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Bureau of Labor Statistics
Room G225
2 Massachusetts Avenue NE
Washington, DC 20212
(delivery by email to BLS_PRA_Public@bls.gov)

Dear Ms. Good:

I am the Chief Economist of Instawork, a leading online marketplace for flexible work in the United States and Canada. Every day, we help connect thousands of businesses with a network of 4 million flexible workers. Our business partners operate in hospitality, logistics, retail trade, education, health care, and other sectors.

This is a moment of profound transformation for the American workforce. Between 25% and 35% of the active workforce may be participating in the [gig economy](#), and people engaged in some kind of free-lance work may make up [60% of the workforce](#) by 2027. At such an important time for the labor market, we are grateful for the opportunity to comment on the proposed 2023 Contingent Worker Supplement.

Preliminary comments

To frame our response, we first want to draw a distinction between gig work and flexible work. Gig work generally consists of one-off tasks such as a car ride, home repair, or delivery. Although workers may set aside time for gig work each week, they have no assurances of how many hours they will work or how much income they will receive.

By contrast, flexible work consists of pre-booked shifts with hours and pay fixed in advance, providing a greater degree of financial stability. On our platform, we facilitate flexible work by connecting in-person hourly professionals to training shifts, regular shifts, and long-term assignments. Our business partners can also create a roster of preferred workers to whom shifts may be dispatched exclusively.

It is also important to distinguish marketplaces for flexible work from temporary help agencies. Agencies actively fill positions using a pool of workers whom they assign to businesses. In a

marketplace, workers and businesses freely interact to find the best matches in a dynamic labor market. App-based platforms with online marketplaces are not temporary help agencies, any more than eBay is a pawn shop or Alibaba is a department store.

Under these conditions, it is also difficult to define whether flexible work is “temporary” or not. The workers in our network may have several different levels of commitment with our business partners, and these relationships may or may not have fixed endpoints. Moreover, flexible workers themselves may not know whether to categorize their work as temporary or independent, except to the extent that they are aware of the tax treatment of their earnings.

The definitions can be blurred even more for individual workers, who are increasingly mixing different kinds of work. In a survey conducted for our [2022 State of the Flexible Workforce report](#), we found that two thirds of respondents from our network wanted a full-time job. Yet three quarters of these respondents also said they preferred to keep doing flexible work alongside a full-time job.

Both sides of the American labor market are moving toward a portfolio approach, where each actor combines several types of labor that differ by flexibility, commitment, and other characteristics. As a result, the most accurate responses to surveys will probably be to questions in the form “which of these are true”, “select all that apply”, etc.

Technical comments

The following are specific comments on Attachment L – July 2023 Contingent Worker Supplement Summary, as provided to us by the Bureau of Labor Statistics. These comments are organized by survey question.

S1VER

Many flexible workers combine shifts with several businesses over the course of each week, and thus they may not have an easily identifiable “main job”. The same might be said of someone who has a part-time permanent position but actually works more weekly hours in the gig economy.

S1

The endpoint of a flexible work arrangement is not always well defined. Even workers on long-term assignments may expect to keep working for the same business after the assignment ends.

S1SCRI

Flexible workers who wish to return to businesses cannot always do so, as other workers may pick up the available shifts first. The correct response for many workers on our platform would be “maybe”.

S1SCR
(as for S1SCRI)

S1c

Again the distinctions here may not be clear. A flexible worker who signs up for a single shift has signed up for a fixed period of time, e.g. eight hours, but the worker may intend and expect to continue working shifts indefinitely at the same business.

S1i

As explained under S1SCRI, one reason for not being able to return to a business may be that other workers have picked up all the available shifts.

S2INS

As an online marketplace, we do not consider ourselves to be a temporary help agency. Instawork does not “[supply] workers to other companies on an as needed basis”, but we do make it possible for companies to find workers on an as-needed basis. The wording here could be confusing to workers, though, since they pick up shifts and receive payment via our branded platform.

S2
(as for S2INS)

S2aINS

Again, it is not clear whether all app-based platforms for flexible/gig work are intended to be considered temporary help agencies by the respondents.

S2a

On flexible work platforms, workers choose shifts themselves rather than being assigned.

S3
(as for S2a)

S3a
(as for S2a)

S4

On our platform, our business partners can send workers home upon arrival for shifts (with paid compensation) if they are not needed. It is not clear if they would be considered “on-call” or not in this question, or indeed if these workers are in the same universe.

S4a

A flexible worker might have some shifts that qualify as “on-call” and others, for the same business or different businesses, that do not. This question may be too narrowly worded.

S6

Workers can use the Instawork platform to provide their services to businesses as independently contracting professionals. In the United States, they may also choose to onboard as an employee of an Instawork affiliate company, Advantage Workforce Services, in order to obtain access to shifts posted by business partners that, for any number of reasons, prefer to fill their temporary staffing needs with workers provided by an employer of record. It is not clear whether the latter format would be considered “[contracting] out”.

S7

Workers completing shifts independently may consider themselves independent contractors or free-lance workers. Some workers, particularly those on a long-term assignment or as part of a roster may consider themselves to be employed by the business at whose site they work (i.e. rather than being self-employed).

S8IC

(as for S7)

S25a

Again, some workers may consider their flexible/gig work to be permanent, e.g. “I’ll always drive Uber, no matter what my day job is.”

S25ar

In our surveys, we have found that “being my own boss”, “learning new skills”, and “expanding my network” are also important reasons why workers choose flexible work. Notably, “Independence/enjoy being own boss” is an option for S26IR but not here.

S26TR

(as for S25ar)

PIntro

The word “shift” does not appear anywhere in the supplement questionnaire, and yet shifts are the dominant format for flexible work. We would highly recommend a second set of questions about shifts, to distinguish flexible work from gig work as discussed above. If that is not possible, we would recommend adding “shifts” alongside every appearance of “short-term tasks or projects”.

P2BIntro

This question appears to focus on freelance work by white-collar, remote, or knowledge workers (“creating software, designing a logo, or grant writing”). The vast majority of flexible work is completed by blue-collar, in-person workers at warehouses, logistics hubs, food commissaries, event venues, nursing homes, etc. Again, distinguishing between gig (or freelance) work and flexible work seems like it would be useful here.

P3

A flexible work shift is likely to be 8.5 hours including 0.5 hours for lunch. A long-term assignment might require five shifts per week for three months. It is not clear which of these would be described by “a typical task or project”.

P6

A flexible worker might feel that (2) and (3) apply equally; the worker lines up their own work by going to an app or website. A rostered worker might also feel that (1) and (6) apply. A worker who considers an online marketplace to be an intermediary might also choose (7).

P13

There are layers to this question. A flexible worker controls their own work time insofar as they decide whether or not to pick up a shift. But the hours of the shift are set by the business. Even then, the worker and business may modify the hours by mutual consent. On our platform, these changes are logged and reflected in the worker’s pay.

MJCOW

As a reminder, whether or not they are ultimately correct, a flexible worker may be just as likely to consider the business where they complete the most shifts as their employer, or to consider the app they use as their employer, as to call themselves self-employed. Our previous comments on “MAIN job” apply to the rest of the questions in this section.

Once again, we are grateful for the opportunity to offer comments on this supplement. I would be happy to discuss this part of the labor market further with members of the bureau.

Your sincerely,

Daniel Altman PhD
Chief Economist
Instawork