO. 60 (2019).

⁶ Everett M. Rogers, Diffusion of Innovations, 5th Edition ed. (New York 2003).

and health insurance and provide occupational accident compensation. The platform industry believes that most of the delivery workers are part-time jobs, and the relationship with the platform is not an informal employment relationship but a contractual relationship. Therefore, they did not provide labor and health insurance for the employees. In other words, the delivery employee must join an occupational union before they may receive basic guaranteed. However, the Ministry of Labor has determined that the labor-management relationship between the platform industry and the delivery employee is “employment.”⁷

The main controversy still lies in the work of “delivery employee.” The only way for the delivery employee to protect their rights is to return to the occupational union.

Research Questions

1. Given that working condition of Foodpanda might not be “stable” as traditional why would more people choose to take part in this delivery service?
 - (1) What is the most attractive thing for you in this job?
 - (2) Does the change at the beginning of the epidemic have any impact on the delivery employee?
2. Which labor system more correspond with employee expectations?
3. Whether Foodpanda over-optimize the employee welfare system or not?
 - (1) Is there a monthly income of 100,000 NT dollar as the media said?

⁷ "堅不認僱傭 Foodpanda：和外送員是承攬關係," 上報, https://www.upmedia.mg/news_info.php?SerialNo=73338.(Oct 15, 2019)

(2) Why Foodpanda wants to change the system?

Contribution

The development of food delivery platforms in Taiwan is still not stable. Therefore, my paper will help the researcher in the future have a basic understanding of what methods employees use to protect their rights. It also helps the government improve labor relations.

Limit

Owing to the delivery employees were too busy to visit them suddenly and time and location factors become major difficulties in completion of research. It would be a challenge for me to collect a lot of data, and therefore do the in-depth interviews in eight employees

Delimit

Although there are many food delivery platforms in Taiwan. I decided to take Foodpanda as an example. Because I think focusing on one platform can be a deeper and detailed understanding of its development.

LITERATURE REVIEW

In this chapter, there will be five sections. First, I will focus on some features of food delivery development. Second, I will put forward specific types of labor that might help categorize food delivery employee members. Third, I come to a discussion of the internationally comparative difference in terms of employment relations. Forth, I will mention that the event of a strike about the food delivery employee's rights. Finally, I will focus on the work contract of delivery platform operators and delivery employees.

Food delivery development

After a hard day at work, there is no incentive to cook after work for modern people. Fortunately, as long as the mobile phone is turned on and the finger is moved around apps of services online, the delivery staff will knock on the door and send delicious meals to the table to eat. Such a convenient way of delivering meals is changing the eating habits of modern people. But have you ever wondered where and when the food delivery economy came to the first place in human societies? The "delivery economy" has been popular in Taiwan or Asia. However, many people seldom understand that the concept and behavior of "delivery" can be traced back to a Chinese context where the Tang and Song Dynasties, and even the emperor loved takeaway.⁸

⁸ 遠見天下文化出版股份有限公司, "外送經濟不是新鮮事! 唐宋皇帝早就愛上外賣美食了," 遠見雜誌 - 前進的動力 (2019).

In the famous Northern Song Dynasty painting “Along the River During the Qingming Festival,” you can see a little boy wear an apron, with a bowl in his hand who rushed to take away food. The earliest systemic development opportunity for delivery in the contemporary era was Domino. The cause was that the stores were small at that time and could not accommodate too many customers. Thus, takeout and delivery became the critical service for such multinational businesses to survive. Guests were encouraged to purchase their meals back or send them to their homes. They were popular due to some features like convenience, saving time, and sharing with their families.⁹

To develop the delivery market, Domino's simplifies the raw materials, streamlines the items, shortens the production time, and continuously optimizes the rapid delivery. The most important thing is to expand the distribution network through the franchising stores. The franchising feature is that after manufacturers produce goods, they must distribute these goods that satisfy the desires of consumers so that consumers can buy them in the most convenient place. One of the functions of marketing is how to distribute goods effectively.¹⁰ The franchise store's delivery radius allows consumers to eat warm, fragrant, and soft pizzas as much as possible. In 1973, Domino's launched the world's first delivery guarantee “more than half an hour and half-price” service, successfully branding customers' brand impression

⁹ GEORGE RITZER, *The Mcdonaldization Os Society: 20th Anniversary Edition* (SAGE Publications, Inc, 2013).

¹⁰ The Association of Small Business Development Centers, *Franchising 101: The Complete Guide to Evaluating, Buying and Growing Your Franchise Business* (Kaplan Business, 1998).

of “pizza equal speed,” making customers more willing to order pizza at home.

I. Restaurant self- delivery V.S. online platform delivery

In 2018, with the rise of food delivery in the catering market, fewer and fewer restaurants delivered food by themselves because the restaurants’ own staff ’s delivery efficiency would be compromised. The delivery adds costs and may not be able to win the delivery staff of the online platform. The restaurant like *Din Tai Fung*’s employees usually receives hourly wages while employees on the food delivery platform receive pricing orders. The two systems essentially have different motivations in terms of the cost-benefit principle.¹¹ Besides, the purpose of hiring employees in most restaurants is not primarily concentrated on outstanding delivery, so owners might find it challenging to manage the time for staff going in and out regularly. After all, delivery is not a restaurant’s original business. Therefore, the more specific business of delivery comes to the fore.¹²

To satisfy the needs of more people, many restaurant operators will like to develop a delivery mechanism.¹³ For example, it increases the convenience level of customers with simple order flow. They hope to overcome space constraints so that busy office workers or people who do not want to go outside can also enjoy food.¹⁴ After the catering industry

¹¹ 吳元熙, “訂單被剝三「成」皮, 餐飲業還搶合作? 從外送平台兩大趨勢, 看台灣金母雞產業養成中 | 數位時代,” <https://www.bnext.com.tw/article/54014/taiwan-food-delivery-trends>. (July 22, 2019)

¹² 台灣大學國際企管學系, “「今天叫什麼?」餐飲外送正夯 - 有無快送: 透過外送為社區帶來幸福.”

¹³ Nibblematrix, “How Does Online Food Ordering System Work? (Infographic).”

¹⁴ Anne C. Steinemann Wayne R. Ott, Lance A. Wallace, *Exposure Analysis* (CRC Press, 2006).

joined the platform, the delivery staff assisted in delivering of food and order information widely exposed and represented through the large platform to gain popularity. Therefore, the food delivery platform is increasingly favored by many catering companies, and the scale of the platform continues to expand.

In early 2019, meals' delivery is already a prevalent and convenient model for consumers or restaurants. When choosing a delivery platform for cooperation, the store can consider whether the platform has a particular customer base in the restaurant's operating area. Like in the metropolitan area, the population must be the densest, and the number of users is relatively large. The former Foodpanda marketing director, *Liao Yu bo*, said that

The delivery platform service is still a very new Taiwan service system. The development environment is suitable for densely populated metropolitan areas.¹⁵

After the delivery platform cooperates, the take-out will likely increase significantly, and the probability of customers returning will also increase.

The catering industry has also gained more customers' preferences and feedback through cooperation with the delivery platform. For example, matching the best-selling products of the product into a package combination meets the needs of customers and makes it easier for customers to place orders. The delivery market is still growing at high speed. However, the current delivery service model has not yet reached a stable business model. There are two reasons. One is that Taiwan's current project on the development of delivery platforms is that

¹⁵ 食力 foodNEXT, "外送服務出了都會區能活嗎?", *Yahoo! News* 2019.

mobile payment penetration is relatively low. Secondly, Taiwan's current laws and regulations have not yet established a fair and complete standard for delivery platforms.¹⁶

The catering industry must carefully consider the delivery model that suits them to achieve the expected effect.

II. Covid-19 boosts delivery business

The COVID-19 in 2019 has affected Taiwan's whole population and economy since late January 2020. The pandemic awareness has dramatically changed people's consumption habits. Among them, the catering industry's physical stores that have been greatly affected by the epidemic are more aware of the needs of delivery, e-commerce, and home economy; even after the epidemic. The traditional catering industry will also change, and it is necessary to increase digitalization and actively enter new markets. According to the catering system POS system practitioner iCHEF.¹⁷ iCHEF is a Restaurant Mobile Point of sale. ICHEF Co., Ltd. in 2012 published it. It is a mobile application (app) and currently uses iOS as its central download platform. The operation mode is multiple iPad operations, from ordering, checkout, report management, complete restaurant service. When the restaurant is offline, the data will be stored in the cloud. Through the cloud, process transaction data automatically generate business reports and sales of various types of menus for automatic analysis. One thousand

¹⁶ 衛木槿, "「戶戶送」的短命意味著外送泡沫化? 台灣外送市場的3大缺點才是殺死平台的關鍵因素," 大數聚 - Big Data Group.

¹⁷ 陳宜堯, "潮! 科技取代人力: App 管餐廳, 一台 iPad 省 1.5 人," *Cheers 快樂工作人雜誌* (2015).

three hundred forty restaurants that have used the iCHEF system since 2019, of a total of more than 200 million records, found that compared with the 228 consecutive holidays in 2019, the restaurant's operating income decreased by 13.1%. After the announcement of social distance implementation in early April 2020, Tomb Sweeping Day has further decreased by 23%. (Figure 1)¹⁸ To slow down the impact of the epidemic on the catering industry, major chain operators actively promote delivery services. Consumers' consumption patterns have changed. It was too convenient for Taiwanese people to eat out in the past, so the delivery market has a limited expansion. However, as the pandemic fueled the situation to an extreme extend they mostly force people to stay home. Therefore, consumers began to get used to delivery platforms when they wanted to order food from restaurants. It is believed that the future development of such a service will affect a vital channel for the traditional catering industry. Because the costs of food ingredients, personnel, and store rents of chain operators are generally higher than those of street shops, it is not easily to obtain a competitive advantage in pricing. Unless the operator develops a new product line specializing in delivery or builds economies of scale through the central kitchen, it will encounter a business dilemma.¹⁹

¹⁸ 陳君毅, "顧客不來, 那就我過去! 餐飲業搶灘外送、外帶服務, 面臨哪些兩難?", 數位時代.

¹⁹ 江明宴, "外送宅經濟不可逆 疫情迫使餐飲業正視," 中央社 CNA 2020.

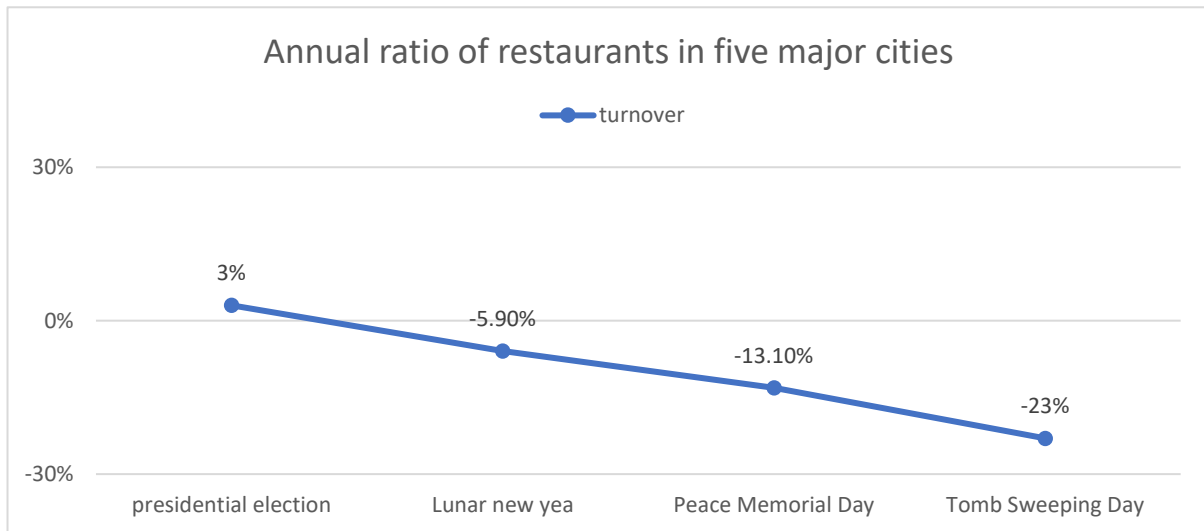


Figure 1 Turnover Model, from “ICHEF 餐廳服務業界最大電話客服中心，小餐廳專屬科技後盾 ICHEF iPad POS 點餐系統。” <https://reurl.cc/N684Xp> (Nov 21, 2020).

The new type of labor related to delivery service

Food delivery is the same as the delivery service of all kinds, which refers to distributing goods and integrating with the logistics industry. This delivery industry has manifested some features like flexibility and instability in working conditions and work itself. Here I summarize some types of labor involved in this business: (1) atypical labor, (2) flexible labor, and (3) dispatched labor.

I. Atypical Labor

Kalleberg believes that nonstandard employment is often called contingent employment.²⁰ The original “employment” in civil law refers to a “continuing relationship.” A labor relationship that conforms to this nature is called “typical labor.” On the contrary,

²⁰ Arne L. Kalleberg, *Nonstandard Employment Relations: Part-Time, Temporary and Contract Work.*, vol. 26 (Annual Reviews, 2000).

what does not meet this characteristic is “atypical labor.” Moreover, dispatching labor and part-time labor is considered “atypical labor.” In particular, the number of “dispatched labor” increased significantly in 2011,²¹ especially the rise of food delivery platforms. Atypical workers’ working conditions are worse than traditional workers, such as factory employees or restaurant employees, and the salary is relatively low. However, it is also viral to employers because of the low personnel costs. In terms of the policy, some believe that hiring the atypical workers should be prohibited entirely. People believe atypical workers should still be protected through legislation. However, scholars and labor groups suggest that atypical workers should unite with each other in order to defend their deteriorating working conditions and treatment.

II. Flexible Labor

Flextime is a flexible hour schedule that allows workers to alter the workday’s starting and finishing time in contrast to traditional work arrangements that require employees to work for a standard period, from 9 a.m. to 5 p.m. per day. The so-called flextime typically involves a “core” period of the day during which employees are required to be at work and a “bandwidth” period within which all required hours must work. The working day outside of the “core” period is “flexible time,” in which employees can choose when they work, subject to achieving total daily, weekly, or monthly hours within the “bandwidth” period set by

²¹ 張靖媛, “職涯發展趨勢 1 派遣工作 派進企業, 專業扶正

” 遠見天下文化出版股份有限公司, <https://www.gvm.com.tw/article/48858>. (Apr 11, 2011)

employers, and subject to the necessary work being done. Advantages include allowing employees to coordinate their work hours with public transport schedules, their children's schedules, and daily traffic patterns to avoid high congestion times, such as rush hour. Some people believe that flexible working will change the nature of the way we work.

III. Dispatched Labor

According to the International Labor Organization (ILO), the term "labor dispatch" refers to the practice of hiring employees through an employment service agency as opposed to the traditional legal labor relationship referred to as direct employment. Dispatched labor refers to an atypical employment relationship. Dispatch work agencies receive businesses' requests to have them hired and manage labor on the business's behalf. This type of labor is known as "dispatched labor." There is no direct contract signed between dispatched laborers and the enterprise, so the jobs count on the agency's services. Thus, dispatched employment follows a triangle structure as dispatch agencies are often highly skilled in hiring and managing workforces. Therefore, the company is more than happy to use an agency to manage part of its workforce as it saves time, money.

These three types of workers and managers must face many real and formal issues. The form is different from the typical work arrangement. The so-called typical work arrangement is full-time work, job continuity establishment, completion of work within the employer's company, and acceptance of the employer's command and supervision. *Polivka & Nardone*

defines a strict definition of contingent employment:

Neither employers nor employees expect the continuation of the employment relationship, nor the fixed number of working hours, and emphasizes the unpredictability of working hours.²²

New measures and more creative ideas need to be developed. Wages will still occupy the core position in future contract negotiations. Because for workers, the amount of income and protection will continue to be the most critical concern. However, this issue is not an issue that is unimportant for union members, but how the wage negotiation will be conducted in the future. The economist *Audrey Freedman* once said that “a new era of labor relations has emerged.”²³ “A new form of wage negotiation has come before us.” With the acceleration of technological changes, labor and economic managers will be “habit” to change wages to adapt to individual companies’ environment. The setting of wage levels will be more sensitive to the economy changes in the environment. The cost of health insurance is another issue. Employers now find that high annual insurance premiums prevent them from covering their employees’ growing health insurance costs. Business managers try to reduce this burden in two ways: reduce the demand for services by their employees or induce competition among these services’ suppliers.²⁴

²² Polivka, A. E. 1996. Contingent and alternative work arrangements, defined. *Monthly Labor Review*, 119(10):3-9.

²³ Audrey Freedman, "How the 1980 Have Changed Industrial Relation," (1982).

²⁴ Robert L. Sauer and Keith E. Voelker, *Labor Relation-Structure and Process* (1999).

National labor policies

The “gig economy” are created along with the new technology’s role in modern society. Such trends have broken the stable dual structure of employers and employees in the past. Individuals who engaged in the labor market may continuously change their working status between “main positions,” “part-time,” and “independent cases” within a day. The “fragmented” labor-employment relationship increases workers’ flexibility and autonomy, but the labor rights may also be violated due to “fake contract, real employment.” In fact, in response to the new economic model, many advanced countries have begun to adjust regulations to ensure that labor rights are not sacrificed.

I. Germany: class labor

In Germany, which attaches great importance to labor rights, in addition to “employment” and “contracting,” the status of labor also has a third definition: “class labor.” The so-called class labor must have the characteristics of “not belonging to a company” and “flexible allocation of working hours.” Artists and literary workers, as well as food delivery employees, are suitable for this status. As long as more than 50% of the "class labor" income comes from the same enterprise, the contracted enterprise must bear part of the employer's responsibility, such as ensuring the labor. Peng Shi bang, chairman of The Taiwan Sharing Economy Association, pointed out that

Germany has established a cross-unit and cross-industry platform in 2013, allowing the government, trade unions, and research institutions to integrate new problems arising

from new technologies, labor, and laws.

He believes that when Taiwan defines the relationship between the delivery staff and the platform. It is unnecessary to choose one rigidly ; maybe we can learn Germany to find a more suitable management method.²⁵

II. Japan: implementation plan of labor reform

Seeing the dramatic changes in the platform economy's workplace relationship, the Japanese government promoted the "Implementation Plan of Labor Reform" in 2017, breaking the previous rigid concept of "lifetime employment system." The "Part-time Guidance Outline" clearly states that employees can report part-time jobs without affecting the interests of the company they serve. When the prime minister Abe Shinzo incorporated contracting, and sideline work into the law, it would not let part-time and atypical workers ignored.

In addition to ensuring that ordinary workers can increase their income not be fired by the operating company and workers who work for the platform if they have worked in the same department for three years, the company must transfer it to regular employment. Japan's dispatched workers have been engaged in the same job for three years, so they should be converted into full-time employees. It is to find another way between the definition of employment and contracting to avoid "atypical labor" becoming a standard derivative labor

²⁵ Greg J. Bamber, John Berridge, and Janine Goetschy, *International and Comparative Employment Relations Globalization and the Developed Market Economies* (2007).

right and the occurrence of social security gaps. Fifteen thousand Uber Eats food delivery staff in Japan also provided relief for themselves. In October 2019, they set up a labor union to coordinate with Uber Eats to create an “Injury Compensation System.” The best model for fighting for their rights.

Compared with the “active” adjustment of the legal framework in various countries, the Ministry of Labor only issued the “Guidelines for the Safety of Food Delivery Operations” in early October 2019. After the delivery staff died, experts were formally invited to study the principle of distinguishing between employment and contracting relations and the feasibility of the method of reference to the German “class labor” status. The pace is much slower in various countries. Although the Taiwanese government keeps shouting, “encourage new creation.” The laws and regulations have not been properly adjusted in response to the newly created environment, which inevitably makes people feel that “the benefits are not real.”²⁶

The Event of Strike

Foodpanda announced a new system on January 10, 2020, which strongly opposed the previous one shared among delivery people. In addition to the “salary reduction” controversy. This controversy happened on January 16, 2020. Foodpanda would change the salary calculation method. Each payment would start from the original 70 NT dollars to a fixed 60 NT dollars. Although the number of pieces was added, the delivery staff would still earn each

²⁶ Hami 書城, “外送員算僱傭或承攬？你該知道「類勞工」第三條路。”

month. Less than ten thousand NT dollars. The company allows delivery people to “reject orders” and “increase rest time.”²⁷ However, these seemingly “welfare” new systems have caused complaints of delivery people. According to the strike action, at the beginning of 2020, Foodpanda’s delivery employee was dissatisfied with the employer Foodpanda’s one-sided revision of the salary calculation method, which linked northern, central, and southern district delivery employees initiate a refusal to deliver. It also emphasized that if there were no positive response from the company, it would not rule out a large-scale parade. There are three demands about the content of the parade.

I. Salary matters

Foodpanda delivery people used to deliver an order, in principle, with a remuneration of 70 NT dollars. When the company announced on January 10, 2020, the orders gained after January 16, 2020, the remuneration will be changed to 60 NT dollars per order (see Figure 2). To make matters worse, it shows that Taichung and Kaohsiung’s remuneration will be changed to 57 NT dollars per order (see Figure 3).²⁸

²⁷ "4 個 qa 看懂外送員為何「罷工」：不只減薪，Foodpanda 給了他們不想要的「福利」，"
<https://www.thenewslens.com/article/130068>.(Jan 16, 2020)

²⁸"單件獎勵," Foodpanda, <https://foodpanda.blog/ops-tw/%E5%96%AE%E4%BB%B6%E7%8D%8E%E5%8B%B5/>.(Oct 21, 2020)



Figure 2 Bonus system in Taipei



Figure 3 Bonus system in Taichung and Kaohsiung,

from Foodpanda official website. <https://www.foodpanda.com.tw/> (Nov 21,2020)

For example, suppose delivery people receive 600 orders a month on average. In the case, they can at least earn 52,000 NT dollars a month with the old system's remuneration and bonuses, but with the new system, they can only earn 42,000 NT dollars. So, there are 10,000 NT dollars less money every month in comparison (see Figure 4).

	單件	廣告	接單>90%	單件全額	
	45	10	5	60	
半場件數	基本薪	獎金	新制全額	舊制	差額
100	6,000	0	6,000	7,000	1,000
200	12,000	500	12,500	14,150	1,650
300	18,000	1,000	19,000	22,650	3,650
400	24,000	2,000	26,000	31,150	5,150
500	30,000	4,000	34,000	41,850	7,850
600	36,000	6,000	42,000	52,850	10,850
700	42,000	7,000	49,000	63,850	14,850
800	48,000	9,000	57,000	74,850	17,850
900	54,000	11,000	65,000	85,850	20,850
1,000	60,000	13,000	73,000	96,860	23,860
1,100	66,000	15,000	81,000	108,860	27,860
1,200	72,000	17,000	89,000	120,860	31,860
1,300	78,000	20,000	98,000	132,860	34,860

Figure 4 New system vs. Old system, from 吳元熙. " 訂單被剝三「成」皮，餐飲業還搶合作？從外送平

台兩大趨勢，看台灣金母雞產業養成中 | 數位時代."

<https://www.bnext.com.tw/article/54014/taiwan-food-delivery-trends>. (July 22, 2019)

II. Unsatisfactory “welfare”

In addition to the reduction in remuneration, Foodpanda’s announcement also put forward some “benefits,” namely “add the rejection function” and “add the rest function.” However, these “benefits” are not useful in the eyes of delivery employees.

Although the rejection system allows them to refuse orders from restaurants that have a long distance from deliverymen, the company has also added new punishment-like terms such as “mandatory rest” and “scheduling systems” to reduce their “legitimate” intentions to reject the order. As long as the order is rejected, every delivery man should be held in “mandatory rest.” The rest time ranges from 3 minutes to 1.5 hours. Delivery people cannot receive new orders until the end of the “mandatory rest” time, which is an increased time for the delivery people to waste on the streets. In other words, “There is no clear standard for the rest time, and it does not publish a fixed standard. They do not know how long they will rest after they reject the order.”²⁹

As for the new “scheduling system,” many delivery people complained that Foodpanda divides the delivery staff members into four groups. The delivery people can choose the next week's schedule every Wednesday, but the first group can choose the schedule on Wednesday

²⁹ 陳怡文, “熊貓增「拒單」選項稱不影響後續接單 外送員轟「騙人」,” 蘋果新聞網, <https://tw.appledaily.com/life/20191206/DU4LGE5YORFZ77P6OPOZCKOTDM/>. (Jan 2, 2020)

morning. The fourth group needs to wait until Thursday to choose the schedule, but the former three groups have been selected by then. In this case, and they lose opportunities to gain equal amounts of orders.

III. Cutting wages in return for insurance

The Taipei City Government passed the “*Taipei City Delivery Platform Operators Management Autonomous Regulations*,”³⁰ which requires platform operators to provide some insurance (my emphasis: “or better working conditions”) for delivery people. However, the insurance period is not limited to “order delivery to meal delivery,” companies to insure drivers all the times, even when they are not working. The delivery platform operator pays the insurance premium, so this type of “fragmented” insurance with the insurance time “from order to delivery” is more reasonable.

However, Kang Shui Shun, the head of the Occupational Safety and Health Section of the Taipei City Labor Bureau, emphasized that requiring “full-time” insurance is because the current insurance companies in the market do not provide fragmented insurance for delivery people.³¹

The work contracts: employment system vs. contract system

During the National Day in 2019, one of the Foodpanda food delivery company was

³⁰" 臺北市政府勞動局 department of Labor, Taipei City Government," <https://bola.gov.taipei/>.(Nov 21, 2020)

³¹Abby Huang, " 北市通過全國第一個《外送自治條例》，業者憂「全時段」納保成本恐暴增3倍," The News Lens, <https://www.thenewslens.com/article/129782>.(Nov 1, 2019)

killed in a car accident. The labor rights protection of the delivery employee caused heated discussions. After the labor inspection, the Ministry of Labor quickly determined that the relationship between the delivery companies and the delivery employee is the “employment relationship” applicable to the Labor Standards Law. However, Foodpanda issued a statement stating that the delivery employee can take orders freely, and they have a "contract relationship" with the delivery employee.³²

Although the employment relationship seems to be a guarantee laborer, it will limit the working hours of labor. For example, the number of working hours per day, including overtime, cannot exceed 12 hours, and the number of working hours per month, including overtime, cannot exceed 46 hours. For the delivery employee is a disadvantage. In Chapter 3, see my in-depth interview practice, I will look into what I mentioned above and see if the delivery employees might be satisfied with the new working conditions.

³²李修慧, "「僱傭制度」有勞健保、退休金還適用《勞基法》,為何有外送員支持「承攬」?," The News Lens, <https://www.thenewslens.com/article/126091>. (Oct 16, 2019)

METHODOLOGY

In this chapter, I address three major issues: research framework, doing fieldwork, and process and practice.

I. Research Framework

In this study, to explore how the food delivery platform of Foodpanda is becoming a new business and work, I tried to have more access to Foodpanda employees by indirect survey and in-depth interviews. A primary research framework was shown in Figure 5. It is mainly divided into three parts. The first part contains a discussion on food delivery development, which shows the era of new labor related to delivery service. This part also mentions it is international comparative differences in terms of employment relations. The second part within this framework is to design a questionnaire based on the research purpose, literature discussion theory, and interviews with employees of Foodpanda. I use the questionnaire as a tool to investigate employees' working conditions and their understanding of the food delivery platform of Foodpanda, including the system of such a new business and its internal operation. The third part is in-depth interviews and questionnaire surveys. The primary questionnaire method is face-to-face and indirect. Finally, based on each part's the data results, it analyzes, summarizes, discusses, and writes the study's conclusions and recommendations.

Related Literature Discussion

- I. Discussion on food delivery development
- II. Discussion on the new era type of labor related to delivery service
- III. A discussion of the internationally comparative difference in terms of

Design the questionnaire and interview outline based on the literature discussion theory and the opinions of the interviewed employees of Foodpanda.

Questionnaire survey direction:

Face-to-face/indirect

- (1) Through employees to understand the internal operation of the platform
- (2) The main directions of the investigation are flexible work, professional trade

In-depth interview directions

- (1) Why did you choose this job?
- (2) What are the benefits for you when you deliver food during the epidemic?
- (3) Whether the labor system provided by Foodpanda satisfy you or not?

Summarize and discuss data results

Research conclusions and recommendations

Figure 5 Research framework

Edited by the author

II. Doing fieldwork

i. Access

I met a friend who is an employee of Foodpanda. In the beginning, I planned to interview him by interview. During the first interview, I learned quickly to practice some interview techniques such as observing body language and became more confident in preparing for the next ones. I revised my interview questions in order not to offend the other people. The next step was to network into a club of its employees. They have about 25 Foodpanda employees in the line group. Therefore, I had expected that I could interview 25 people in Kaohsiung between June and July 2020.

III. Process and Practice

To show how I collected data from different sources, I briefly show some examples as what follows.

i. In-depth interview: face-to-face

Scholars such as *Minichiello*, *Aroni*, and *Timewell* define in-depth interviews as “a conversation with a specific purpose—a conversation between a researcher and an informant. The focus of the conversation is on the informant’s feelings about oneself, life, and

experience. Express his or her own words.”³³ For example, I interviewed an employee of Foodpanda. Here I called him Mr. H. Through my friend’s introduction, I was fortunate enough to ask him to take some time for an interview. The process was smoother than I expected. Although I prepared many questions, I was anxious that the interviewees might take me as an ignorant student without the right questions. However, the outcome was quite inspiring for both of us. He told me that he could have a chance to review his work and closely know more about this business operation and labor situations in general. In other words, conducting interviews helped me unpack what was not represented under the emerging industry platform. In this case, I learned more about other extended topics, such as an occupational union. Mr. H knew many of the delivery employees of Foodpanda because of his membership within an occupational union. With his assistance, I further interviewed seven other delivery employees. In the next chapter, I would closely analyze the data obtained from my talks with eight interviewees (see Table 1 below). To protect the interviewees, names would not be exposed here.

³³ Rosalie Aroni Victor Minichiello, Terence Hays, *In-Depth Interviewing: Principles, Techniques, Analysis* (Australia: Pearson Australia Group, 2008).

Table 1 Interview List

	Qualifications	Interview time	Location
A	More than two years	2020/06/07 10:00-10:30	Cafe
B	Less than two years	2020/06/06 14:00-14:30	Roadside
C	Less than two years	2020/06/13 13:00-13:30	Cafe
D	More than two years	2020/06/14 15:00-15:20	Roadside
E	Less than two years	2020/06/20 14:00-14:20	Roadside
F	More than two years	2020/06/27 18:00-19:00	Cafe
G	More than two years	2020/06/10 15:00-15:30	Cafe
H	More than two years	2020/06/01 18:00-20:00	His home

Source by the author

ii. Indirect survey: Google form

To supplement the in-depth interviewees' omission, I designed a questionnaire form to ask Mr. H to help send the questionnaire to other delivery employees. The content description was all open to answer questions for them to answer.

To get to know more people, I want to use Google form (see Appendix 1) to investigate. Because some employees may be busy at work and unable to take the time to come out for interviews, so I want to use the questionnaire to allow them to spend some time filling out the questionnaire when they are out of work, which is convenient and fast. The questionnaire's

question is the same as that of In-depth interviewing, but the content will be simplified a bit and not too complicated.

Finally, I received seven questionnaires in response. After my comparison, some parts are similar, and there are some individual opinions. However, I cannot ask so many questions because of the time, so I use this indirect interview.

iii. Textual Analysis

This research mainly collects the labor relations between Foodpanda and the books, journals, master's degree, literature, and resources related to the Internet, and analyzes the government's labor relations. The platform industry's labor relations believe in order to explore the evaluation research on this basis.

At first, I wanted to use this theme as the main content because I saw this report on the Internet that *the delivery employee had a car accident, and labor issues surfaced*.³⁴ It made me curious to understand more about the relationship between platform operators and delivery employees.

³⁴高敬原, "食物外送員3天2死,勞資問題浮檯面!各平台保險權益一次看," (October 14, 2019).

DATA ANALYSIS

Interview example

This chapter discusses the in-depth interview examples that I have done recently. The responses from these eight employees cover the four major issues below. First, I want to explore their motives in choosing this job. Second, they share stories concerning the benefits of doing this job, particularly impressive during the epidemic in 2020. Third, I attempt to explore their viewpoints about working conditions as a delivery employee. Their sharing shows that labor rights are unguaranteed (like no labor and health insurance) than conventional working conditions. Fourth, I mainly deal with a difference between their sharing and public representation, like food delivery, which is a highly rewarding job.

I. Motive

In 2019, the food delivery platforms were sweeping across Taiwan, and you could see many delivery employees on the road. More and more people are accustomed to using delivery platforms to order meals. Delivery people are often seen running around on the streets in Taiwan. The following interview is about my curiosity about this career and why the delivery employees chose this job. In my interviewees, everyone felt that working time was flexible for them in having this job. This feature might fit the demands of part-time workers.

Because some of them are still students, they all agreed that work was “flexible and free.” They could have a class to go to school. By flexible and free, I mean they usually work when they want to work, so they did not have time pressure. In addition, the other thing that motivates them to take this job is about payment. Some interviewees indicated that their salaries were excellent and higher than the basic hourly wage set by the government.

“According to the government rule, the average hourly wage at this stage is 158 NT dollars per hour. The amount of salary depends on how much the delivery employee runs, so the more money you earned, the more diligent the person was at work, and the salary was your control.”

Refer to this quote, according to *the Labor Standards Law*, starting from January 2020, the salary will be adjusted to 158 NT dollars, but it will be restricted to no more than 8 hours a day. This restricts those who want to work overtime or make money, so such a flexible job is very suitable for people who do not want to be restricted by time. As interviewee A said,

As a student sometimes, when there are no classes, I can go out to take orders. My last

job was a part-time job in a beverage shop. As a working student, I cannot decide on my job. I need to cooperate with work in shifts. Therefore, choosing the job of Foodpanda made me not tied up by time.

This type of work is also very suitable for student groups. As a college student like me, the courses are scattered, so I can use free time, not only to kill time but also to make money. It is a desirable career for me.

i. Dissatisfied with the new welfares

The new system mentioned in Chapter 2 is dissatisfied with many delivery employees, and it is also have pulled the trigger for the strike. During the interview, I also asked other people's opinions. As interviewee B said,

At first, I thought about why to change the system. It was too sudden, and the added welfares were different from what I wanted to do initially. I originally chose this job to make money, so why did I force a break?

In early 2020, Foodpanda added the "rejection function" and "scheduling systems." The delivery platform would have a record of food delivery every day. There was a big data that they would estimate the number of orders for the next week. To allocate the number of classes and arrange them according to your group order. Foodpanda would also record that it would affect the subsequent bonus and scheduling if you reject the order too many times. If the class was behind, the more challenging to catch the order, the more you could not go to work.

However, they certainly did not want the delivery employees to refuse orders from the platform's perspective because the platform had already estimated many orders. If they

estimate that there are 100 orders this week, they would be divided into 100 classes and assigned by one person. However, if one employee rejected the order, the platform had to allocate more shifts. They did not know how many employees could catch that order.

II. Benefits

The COVID-19 in 2019 has affected Taiwan's whole population and economy since late January 2020. The pandemic awareness has dramatically changed people's consumption habits. Because people do not go out, and they frequently use delivery. Although delivery employees increased the chance of making money, it also increases the risk of infection.

These will affect customers' doubts about ordering meals, so I want to ask delivery employees about their accurate view.

Three of them mentioned that the work was very much the same in my interviewees, and there was not much difference after the outbreak of the pandemic. Two of them added that there had been more cases because of the COVID-19. One put it in terms of a short-term rise of business; many people cannot go outside to work and stay at home. During the epidemic, there were also some risks when going out, so many people often call out food delivery, which made employees felt that their orders have increased."

i. Advantage

Interviewee H also believed that "orders had slightly increased due to the impact of the epidemic." In fact, during the epidemic period, especially at the worst in March 2020, the

platform operator had launched marketing activities like low-free shipping thresholds(see Figure 6). At that time, as long as the consumers spent the amount of 50 dollars, they could be free delivery; the number of orders was a lot.



Figure 6 Free shipping in March, from Foodpanda official website. <https://www.foodpanda.com.tw/> (Nov 21,2020)

Interviewee E also mentioned that

I can make much money. The company had launched free shipping activities to make customers more attractive to place orders. Although it made the company in the red, the delivery employee still made the same money. Therefore, the company launched contactless food delivery during the epidemic, so it was not afraid of being infected.

For example, in March 2020, platform operators have different thresholds for free shipping every month because of the low threshold for free shipping. It depends on what discounts the cooperating manufacturer will provide. For example, KFC often provides a serial number to enter the serial number and free shipping, so the marketing methods are different every month.

i. Disadvantage

However, there was the opposite one. During the epidemic, receiving orders is more complicated than ever. Interviewee C mention

Many companies are unable to work, and some office workers would do part-time jobs so that orders are divided up. The delivery employees did not make more money because of the epidemic.

I have asked some interviewees if there is an increase in the number of delivery employee due to the epidemic. They mentioned that “there have been many new faces.” After inquiring, they find out that they were affected by the epidemic. Many companies took unpaid leave, and their employees wanted to make a living. Thus, they took a part-time delivery.

It turned out that some people thought it was a bad thing. I also like to call out food delivery. After all, it is very convenient not to go out. If I do not know that interviewee C’s opinion, I still always thought that the more people called out, the delivery employee could earn money easier. Therefore, I thought the lower the threshold for free shipping, the more money the delivery employee cannot make because they earn their salaries by the order.

The food delivery platform has two sources of income. The first is a commission from the restaurant, and the other is the shipping by consumers. However, since the epidemic, the platform operator had successfully launched free shipping activities, resulting in the red. Therefore, the primary income is mostly from 20% to 30% of the cooperative store’s high-stakes component.

III. Working condition

In the literature review, I mentioned that France, Germany, and Japan all have a supporting measure for delivery employees. For example, in France, to support delivery employees' labor right, platform operators are required to change their contracts. Germany has also re-established a new labor status, "class labor," for delivery employees. Japan established the Injury Compensation System. The treatment of delivery employees is different from that of Taiwan. Currently, the relationship between Foodpanda and delivery employees in Taiwan is still a contract system. Therefore, I am inquisitive about the delivery employees' thoughts on the relationship with the platform operator. In my interview, their answers surprised me. The interviewees had no opinion on the labor system. On the contrary, they all think that the employment system is not better. As interviewee A said,

If it is an employment system, the cost will be more because the platform operator has to provide insurance (labor and health insurance). The basic salary of employees must also comply with the labor law.

Besides, even if the company does not provide labor and health insurance, they would still do this job. As interviewee B said, "The main reason is that working hours are flexible and we would join a professional union." That is because the most important thing was "time flexibility." Besides, they had their insurances when they step into this company. They already investigated the working conditions offered by the company. Their private insurance must be insured. Such as Third Liability Insurance (Body Injury/ Property Damage).

Otherwise, in the event of a car accident, no matter whether it was car damage or financial

damage, or personal damage, they would have to bear the risk. As a result, in order to protect their rights and interests, most people have joined “an occupational union.”

As the name implies, the occupational union is “a trade union that combines related vocational skills.” “According to the provisions of the Trade Union Law, an occupational union took cities and occupations as a unit, and a city can only have an occupational union of the same kind.”

It is related to the transportation industry, such as delivery, transportation, handling, and packaging, they can join the transportation industry occupational union. However, many people join occupational union not to have equal bargaining power with employers to fight for labor conditions, but for the convenience of handling labor, health insurance. In fact, less-known was that occupational unions also had the right to negotiate with employers or resolved labor disputes.³⁵ According to “The occupational union,” interviewee H mentioned that,

Food delivery was an occupational union in transportation. The delivery employee will know that this occupational union is because the information is provided on the official website of Foodpanda, but this occupational union does not belong to Foodpanda. However, the relevant transportation industry occupational union.

Every year, if they wanted to join an occupational union, you had to pay for it every month, about 500 NT dollars. The union would help you to add insurance directly, such as health insurance and labor insurance. Besides interviewee C said,

All people can join as long as the related industries are related to transportation. Indeed, each occupational trade union has different regulations and membership dues, and each trade union provides different additional protections.

³⁵ 高雄縣各業工人聯合會・勞健保加保・職業工會, <http://www.gygr.org.tw/>.(Nov 21, 2020)

The seniority of labor insurance would always be counted. It was not because you were the food delivery employee who was not part of the labor-management relationship. If it was an employment system, the government stipulates that the boss must help employees protect labor and health insurance. However, the job was contracted, there was still labor and health insurance for joining an occupational union, but the fee was still paid by themselves.

Another example, I had read an article³⁶ before. Although the contract is not guaranteed, it is more in line with the expectations of the delivery employee because it is flexible work, so they prefer the contract system. Moreover, they choose to be a delivery worker because they have fragmentary time to work. If it is directly restricted to only 12 hours (according to Taiwan's labor law, the number of hours a day cannot exceed 12 hours), it is better to do other work and run delivery. Mainly to increase their extra income. However, the platform operator later provided group insurance to help delivery employees because of the car accidents, but the group insurance premium was very low.

Meanwhile, I inquired about the interviewee. The company did not provide additional insurance; how do the delivery employee take care of their rights? Interviewee D said, "I must cover my private insurance more. Otherwise, in the event of a car accident, whether it is car damage or personal damage, I will have to bear the risk." Moreover, interviewee G said,

Because the delivery employee's locomotive is a commercial vehicle, most of the compensation part of the third liability insurance is not compensated, so I will

³⁶ 李修慧, "「僱傭制度」有勞健保、退休金還適用《勞基法》,為何有外送員支持「承攬」?," The News Lens, <https://www.thenewslens.com/article/126091>. (Oct 16, 2019)

additionally insure the “Business Locomotive Additional Clause.”

The relevant insurance protection of commercial locomotives will be more critical, and it is inseparable from the delivery business. In the past, the delivery employees have been insured with third-party liability insurance. In the event of an accident, they will still not obtain the payment of claims. Many insurance companies have introduced "additional clauses for business locomotives" to improve delivery employees' protection and adapt to the new risks arising from the rise of emerging industries. As long as they add this additional clause when applying for insurance, they can obtain substantial protection and pass on risks through insurance.

IV. Representation

At the corner of the intersection, the delivery employees wearing pink clothes and boxes with panda heads can be seen everywhere. The big pie of the lazy house economy has caused the four major supermarkets, Carrefour, department store food courts, and fast food businesses to enter this “sharing economy.” Behind the successful strategy are countless delivery employees who “deliver their lives. The slogan "A monthly income of 100,000 is not a dream" posted on the news by the media. This lets many people follow the food delivery market.” However, interviewee G said,

It was impossible to earn more than one hundred thousand dollars per month unless there were 16 hours of jobs available every day. In other words, that means there should be at least four orders guaranteed every hour. Otherwise, the monthly income of 100,000 was a fantasy.

Besides, a controversy over "insurance" was also caused by multiple delivery employees’

death in a car accident. Afterward, for the benefit of consumers, Foodpanda changed the new regulations. As I have mentioned in the Literature Review of Chapter Two, the company has changed its salary system. As interviewee C also believed “it was a lot more difficult now because there was a salary cut before.”

“In the past, we were offered a basic share from a single order at 70 NT dollars, and then the bonus system is calculated from two weeks. Taking Kaohsiung as an example, the final standard before cutting the salary is two weeks. Every order you run after running the 190th order becomes 80 NT dollars per one order; and then every two weeks after the 410th order was 110 NT dollars per one order; but this was the previous system, which was not the case now.”

i. Why Foodpanda wants to change the system?

Because many people were protesting the rejection of orders, and at that time, there were accidents with two delivery employees. The government began to focus on various delivery platforms and believed that the platform operator needed to protect delivery employees’ rights. Therefore, the government requires the delivery platforms to insure extra insurance for the delivery employees. As interviewee F said,

It was not better for our delivery employees because of the insurance we could insure ourselves. Increase the platform’s cost, so the platform operator needs to cut the delivery employee’s salary to make up that area.

ii. How long do you think you will stay in this job?

This is what I have always been curious about. However, the industry is still relatively new and unstable. In my interviews, almost everyone will do this job part-time and only do it for one year. However, they can take the opportunity to ride the bike and think about what

they want to do in the future.

Finally, I asked that interviewees want to change companies to another food delivery platform. One interviewee is unique because he used to work part-time at UberEats and then transferred to Foodpanda. As interview H said,

I do not want to be an UberEats because Foodpanda can estimate the order quantity and then allocate the orders. I can guarantee that there will be orders when it goes online, but everyone in UberEats decides whether to go online or not, so there is no guarantee to take when you go online.

On the other hand, some people think that UberEats is more suitable for a part-time job because it can be online at any time.

V. Exposure of contract content

Several Foodpanda delivery employees recently filed a complaint with “Apple Daily,”³⁷ saying that Foodpanda recently asked employees who joined before February 2020 to sign a contract. The contract's content emphasizes a contractual relationship with the employees and requires them not to claim any employment rights. Illegal people would be liable to pay 200,000 NT dollars fine. The delivery employees strongly criticized that they may be suspended from work if they do not sign the contract.

³⁷ "獨家 | Foodpanda 不平等條約曝光！迫外送員簽承攬約「沒福利、違約賠 20 萬」," 蘋果日報, <https://tw.appledaily.com/life/20201016/PXJOOKVYZBA45NHCSRLN2LORD4/>.(Oct 25, 2020)

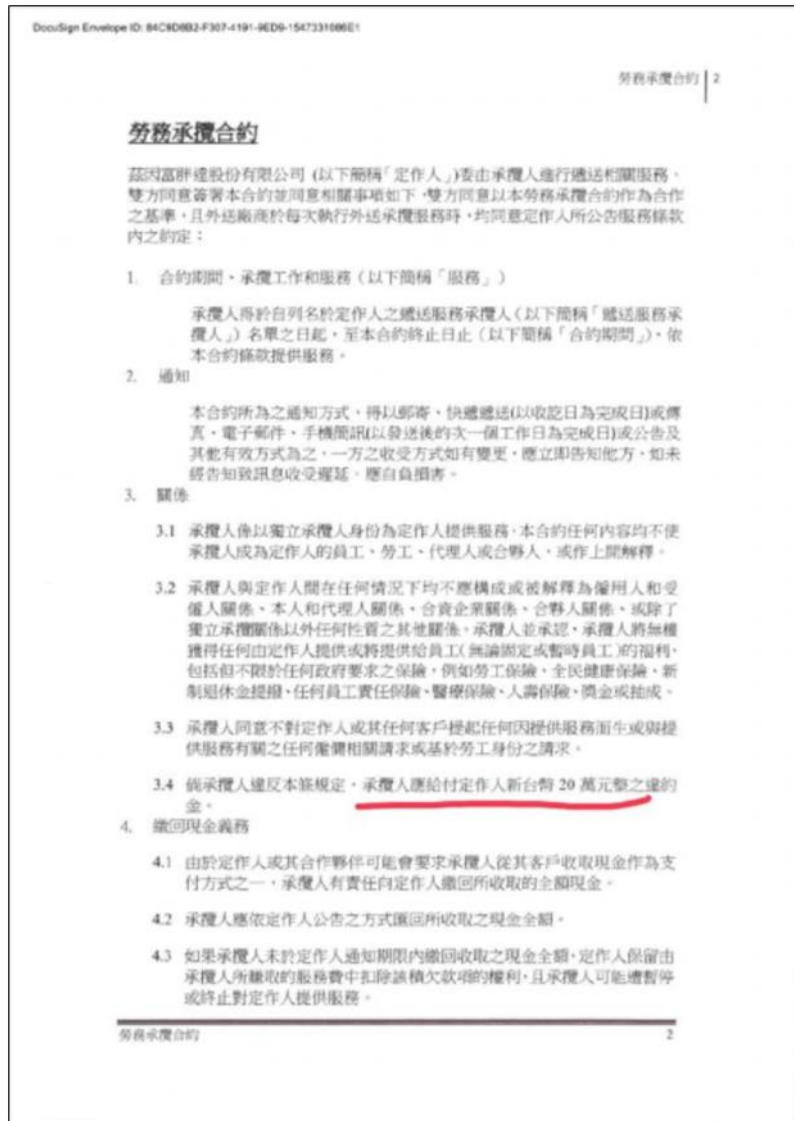


Figure 7 Labor Service Contract, from Apple Daily (Nov 21, 2020)

According to (Figure 7), the delivery employees provide the content's contract. The name of the contract is "Labor Service Contract." The third point of the "Relations" section mentions that "The contractor (employees) agrees not to provide services to the employer (Foodpanda) related to employment request or request based on labor status." According to the Ministry of Labor, whether it is an employment relationship is not limited by the "name." Although the two parties have signed a "contract," the platform operator corresponds with the

statutory and economic norms. For example, if the delivery employees “cannot refuse to assign “work,” “cannot determine the remuneration for work,” “need to divide the work with others to complete the work.” If the subordination reaches a certain level, the two parties still have an employment relationship.

As a delivery employee, Mr. Lin said,

This contract is equivalent to requiring delivery employees not to bargain with Foodpanda or fight against them. The contract also says that if the contract is not signed before December 20, 2020, it will be suspended. “This content is not okay.”

However, he assessed that this would significantly impact those who take delivery as a full-time job. He was only working part-time and had little impact, so he signed a contract.

CONCLUSION AND SUGGESTION

Logistics is inseparable from our lives. The combination of technology (e-commerce) has pushed it to a peak. With the rise of the gig economy and sharing economy, people can take up the work-life pattern for freedom by young people's expectations. With the continuous development of technology, more services can be outsourced, especially showed in my thesis' case – Foodpanda, which became popular in 2019. This chapter will summarize the rationale, literature reflection, my research design, analytical viewpoints and conclusions of the previous chapters and finally give some suggestions.

First, my initial motivation was that the food delivery employees had experienced a series of problems such as a car accident in the news report. Besides a common traffic accident, I noticed these employees might risk their lives by racing to the destinations or catching more orders. Thus, my thesis' focus is on the working experience of these employees in the case of Foodpanda. In a way, it helps readers to realize some dark side behind promising images of the “sharing economy.” My research is to explore how the employees accept an untraditional working condition of Foodpanda, which seem to compromise their safety and rights. I firstly reviewed some literature to examine key factors that drive them to join the working place of Foodpanda or related business.

In addition, from the literature review in the Chapter 2, I have shown how the development of delivery is becoming more and more vigorous. In particular, the epidemic's

impact in 2020 has caused many local stores and department stores to work with food delivery platforms. I have learnt that the traditional employment is complicated by the emergence of new industries. There has more new labor forces showing new relationships between employers and employees, such as “dispatch labor,” “flexible labor,” and “atypical labor.” With the information communication technology, increasing employment has been self-employed. And Foodpanda is one case. Such a new trend is widely shared in developed and developing countries; for example, Germany and Japan’s governments are keen on having more investigations into the delivery business and its employee’s rights. In Taiwan, after the labor inspection, the Ministry of Labor quickly determined that the relationship between the delivery companies and the delivery employee is the “employment relationship” applicable to the Labor Standards Law. However, Foodpanda issued a statement stating that the delivery employee can take orders freely, and they have a "contract relationship" with the delivery employee. Therefore, the Taiwan government is still coordinating with Foodpanda.

The reform of the new system at the beginning of 2020 caused dissatisfaction among delivery employees. Many delivery employees thought they might benefits from it, but they found a cut of their wages. With this dispute with the new system, they took to the street protesting against such a change made by the company. After the car accident broke out, the relationship between Foodnda and the delivery employees has come to the fore in Taiwan. It showed some hidden reality of this new economy on the ground of “fake contracts, real

employments”. Through my further study, I have had a deeper understanding of the delivery employee’s thoughts and experiences in this case, with in-depth interview and multiple methods. I had indirect interviews with employees, and also use questionnaire to get some information. A total of 8 interviewers were collected.

When I talked with the interviewees working for this company, I came to understand that the food delivery employees might have room of autonomy. They did choose this job because of different reasons. For example, this work is flexible for them to manage working time. They will not be constrained by specific space and time, so this flexibility did attract many young people to join this career. With the sudden advent of the epidemic, Foodpanda has focused on customers’ inconvenience and provided free shipping marketing methods. Not only does it attract customers, but the employees can also make more money. However, I found that there have been more competitors in this business so that the more unstable situations like the order and the rewards have become more competitive. What is not yet resolved is a question of whether the labor-management relationship is an employment system or a contract system. Foodpanda and the government still have different opinions. So far, the two parties have not reached an agreement. To protect employees’ rights, the employees could join the occupational trade union that assist them in insuring and playing coordinator roles. The new system and new benefits have made many delivery employees feel dissatisfied, and their salaries have been much lower than before, but they hardly resisted

but compromised. After all, this is a precarious generation, and there are many possibilities in the future. I assumed that the government would regulate Foodpanda to improve the working condition for the employees. However, I learned that such a new culture of service is up to less rigid relationships between the delivery employees, Foodpanda, and the government. It seems that a digitalized infrastructure enables these stockholders to take advantage of the speedy service and flexible jobs. However, it also facilitates the more unstable and risky working environment.

Finally, I want to give some suggestions for researchers who are interested in new industries or labor issues. Besides the latest news, read reports or weekly magazines, drawing on an in-depth interview is rewarding to see the details of practice. There are other companies, for example, UberEats, which might show different characteristics in terms of the working condition, corporate culture and regulation.

APPENDIX

您好，我是目前就讀文藻外語大學國際事務系四年級的學生張羽欣，我目前正在準備我的畢業論文，內容是關於美食外送人員勞工權益的問題。做這份問卷的目的是我想要更了解外送人員對於平台業者的真實看法。對於填完問卷還有其他問題都可以聯絡我。

G-mail: sherrychang0102@gmail.com

非常感謝大家的配合

1. 選擇這份工作的理由?(可複選)

- 時間彈性
- 福利好
- 薪資優渥

2. 在疫情期間外送與在平常時間外送，對您來說有差異嗎?

- 有
- 沒有

同上題，可以詳細說原因嗎?(簡答題)

3. 公司提供的工作條件讓您滿意嗎?

- 非常滿意
- 滿意
- 普通
- 不滿意
- 非常不滿意

同上題，可以詳細說原因嗎?(簡答題)

4. 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例：因為有錢賺，有沒有勞健保都不是太大的問題)(簡答題)

5. 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例：自己保車險)(簡答題)

6. 美食外送真的有像媒體所說的可以做到月入 10 萬嗎?

- 可以
- 不可能

同上題，可以詳細說原因嗎?(簡答題)

7. 正職/兼職

- 正職
- 兼職

8. 您有想過會做這份工作多久嗎?(例：這只是兼職的工作，我還有另一份正職工作)(簡答題)

9. 一天工作時數大概多久?

- 1-3 小時
- 4-6 小時

- 7-9 小時
- 10 小時以上

10. 性別

- 男
- 女

11. 年齡(簡答題)

12. 學歷

- 國中
- 高中
- 大學
- 大學以上

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THE TRANSCRIP

Date: 2020/06/01

Time: 18:00~20:00

Interviewee: interviewee H

Place: His home

Q: 選擇這份工作的理由?

A: 很彈性自由

Q: 在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 我覺得沒有差很多跟平常時間一樣。

Q: 可以詳細說原因嗎?

A: 當然疫情也會影響，實際上平台推的行銷活動，訂單有稍微變多。

Q: 當時平台推出怎樣的行銷活動?

A: 免運費的活動，那個時候只要滿\$50 就可以免運費，那個時候的訂單量就很多

Q: 可是免運費的關係是不是外送員就沒辦法多賺一點錢?

A: 雖然免運但是他還是要附司機錢，虧錢是平台公司，像是今年三月份，因為免運門檻低所以那個時候司機賺很多。平台業者每一個月推出的免運門檻都不一樣有時是滿多少免運，有時是不分店家免運，所以每一個月的行銷手法都不一樣。

Q: 公司提供的勞工條件讓您滿意嗎?

A: 它不是勞資關係因為他是承攬制，還算滿意

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 沒有勞健保對我來說沒有甚麼差別。

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A:自己保車子的保險和加入職業工會。

Q: 可以談談職業工會嗎?

A: 職業工會就是每一個行業都會有職業工會，例如外送就是走運輸方面的職業工會，每年如果要去加入職業工會每個月都要付費然後公會直接就會幫你加保。

Q: 職業工會幫外送員保什麼保險?

A: 健保跟勞保，勞保的年資就會一直算，不會因為你是做外送不是勞資關係，因為如果是僱傭制的話政府規定是老闆一定要幫員工保勞健保，但因為現在這份工作是承攬，所以還是加入職業工會就有勞健保，但是費用還是自己付。

Q: 這個職業工會是你自己找的吗?

A: Foodpand 的官網有提供職業工會的資訊。

Q: 公司沒有提供額外的保險嗎?

A: 因為之前發生一些車禍事件，後來平台業者有幫外送人員保險，保團體險，但詳細情形就不太了解，但團體險保費很低。

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 現在困難很多啦，因為之前有被砍一次薪水。

Q: 可以詳細說原因嗎?

A: 以前我們基本是一單\$70，然後獎金制度是兩個禮拜起算，以高雄為例，再砍薪水前最後的標準是兩個禮拜內你跑單跑了第 190 單之後的每一單都變\$80，然後兩個禮拜內跑到 410 單之後的每一張都是\$110，但這是以前的制度現在不是這樣了。

Q: 您有想過會做這份工作多久嗎?

A: 當然不會一直做，但是在完成自己想做的事之前，他的薪水還是蠻可觀的。

Q: 所以你不可能把這份工作當你未來的正職?

A: 這不可能，但畢業以後可能有空會做兼職，邊騎車邊想未來要做甚麼。

Q: 那你會放棄做 Foodpanda 去做 UberEats 嗎?

A: 我不想做 UberEats 的原因就是因為 Foodpanda 他可以預估單量然後分配單，所以他可以保證上線就一定會有訂單，但 UberEats 每個人都是自己決定要不要上線，所以根本無法保證你上線的時候有沒有單可以接。

Q: 學歷

A: 大學

Q: 年齡

A: 26

Date: 2020/06/06

Time: 14:00~14:30

Interviewee: interviewee B

Place: Roadside

Q: 選擇這份工作的理由?

A: 時間彈性

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 沒有

Q:可以詳細說原因嗎?

A: 沒有什麼特別感覺

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 沒什麼注意

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 主要原因是工作時間彈性

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A: 自己本來就有保險

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 不可能

Q: 可以詳細說原因嗎?

A: 真的做才知道不可能 網路上一堆人可以說得更詳細，Foodpanda 專頁留言區底下都會有人在罵根本不可能，一天 24 小時都要跑，又不一定有單給你接 但我是兼職不是全職沒跑過也不知道行不行，常理推斷很難。

Q: 您有想過會做這份工作多久嗎?

A: 有空就做 反正是兼職

Q: 學歷

A: 高中

Q: 年齡

A: 21

Date: 2020/06/013

Time: 13:00~13:30

Interviewee: interviewee C

Place: Café

Q: 選擇這份工作的理由?

A: 時間彈性

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 有

Q:可以詳細說原因嗎?

A: 跑外送的人變多了，單量被瓜分後收入反而降低了

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 除了一單 52~57 元的勞務費，沒有任何福利可言

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 時間彈性沒人管 勞健保還好

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A: 自己的私人保險一定要多保，否則發生車禍的話，不管是車損財損還是人損承擔風險都是自己承擔

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 可以

Q: 可以詳細說原因嗎?

A: 因為一天跑 16 個小時一定可以

Q: 您有想過會做這份工作多久嗎?

A: 1 年左右

Q: 學歷

A: 大學

Q: 年齡

A: 34

Date: 2020/06/14

Time: 15:00~15:20

Interviewee: interviewee D

Place: Roadside

Q: 選擇這份工作的理由?

A: 時間彈性、福利好

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 有

Q:可以詳細說原因嗎?

A: 因為大家都不想出門

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 我覺得有很多福利

Q: 可以大概說一下有哪些福利嗎?

A: 一般基本費 60 元，有里程獎金，還有件數獎金，總共加起來薪水是蠻可觀的。

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 因為我喜歡騎車。

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A: 我只要慢慢騎車就好了

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 可以

Q: 可以詳細說原因嗎?

A: 因為一天跑 16 個小時一定可以

Q: 您有想過會做這份工作多久嗎?

A: 大概到 40 歲吧

Q: 學歷

A: 大學

Q: 年齡

A: 33

Date: 2020/06/20

Time: 14:00~14:20

Interviewee: interviewee E

Place: Roadside

Q: 選擇這份工作的理由?

A: 薪資優渥

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 有

Q:可以詳細說原因嗎?

A: 訂單變多

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 獎金還不錯

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 錢多沒差我會自己保工會

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A: 自己保保險和加入職業工會就好了

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 可以

Q: 可以詳細說原因嗎?

A: 時間足夠的話，基本上可以

Q: 您有想過會做這份工作多久嗎?

A: 暫時而已 不可能做一輩子

Q: 學歷

A: 大學

Q: 年齡

A: 25

Date: 2020/06/27

Time: 18:00~19:30

Interviewee: interviewee F

Place: Café

Q: 選擇這份工作的理由?

A: 時間彈性

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 有

Q:可以詳細說原因嗎?

A: 訂單變少

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 不滿意，因為沒有保障

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 為了生活

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A: 自己購買保險

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 可能很難

Q: 可以詳細說原因嗎?

A: 因為時間有限每個地區單量也不一樣還有分組選班種種原因

Q: 您有想過會做這份工作多久嗎?

A: 做到自己倒下去

Q: 學歷

A: 大學

Q: 年齡

A: 不方便透漏

Date: 2020/06/10

Time: 15:00~15:30

Interviewee: interviewee G

Place: Café

Q: 選擇這份工作的理由?

A: 時間彈性、薪資優渥

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 有

Q:可以詳細說原因嗎?

A: 訂單變多

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 將金還不錯

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 錢賺蠻多的，不會介意有沒有保障

Q: 我查網路是說因為外送人員知道公司不會提供額外的保險

A: 所以要自己保，例如車子就要保第三責任險，因為外送是高風險群所以如果你今天你跟保險公司說我在從事外送工作我要保第三責任險，保險公司不會讓你保，因為這個工作是高風險群，他們有職業性的第三責任險，但是保費比較高，但是外送人員幾乎都是保一般的。

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 不可能

Q: 可以詳細說原因嗎?

A: 除非每天都有 16 小時的班可以上，然後每小時保證都有 4 張訂單可接，不然月入 10 萬是天方夜譚

Q: 您有想過會做這份工作多久嗎?

A: 一年左右

Q: 學歷

A: 大學

Q: 年齡

A: 34

Date: 2020/06/07

Time: 10:00~10:30

Interviewee: interviewee A

Place: His home

Q: 選擇這份工作的理由?

A: 時間彈性，因為我現在還是學生時間無法控制。

Q:在疫情期間外送與在平常時間外送，對您來說有差異嗎?

A: 沒有

Q:可以詳細說原因嗎?

A: 一樣能照常外送

Q: 公司提供的勞工作條件讓您滿意嗎?

A: 在徵才方面可以再改善還有系統機制也是，不然很容易時薪比一般打工族低

Q: 作為一個外送人員，勞動權益毫無保障(如未提供勞健保)，為什麼還想做這份工作?(例: 因為有錢賺，有沒有勞健保都不是太大的問題)

A: 因為自己還是學生 需要時間彈性的工作

Q: 如上題所說的，公司沒有提供額外保險，外送員都如何兼顧自己的權益?(例:自己保車險)

A: 自己有多保保險

Q: 美食外送真的有像外界所說的可以做到月入 10 萬嗎?

A: 不可能

Q: 可以詳細說原因嗎?

A: 除非用新鮮的肝換來的

Q: 您有想過會做這份工作多久嗎?

A: 大概再一年吧

Q: 學歷

A: 高中

Q: 年齡

A: 20