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<div align="center">Assignment 4: Critical Reading Response Term Paper</div>

The paper "Difference and Dependence among Digital Workers: The Case of Amazon Mechanical Turk" by Lilly Irani covers the abuses and negligence in human labor services that are provided by the tech industry. The Amazon Mechanical Turk (MTurk)[1] is a crowdsourcing program launched by Amazon Web Services (AWS) that connects businesses to independent contractors for data-processing tasks, known as Human Intelligence Tasks (HITs), that computers are currently unable to perform.[2] It provides "humans-as-a-service" by offering a platform for Requesters, the employers, to find a temporary workforce without the need to sign contracts or hire additional employees. Amazon acts as a middleman for the transfer of money, data, and output between these employers and workers.[3] Turkers, the independent contractors under MTurk, are part of a subfield of computer science called human computation; other names include large-scale microlabor, data microwork, and poorly compensated data processing.[4] According to the Fair Labor Standards Act in the U.S.A.[5] and the Employment Standards Acts in Canada,[6] independent contractors do not have a minimum wage. In support of Irani's paper, I will elaborate on how the low value given to human data processors, such as Turkers, has created an unethical and unchecked system where the treatment and payment of these workers has fallen below internationally accepted labor standards, yet continues to be ignored.[7] Therefore, the widespread failure of labor legislation to regulate contractual work in the technology sector should be considered a human rights issue.

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[1] Irani refers to MTurk as AMT in her paper. Amazon Mechanical Turk has been referred to with both names but for consistency's sake, I will be using MTurk, the name on the Amazon website.

[2] "Overview." Amazon Mechanical Turk. https://www.mturk.com/

[3] Ibid.

[4] Irani, Lilly. "Difference and Dependence among Digital Workers: The Case of Amazon Mechanical Turk." *The South Atlantic quarterly* 114, no. 1 (2015). 225–234. https://doi.org/10.1215/00382876-2831665

[5] "Handy Reference Guide to the Fair Labor Standards Act." U.s. Department of Labor. Accessed Dec, 2020. https://www.dol.gov/agencies/whd/compliance-assistance/handy-reference-guide-flsa

[6] "Employee status." Ontario. Accessed Dec,2020. https://www.ontario.ca/document/your-guide-employment-standards-act-0/employee-status

[7] Semuels, Alana. "The Internet Is Enabling a New Kind of Poorly Paid Hell." *The Atlantic.* Jan, 2018. Accessed Dec, 2020. "https://www.theatlantic.com/business/archive/2018/01/amazon-mechanical-turk/551192/

One factor that leads to the abuse of human rights in contractual work is the lack of worth given to menial labor. The most blatant implication of this can be seen on MTurk's website, describing MTurk as "well-suited to take on simple and repetitive tasks …. while freeing up time and resources… so internal staff can focus on higher value activities."[8] The existence of platforms like MTurk demonstrate that these workers are a necessity that contribute to meaningful large-scale work. In another article by Lilly Irani called "The Hidden Faces of Automation," she describes the labor as "more than cleaning up data. It is the labor of calibrating algorithms to culture. Culture and language change— think new slang, for example—so this labor is not going away."[9] If this stands true in the future, the permanency of this labor proves its necessity, especially in creating technology that is representative of the multifaceted world. Computers were created to process data and do repetitive tasks, so their inability to complete HITs demonstrates that HITs cannot be broadly labeled as "simple and repetitive tasks." The nuance of processing human culture has yet to be mimicked by computers and guarantees the continued reliance on human computation for data processing. The value of the "higher value activities" are determined by the quality and accuracy of the data, indicating that data processing is just as, if not more, important than the further analysis and application of it.

The logic behind lower wages in data microwork is that the jobs being completed do not require advanced qualifications. Given the large supply of potential workers, wages are driven down. However, Irani mentions in her case study of MTurk that a lot of this " 'rote' and 'menial' work actually demand creativity and improvisation (Suchman and Bishop 2000: 331; Suchman 1995: 59)."[10] Creativity and improvisation are characteristics that computers, by design, can never have, which reaffirms the necessity of data processors. The ability to complete said demanding work should be reflected in the wages, but in MTurk's case, even extra skill sets do not necessarily translate into higher wages.[11] This can lead to dissatisfaction among Turkers and a lack of retention for experienced workers. The MTurk website states "you decide how much to pay Workers for each assignment," and MTurk receives 20% of the worker's pay with a minimum service fee of $0.01 per assignment or payment.[12] MTurk offers two advanced services

[8] "Overview." Amazon Mechanical Turk. https://www.mturk.com/
[9] Irani, Lilly. "The Hidden Faces of Automation." *XRDS* 23, issue 2 (2016). 36. DOI: 10.1145/3014390
[10] Irani, Lilly. "Difference and Dependence among Digital Workers: The Case of Amazon Mechanical Turk." *The South Atlantic quarterly* 114, no. 1 (2015). 231. https://doi.org/10.1215/00382876-2831665
[11] There is no minimum wage for high skill work, which means that the rules are no different from low skill labor even though the demands are higher.
[12] "Pricing." Amazon Mechanical Turk. https://www.mturk.com/pricing

that charge fees on top of the 20% fee: Masters Qualification that charges an extra 5% fee and Premium Qualification that charges a set fee determined by desired worker skill set.[13] Masters Qualification is a vetting program run by MTurk that endorses well-performing Turkers. However, Premium is for Requesters who need data processors with specific qualifications, so it seems unreasonable that MTurk capitalizes on skilled Turkers without providing them with extra benefits. In fact, due to the use of third party money transfer services such as Hyperlink, some Turkers have to pay a fee to transfer their wages to their bank account or convert their wages from USD to their local currency.[14] In addition, Irani mentions two major worker-run Q&A web forums for Turkers. The existence of these forums should serve not only to prove that the work being completed can be demanding and complicated but also to show that workers have to put more time and effort into the work than Requesters are willing to admit. However, Requesters have no legal obligation to pay wages that are representative of the work being done, and MTurk increases its business appeal by not enforcing a minimum worker wage.

Irani states that another factor that adds to the abusive conditions for Turkers is the power given to Requesters and algorithms to deny work without pay. As stated on the Help page, "Requesters have the opportunity to approve completed HITs before having to pay for them"[15] to ensure that Requesters are receiving high quality work that meets their needs. According to a research paper on the earnings of 2,676 MTurk workers from 3.8 million tasks, "workers earned a median hourly wage of only ~$2/h, and only 4% earned more than $7.25/h."[16] These statistics would be calculated with received payments and does not take into consideration rejected work for which Turkers were not paid. Regardless of payment, Requesters can still utilize the completed work due to intellectual property rights,[17] which can be considered wage theft and is disturbing given the already dismal wages. In addition, the automated process is also flawed. One approach that Irani mentions is "to hire several workers to do the same information task: employers then count the workers who offer the most common result as correct, while workers with outlier results might be denied pay or even blocked from future work...(Martin et al. 2014:

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[13] "Pricing." Amazon Mechanical Turk. https://www.mturk.com/pricing

[14] Irani, Lilly. "Now AMT workers have to pay a fee to collect their earnings. The future of fintech is here." June 18, 2019. Tweet and picture reference. https://twitter.com/gleemie/status/1140995830658326528?lang=en

[15] "Help." Amazon Mechanical Turk. https://www.mturk.com/help

[16] Hara, K., Abi Adams, Kristy Milland, S. Savage, Chris Callison-Burch and Jeffrey P. Bigham. "A Data-Driven Analysis of Workers' Earnings on Amazon Mechanical Turk." *Proceedings of the 2018 CHI Conference on Human Factors in Computing Systems* (2018): Paper No. 449. Pages 1-14. https://doi.org/10.1145/3173574.3174023

[17] Irani, Lilly. "Difference and Dependence among Digital Workers: The Case of Amazon Mechanical Turk." *The South Atlantic quarterly* 114, no. 1 (2015). 227. https://doi.org/10.1215/00382876-2831665

6).”[18] This method, called "majority rule," is not only a waste of financial and worker resources but also an abusive labor practice. Amazon does not force Requesters to respond to the disputes of rejected Turkers, and it does not have its own moderation system to deal with complaints or grievances. The potential for quality work to be uncompensated and disposed of simply because it did not conform to the "majority rule" or other programed standards is unethical towards workers. As a result, too much power given to Requesters allows for wage theft from already substandard wages. This violates the unspoken rule of capitalism that workers receive remuneration for their work.

The last factor that Irani covers is that the misleading labelling of the MTurk service as a technology service allows MTurk to avoid accountability for its labor force. As Irani states in "The Hidden Faces of Automation," "With workers hidden in the technology, programmers can treat workers like bits of code and continue to think of themselves as builders, not managers."[19] By minimizing human contact through the use of MTurk, Requesters can ignore the unreasonable qualities of their demands. As Sheila Jasanoff argues in her paper "Virtual, visible, and actionable: Data assemblages and the sightlines of justice," "Which perspective dominates in a given context is a matter of institutional choice or habit."[20] The strategic representation of MTurk as a platform of micro labor services and not a freelance hub allows employers to ignore human relationships and thus the potential of labor abuse. The lack of contact means that to the Requester, it is no different if it was the computer or a human completing the task. They can simply summon Turkers with code and the work will be completed "like magic."[21] Another purpose for dehumanizing services is to gain the trust and confidence of investors by minimizing perceived liabilities and costs. By hiding the labor force, "Microwork companies attract more generous investment terms when investors perceive them as technology companies rather than labor companies."[22] As the language used in communicating human computation influences how it is perceived, the strategic pairing of the words "technology" with "high-value" and "humans" with "liability" encourages the willful ignorance of human rights in the human computation labor

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[18] Irani, Lilly. "Difference and Dependence among Digital Workers: The Case of Amazon Mechanical Turk." *The South Atlantic quarterly* 114, no. 1 (2015). 228. https://doi.org/10.1215/00382876-2831665

[19] Irani, Lilly. "The Hidden Faces of Automation." *XRDS* 23, issue 2 (2016). 36. DOI: 10.1145/3014390

[20] Jasanoff. Sheila. "Virtual, visible, and actionable: Data assemblages and the sightlines of justice." *Big Data and Society* 4, Issue 2(2017). 4. DOI: 10.1177/2053951717724477

[21] Ibid.

[22] Irani, Lilly. "Difference and Dependence among Digital Workers: The Case of Amazon Mechanical Turk." *The South Atlantic quarterly* 114, no. 1 (2015). 231. https://doi.org/10.1215/00382876-2831665

market. Any changes to this perception would require platforms and employers to refocus on the "human" aspect of human computation, with purposeful policies to solidify at least the very minimal humane contractual promises for human labor.

Amazon's business model is extremely effective and profitable at the expense of exploiting their workers, and thus it can be difficult to move a trillion dollar corporation against their self-interest. AWS, which MTurk is part of, generates 77% of Amazon's total operating profits at $10.2 billion.[23] If Amazon sets a minimum price for Requester to pay Turkers, which might be higher than current prices paid, Amazon would receive more money with its 20% share of the worker's pay. However, this would damage Amazon's competitive advantages. Amazon cares that Requesters may choose to give their business to another platform with lower pricing, despite the fact that this loss of revenue is miniscule compared with AWS' total profits. Usually, for-profit companies like Amazon would have financial incentives to set a minimum wage since it takes 20% of worker pay,[24] but Amazon has a history of mistreating workers to cut profits and crush competition.[25] Amazon's pricing practices are examples of predatory and unfair business practices, and MTurk uses legislative loopholes to willfully violate basic human rights in exchange for short term market advantages. By viewing Turkers as a disposable low-quality workforce, Amazon actively ignores factors that lead to worker burnout and decreased worker welfare, which affects worker productivity and satisfaction. However, by increasing the workers' share of the profits, Amazon may actually increase profits due to an increased number of motivated and productive Turkers who produce higher quality MTurk content. For example, a multiplier of $1 per task for high-skilled data processing fees is significantly higher than a low-skill processing fee of $0.01 per task. This retention of high-skilled Turkers has significant potential to generate higher profits.

After analyzing these three characteristics of the platform MTurk that allow for the sustenance of human right abuses, there are a few next steps to consider. A recent example of an attempt for change was Proposition 22 on the 2020 California state election ballot.[26] The wording

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[23] Chan, Rosalie. "Amazon's cloud generated over $10 billion in net quarterly sales for the first time ever — up 33% from a year ago." Business Insider. Apr, 2020. Accessed Dec. 2020. https://www.businessinsider.com/amazon-earnings-aws-amazon-web-services-10-billion-quarterly-revenue-2020-4

[24] "Pricing." Amazon Mechanical Turk. https://www.mturk.com/pricing

[25] General knowledge, no citation given

[26] "Prop 22: Exempts App-Based Transportation and Delivery Companies from Providing Employee Benefits to Certain Drivers. Initiative Statute." California General Election Official Voter Information Guide. https://voterguide.sos.ca.gov/propositions/22/

of this proposition was confusing and many people thought that the passage of Prop 22 would force app-based companies to acknowledge employed drivers as employees rather than independent contractors. Instead, voters actually solidified the employees' places as independent contractors, which exempts employers from providing them with benefits.[27] Employers claimed that this would keep service costs low but service prices are still increasing despite the proposition passing. For example, this article "Uber, Uber Eats add new fees as result of voters passing Prop 22" claims that Uber is raising prices to give benefits to workers because of the passage of Prop 22, which is misleading and incorrect due to the nature of Prop 22.[28] The passing of this proposition only reinforced the existing legal exploitation of independent contractors, leading many to wonder what special interests were involved in the creation of this bill. Why was a bill created to prevent benefits from being given to certain people? Are elected officials knowingly allowing abuses of human rights and even participating in the creation of legislative loopholes?

If the abusive practices of tech companies are well-known and proven by reliable research, why has nothing changed? Ideally, nobody would take any dehumanising job offers, but in reality, some people do not have a choice. "A 2016 Pew Research Center survey[29] found that 25 percent of workers who earned money from online job platforms like Mechanical Turk, Uber, and TaskRabbit went on these sites because there [were] no other available work in their area."[30] In fact, "A growing number of people are turning to platforms like Mechanical Turk for the bulk of their income, despite the fact that the work pays terribly."[31] Irani's case study of MTurk leaves the reader with many questions and concerns about the future of contractual work. Why is the exploitation of independent contractors not at the frontline of advocacy in America? Will legislation change to accommodate this shift in the workforce?

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[27] If you're confused like I was: pass proposition=no benefits for workers, don't pass=benefits.

[28] "Uber, Uber Eats add new fees as result of voters passing Prop 22." abc7 news. Dec, 2020. Accessed Dec, 2020. https://abc7news.com/uber-eats-prop-22-price-increase/8835764/

[29] Smith, Aaron. "Gig, Work, Online Selling and Home Sharing." Pew Research Center. Nov, 2016, Accessed Dec, 2020. https://www.pewresearch.org/internet/2016/11/17/gig-work-online-selling-and-home-sharing/

[30] Semuels, Alana. "The Internet Is Enabling a New Kind of Poorly Paid Hell." *The Atlantic*. Jan, 2018. Accessed Dec, 2020. "https://www.theatlantic.com/business/archive/2018/01/amazon-mechanical-turk/551192/

[31] Ibid.

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