

## Code of Conduct



### **Principles to ensure fair cooperation between crowdsourcing platforms and crowdworkers**

#### **Whereas**

Digitalisation is having major effects on our society, and in particular on the world of work. New models of employment and forms of cooperation are emerging, which are influencing and causing changes for both individuals and employers as well as social institutions and customers. Crowdsourcing or crowdworking – i.e. the outsourcing of orders to a large number of interested parties – is a result of this development. In recent years this new form of work has become increasingly prevalent and has now become established as a fixed element within the world of work as well as within wider society.

#### **Definition of crowdworking**

In contrast with unpaid crowdsourcing work, where tasks are carried out free of charge by volunteers, the aim of this Code of Conduct is to set out principles applicable to paid crowdsourcing or crowdworking.

The term crowdworking covers a wide variety of activities – from technical services provided in situ, passenger transport, cleaning services, data processing through to copywriting and software testing etc. The only common feature is that the activity is arranged through an online platform or mobile application. Provided that particular prerequisites are met, crowdworking is subject to the same legal requirements as self-employed work and does not give rise to any ongoing employment relationship entailing liability for social insurance contributions. Whilst

crowdworking is performed in many countries primarily as a secondary job or on a part-time basis, there are crowdworkers who already use this form of work as their principal source of income. Alongside the financial incentives, there are also other significant reasons for carrying out this type of work, such as a passion for passing on knowledge or expertise, engaging in a pastime or simply due to altruistic considerations. Crowdworking is characterised by its considerable degree of flexibility. Crowdworkers are free to decide on various platforms whether or not to accept a job. In addition, on some platforms they are largely free to manage their time. However, platform operators are unable to guarantee work, since demand is determined by the market.

### **Objective and purpose**

This Code of Conduct sets out the principles endorsed by Mila AG, which will be developed further in the event of any change in requirements.

The objective is to set out a body of principles that are generally applicable to each individual's involvement in crowdwork, in addition to those laid down by law, thereby creating a basis for engagement between platform operators and crowdworkers that is characterised by trust and fairness. The Code of Conduct is provided as a guide and is intended to contribute to establishing crowdworking as a new win-win form of work for all parties involved, thereby unlocking the full potential of this new form of work.

### **Scope**

The undersigned undertakes to abide by the principles set forth herein and to promote them within the company and in dealings with third parties. The Code of Conduct will be reviewed, and if necessary amended, in the event of any change to the framework conditions or any other external circumstances – such as a change in the law. Since the Code of Conduct constitutes a voluntary commitment, it does not apply outside of Mila. However, all interested businesses are expressly invited to adhere to it.

The principles are only applicable to crowdworking activities carried out in Switzerland.

## Principles

### 1. Legality of projects

The undersigned undertakes to refrain from proposing to crowdworkers any projects with illegal, defamatory, fraudulent or inciteful content or content that glorifies violence. Mila examines orders and projects in order to ensure that they are compliant with the law.

### 2. Clarification of the legal position

Mila refers crowdworkers to the legal rules and requirements that may be applicable to the activity, in particular in relation to tax. Crowdworkers are informed that they must clarify their own personal circumstances and the applicable laws with regard to legal and tax aspects on their own initiative. Mila may request crowdworkers to furnish proof that they have registered for and are correctly declaring any income to the competent social insurance bodies.

### 3. Motivating and good work

Mila may provide auxiliary tools that generally make work easier. Mila is entitled to structure the online platform in as user-friendly and intuitive a manner as possible and to provide assistance through direct contact. In addition, further measures should assist in meeting with the expectations of crowdworkers in terms of motivating and satisfactory activity. These may include for example:

- ▷ FAQs and forums
- ▷ Advanced training options (e.g. e-learning, partner events)

### 4. Respectful dealings with others

The relationship between the Mila platform, its customers and crowdworkers is premised on reliability, trust, honesty, openness and mutual respect. As an intermediary between the customer and the crowdworker, Mila is aware of its responsibility to take account of and consider the interests of both parties. Mila undertakes to comply with national law, and where applicable international law, including the right to collective representation and bargaining.

### 5. Clear definition of tasks and reasonable scheduling

The crowdworker's tasks must be defined clearly and precisely. Crowdworkers will receive information on the customer along with a detailed description of all substantive and timescale-related criteria that must be complied with in order to be able to carry out and successfully complete a task. The description of the task constitutes the basis for the activity that is to be carried out as well as subsequent payment. As an intermediary, Mila takes account of the timescales and deadlines required by the customer, although also ensures that orders are planned realistically and that the crowdworker has sufficient time in order to complete his/her tasks. In the event that any projects are not allocated by the crowdsourcing company but rather directly by the customer, the crowdsourcing company will provide advice concerning a clear definition of tasks and reasonable scheduling.

### 6. Freedom and flexibility

Crowdworking is voluntary and is characterised by its considerable degree of flexibility. In many cases, orders can be dealt with in a broadly autonomous manner in terms of time and location, and the crowdworker is not

subject to any long-term obligation or locked in to a platform. The crowdworker is not subject to any non-compete obligations. Based on the order description, the crowdworker decides in his/her own discretion whether or not to accept an order. The failure to accept any order offered may not result in any negative consequences, and no pressure may be exerted by the platform on the crowdworker.

#### 7. Constructive feedback and open communication

Since crowdworkers work independently, it is important that the customer or the intermediary can be contacted with any queries relating to ongoing orders. Mila provides crowdworkers with optimum assistance and technical support in addition to feedback. Customers are offered the opportunity to provide feedback and to suggest improvements. Open and honest communication between the parties is essential for this purpose. Exchanges of views between crowdworkers is promoted by platforms and supported by technical features, such as for instance forums, where this is reasonable and feasible for order execution. Crowdworkers may report to Mila any breaches by customers or any failure by customers to comply with obligations.

Mila and the undersigned social partner will regularly, at least once each year, share their views concerning the development of crowdsourcing business as well as cooperation between crowdworkers and Mila or customers.

#### 8. Data protection and privacy

The responsible and lawful handling of personal data is of utmost importance to Mila. In addition, other information (e.g. the content of offers) is also subject to a requirement of confidentiality.

Protecting the privacy of crowdworkers is a matter of the utmost priority. This applies in particular to personal information such as particulars or contact details. The same applies to the personal data and information of the customer.

Mila only collects, stores and processes the personal data of crowdworkers and customers where this is necessary for the management of the crowdsourcing platform, the provision of its services, the processing of orders and contracts, invoicing, answering questions and concerns, the provision of support in relation to technical matters as well as for the purpose of assessing and improving Mila services and functions, or creating new services and functions.

To this effect, Mila undertakes that it will only disclose to third parties or arrange any processing of the crowdworker's personal data in accordance with the [Privacy Statement](#), which is available on its homepage, or if there is a legal basis for doing so (e.g. criminal prosecution). The same applies in relation to customers.

The handling of any unjustified customer evaluations of the crowdworker is governed by the Terms and [Conditions of Use for Mila Contractors](#). These will be handled by means of an objection procedure.

Both the crowdworker and the customer have the right to obtain written information concerning any of their personal data that are processed by Mila.

They also have the right to obtain the rectification of inaccurate personal data. They also have the right to obtain the erasure of their personal data, unless Mila is obliged by law or regulations to retain any of the personal data.

Finally, crowdworkers and customers have the right to withdraw consent previously provided to the processing of their personal data at any time and/or to object to the processing of their personal data.