



FAIRWORK

AI SUPPLY CHAIN EVALUATION:

TINKOGROUP 2026

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Executive Summary

This report presents Fairwork's evaluation of Tinkogroup, an Estonia-based data services provider operating through a remote workforce based primarily in Ukraine.

The assessment applies the Fairwork AI Principles across five areas: fair pay, fair conditions, fair contracts, fair management, and fair representation. The evaluation draws on desk research, evidence from management, and evidence from a worker survey and interviews.

Tinkogroup demonstrated meaningful engagement with the Fairwork process and introduced 15 documented changes to policies and employment terms during the evaluation period. In particular, the formalisation of occupational health protections and fair management safeguards represents significant progress.

Nonetheless, structural challenges remain. Earnings can fall below living wage estimates, paid leave and income protection mechanisms are absent, contractual stability for long-term workers is limited, and collective representation is not formally embedded.

The findings illustrate both the capacity for rapid improvement of governance when standards are clearly articulated, and the continued need to embed labour protections more deeply into contractual design, remuneration systems, and representative structures.



Background

EVALUATING THE AI SUPPLY CHAIN

The rapid expansion of AI systems has been accompanied by a parallel expansion of the labour required to build and maintain them. Data annotation, validation, and content moderation are now organised at scale through specialised firms coordinating distributed workforces across borders.

This organisational model enables efficiency and rapid deployment of resources. It also frequently concentrates commercial pressure downward through supply chains.

The organisation of work is not incidental to AI production. Pay structures, contractual design, performance monitoring systems, and grievance mechanisms shape the lived realities of workers and determine whether the economic gains of AI development are distributed equitably or extracted asymmetrically.

Fairwork's AI research addresses these issues directly by assessing companies in the AI supply chain against concrete, evidence-based labour standards. Using the Fairwork AI Principles, evaluations rely on verifiable documentation and worker testimony to determine whether minimum thresholds are met. Scores are reported publicly, creating accountability in an industry where responsibility is often diffused across complex supply chains.

However, transparency alone does not correct structural imbalances. Benchmarking can identify gaps, but without mechanisms that embed standards into procurement practices, supplier agreements, and internal governance systems, improvements may remain partial or temporary. This is the rationale for Fairwork certification.

Fairwork's certification scheme is designed to encourage firms in the AI supply chain to embed Fairwork standards into their supplier agreements and procurement policies. Its aim is to create accountability across the supply chain rather than relying on one-off reforms at the level of individual suppliers.

Why this matters

Ensuring decent work in AI supply chains is essential for building resilience, credibility, and long-term business sustainability through:

- **Regulatory Preparedness:** Proactively aligning with emerging labour laws and global standards helps mitigate legal and ethical risks before they affect compliance or reputation.
- **Transparency and Trust:** Demonstrating responsible labour practices builds credibility with customers, investors, and regulators, positioning companies as leaders in ethical AI.
- **Resilient Workforce:** Fair wages, job security, and decent working conditions help attract and retain skilled data workers, creating a stable and productive AI supply chain.
- **Sustainable Commitment:** Fairwork's flexible, continuous-improvement model enables companies to embed lasting fair labour standards and ensure long-term accountability.

Evaluation Model

Fairwork's structured four-phase evaluation model supports companies in identifying risks, implementing improvements, and embedding fair labour standards throughout their supply chains. The model includes:

- **Discovery and Risk Assessment:** Mapping supply chains, reviewing contracts and codes of conduct, and conducting worker interviews and document reviews to identify risks.

- **Action Planning:** Prioritising risks by severity and impact, developing tailored remediation plans, and establishing clear metrics for tracking progress.
- **Implementation and Training:** Supporting companies and suppliers to deploy ethical sourcing and labour protection strategies, and to embed due diligence practices in procurement.
- **Monitoring and Reporting:** Conducting follow-up audits 1–2 years later to assess adherence to the Fairwork principles and the effectiveness of remediation, with outcomes transparently reported.

Fairwork offers both audits and certification to lead firms within the AI supply chain. Audits cover the first two phases and provide companies with a roadmap for improvement. Certification requires firms to go further by implementing reforms, undergoing follow-up audits, and demonstrating progress over time.

Companies earn the Fairwork Onboard certification during the Discovery and Risk Assessment stage, while the Fairwork Endorsed certification recognises sustained improvements confirmed through follow-up audits.

This report situates Tinkogroup as a supplier within the AI supply chain, responsible for organising and managing labour in the delivery of AI services to clients. The evaluation builds on Fairwork’s wider AI research programme. Drawing on this research foundation, the report assesses Tinkogroup’s employment practices and governance systems against established labour thresholds under the Fairwork AI Principles.



COMPANY BACKGROUND

Tinkogroup is an Estonia-based data services provider delivering project-based data processing and annotation solutions to clients across international markets through a distributed remote workforce.

The company is headquartered in Tallinn, Estonia, while its core operational activities are carried out by a distributed workforce of remote contractors, based primarily in Ukraine.¹

Tinkogroup offers a wide range of data-related services, including data processing, data annotation, natural language processing (NLP) annotation, data labelling, data entry, database processing, lead research, and form-filling services.² Annotation work is primarily carried out using third-party data annotation tools, including Labelbox, Dataturks, Datasaur, and Label-Video.³ These services are delivered in accordance with client-defined project requirements.

Tinkogroup supports clients across a range of industries, including IT services and software, software as a service (SaaS), e-commerce, education and EdTech, healthcare, real estate, legal services, fashion and apparel, and early-stage companies, small businesses, and startups.³ Since its operations began, the company has completed more than 170 projects.⁴ Its client portfolio includes companies such as Continuum, Tetrix, Obrest BV, and Education Today, among others.⁵

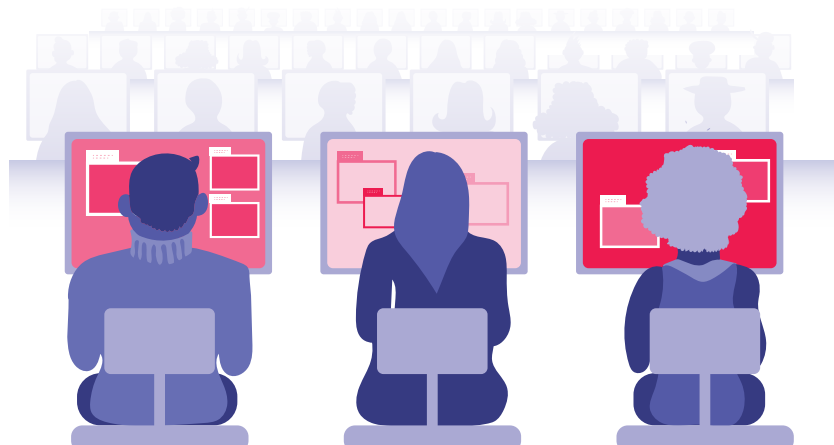
Tinkogroup's operational team has been active since 2016, while the legal entity was formally registered in Estonia in 2023. It operates as a single legal entity and

has no subsidiaries. Tinkogroup currently engages approximately 55 workers, all classified as independent contractors working remotely on a project- or task-based basis.⁶ These workers typically work between 30 and 40 hours per week.

Tinkogroup promotes and markets its services through a combination of online platforms and direct outreach. These include digital freelancing and business-to-business marketplaces such as Upwork, Guru, Fiverr, and Clutch, as well as more traditional channels such as Tinkogroup's website, professional networking platforms, and direct client engagement.

Tinkogroup is led by the Chief Executive Officer (CEO) and is organised into several functional areas, including delivery, operations, sales, finance, human resources and recruitment, and marketing. Delivery activities are overseen by the Chief Delivery Officer and coordinated through project managers. The remaining functional areas are overseen by the CEO, with operational coordination support provided by an Operations Manager.⁶

Workers are recruited through job advertisements posted on the Work.ua platform, followed by a structured selection process that includes initial screening, interviews, and the completion of paid standardised test assignments.⁷



Methodology

Fairwork's research follows a standard, universally applied methodology to assess whether working conditions in the digital economy meet minimum standards of fairness.

This methodology consists of desk research, management meetings, worker surveys and interviews, and reporting on the findings.

Using this approach, Fairwork collects data on company policies and how these policies are translated into practice (i.e., workers' experiences) to evaluate companies against the five Fairwork principles: fair pay, fair conditions, fair contracts, fair management, and fair representation.⁸

Desk Research

Each evaluation begins with desk research to gather publicly available information about the company, its operations, and labour practices. This stage helps the research team identify key issues, refine the research focus, and design appropriate instruments for data collection and worker recruitment. It also serves to establish initial points of contact with management where necessary, laying the groundwork for subsequent engagement and evidence gathering.

Engagement with Management

The second element of the Fairwork methodology involves engaging with company management to obtain evidence. Management participates in meetings where the principles are outlined and where they are invited to provide supporting evidence of relevant policies and practices. Where necessary, written questions are also supplied. The objective is to gain insight into the company's operations and business model, while facilitating a dialogue through which the company may agree to implement changes aligned with the Fairwork principles.

Worker Evidence

The third component of the methodology involves collecting data directly from workers through surveys and

interviews, thereby generating detailed evidence of their lived experiences working for the company. The objective is not to produce a statistically representative sample but to develop a qualitative understanding of work processes and their management. This approach enables an assessment of whether company policies and practices are implemented consistently and whether they function as intended.

Workers are recruited through a range of methods tailored to each evaluation. Where possible, trade unions, worker groups, and other relevant stakeholders assist in disseminating calls for participation. Workers are compensated for their time at hourly rates above the applicable local living wage for both surveys and interviews.

The survey is administered via Qualtrics using the University of Oxford's secure servers. Workers receive an invitation form outlining the study's independent and confidential nature, expected time commitment, remuneration, and data protection procedures, including how to raise concerns or complaints. Survey questions are structured around the Fairwork AI Principles and include a limited number of demographic questions to contextualise participants' backgrounds. Interviews follow the structure of the Fairwork AI Principles, last approximately one hour, and are conducted in strict confidence.

Reporting and Publication

The assessment process is underpinned by a structured scorecard methodology. While this framework guides the evaluation, the final report does not necessarily disclose

the specific score awarded to an individual company.

The evidence gathered through this process forms the basis of Fairwork's analysis and scoring. Drawing on this analysis, Fairwork produces a written output, which may take the form of a full report or a high-level summary, depending on the scope and purpose of the evaluation.

This publication outlines the key findings, analysis, and areas of concern under each of the Fairwork AI Principles. It notes any changes made or commitments undertaken by the company during the assessment process. It also sets out recommendations where relevant. While the publication reflects the conclusions reached through comprehensive review of the evidence, it does not necessarily reproduce the full body of documentation considered during scoring.

Application of the Fairwork Methodology to Tinkogroup

In August 2025, Tinkogroup was invited by Fairwork to participate in Fairwork's AI supply chain evaluation. An initial meeting was held in September, and engagement was formally agreed in late October. The official assessment process commenced in December 2025, with the company submitting its first round of evidence in January 2026. This was followed by a further round of inquiries.

Fairwork then requested that Tinkogroup distribute

an invitation to a voluntary worker survey conducted independently of the company. Tinkogroup cooperated fully and promptly shared the invitation. As a result, Fairwork received 23 eligible survey responses. Of these, eight workers who indicated their willingness to participate in a follow-up interview were subsequently interviewed. Compensation for participants was set at 506 Ukrainian hryvnias (UAH) (approx. USD 11.74) for survey completion and an additional UAH 759 (approx. USD 17.62) for interview participation. All identities were anonymised, and ethical approval was granted by the University of Oxford's Central University Research Ethics Committee (CUREC) under code reference: R92070/RE003.

Fairwork then triangulated findings from desk research, worker interviews, and management-submitted evidence to produce a provisional scorecard, which was shared with Tinkogroup. The scorecard outlined the issues identified during the assessment and recommended specific changes or clarifications under each of the five principles in order to improve the score. The company subsequently submitted a third round of evidence, including new documents introduced in response to the scorecard's recommendations, as well as amendments to existing policies and contracts. Tinkogroup's assessment was concluded in February 2026, drawing on all evidence collected during the assessment process.



Findings

This section presents the findings of Fairwork's evaluation of Tinkogroup, structured around the five Fairwork AI Principles. It provides a systematic assessment of the company's policies, practices, and working arrangements, identifying areas of alignment with the principles, documenting changes undertaken during the assessment process, and highlighting areas where further improvement is required.



Fair Pay

The Fair Pay principle evaluates whether workers receive adequate, timely, and transparent compensation for their work. The first threshold addresses payment of at least the applicable minimum wage, timely and full payment, clear wage calculation and record-keeping practices, and safeguards to ensure fairness in algorithmic or AI-managed pay systems. The second focuses on whether workers earn at least a local living wage, ensuring compensation is sufficient to support a basic but decent standard of living.

Evidence from management and workers indicates that Tinkogroup pays above the national minimum wage of UAH 52 per hour (approx. USD 1.18) and UAH 8,647 per month (approx. USD 196.75).⁹ Documentation confirms that base hourly rates exceed this threshold, and worker testimony confirms that payments are made on time and in full, with no evidence of delays or withholding of pay.

Base rates, overtime provisions, and performance-based increments are formally documented. Workers generally reported clarity regarding their base hourly rate. Working time is recorded in the Clockify system, where workers specify tasks performed and time spent. However, inconsistencies emerged regarding compensable time. Workers were unsure whether time spent waiting for responses, engaging in organisational communication,

or attending certain meetings was paid. Although management clarified that some of these activities are compensable, this was not consistently communicated in written policy at the time of assessment.

Following engagement with Fairwork, Tinkogroup introduced a Policy Briefing and Acknowledgement Procedure to ensure structured onboarding and annual policy reconfirmation. Tinkogroup also amended the Statement of Work (SOW) to provide for biannual rate reviews and removed the previous 10 per cent cap on rate increases. In addition, the Time Tracking Guidelines were updated to clarify payable time and recording requirements. These changes strengthen transparency and internal consistency. Tinkogroup does not use any algorithmic or AI-managed pay systems.

Workers' earnings are below locally estimated living wage levels, based on worker testimony.^{10 11 12 13} Tinkogroup has not adopted a formal living wage benchmark or implemented systematic reviews of pay against cost-of-living indicators. Worker evidence indicates that average monthly earnings are approximately UAH 17,000 (approx. USD 386.81) and remain below estimated living wage levels in the cities where workers are based. Many workers experience financial strain, and most are substantially dependent on their income from Tinkogroup.



Fair Conditions

The Fair Conditions principle assesses whether workers are protected from occupational risks arising from their work, including excessive workload, exposure to distressing content, and unsafe task design, and whether adequate safeguards are in place when workers are unable to perform work due to illness or other circumstances.

The initial assessment found that Tinkogroup operated a fully remote contractor model with flexible scheduling and a reported 40-hour weekly cap aligned with the ILO standard. Workers could raise wellbeing concerns with HR and request reassignment from distressing tasks. However, safeguards were largely informal and practice-based. There was no documented occupational safety and health (OSH) framework tailored to remote work, no structured risk-classification system for distressing content, no defined exposure limits, and no formal trauma-informed safeguards.

During the review period, Tinkogroup adopted a formal OSH Policy tailored to remote work. The policy introduces a

structured risk-classification framework, mandatory pre-task risk labelling, a documented right to refuse elevated-risk assignments without retaliation, and trauma-informed safeguards for high-risk content, including exposure limits, task rotation, decompression breaks, and access to psychological support. It also recognises psychosocial and ergonomic risks and establishes monitoring and annual review mechanisms. The adoption of this policy represents a significant step forward in formalising protections against high job strain, secondary traumatic stress, and task-specific risks in remote work. Its long-term effectiveness will depend on consistent implementation, monitoring, and enforcement in practice.

Workers do not receive paid leave. While workers report being able to take leave when required, no income protection mechanism is in place for periods of illness or unavoidable absence. There is also no evidence of employer-provided healthcare support beyond public systems.



Fair Contracts

The Fair Contracts principle evaluates whether workers are engaged under clear, transparent, and secure employment terms. The first threshold addresses written and accessible contracts, informed consent, legal clarity of the employing entity, and safeguards against precarious arrangements or restrictions on workers' rights. The second focuses on employment security, including pathways to permanent contracts, fair treatment across contract types, appropriate severance and consultation in cases of redundancy, representation rights, and oversight of subcontracting arrangements.

Worker testimony indicates that engagement begins with a two-month trainee period based on a verbal agreement. Although workers are paid and required

to sign a non-disclosure agreement, no written contract sets out remuneration, scope of work, termination provisions, or dispute resolution procedures. The absence of documented terms at this stage creates legal uncertainty and increases reliance on managerial discretion. Following the trainee period, written contracts are provided digitally, the employing entity is clearly identified, and workers confirm that they have access to their contracts.

Beyond the trainee period, concerns were identified regarding contractual clarity and consistency. At the time, the Services Agreement and Statement of Work (SOW) contained a clause permitting termination 'for any reason', while a separate document governing pay structure specified defined grounds. The Services Agreement also

included a provision that could be interpreted as rendering workers liable for incomplete work upon termination.

Over the course of Fairwork's evaluation, Tinkogroup introduced clearer criteria in the SOW. However, the Services Agreement continued to permit termination 'for any reason.' The separate liability provision in the Services Agreement has since been amended to clarify that workers are not liable for incomplete work upon termination. This amendment reduces the risk of financial liability arising from ambiguous drafting.

Issues of contractual specificity were also observed. Contracts were previously drafted in broad terms, referring to workers simply as 'contractors' and listing an extensive range of potential services. Some workers reported that they had not performed or were unfamiliar with certain tasks set out in their contracts. Following engagement with Fairwork, Tinkogroup amended the SOW to include job titles and a more specific list of tasks. While this improves clarity, responsibilities remain wide in scope. This raises questions about whether contractual terms reflect operational practice and enable informed consent to the scope of responsibilities set out.

With respect to employment security,

workers engaged on long-term projects are not offered a pathway to permanent employment. Worker evidence indicates that individuals with more than three years of continuous engagement remain classified as independent contractors. In addition, Tinkogroup does not provide end-of-contract meetings or a formal provision allowing workers to invite a worker representative to such meetings.

In response to Fairwork's recommendations, Tinkogroup introduced a Long Term Engagement Review Policy enabling workers to request a review of their employment status. However, the policy is limited to status review and does not provide a pathway to permanent employment. It imposes no obligation to approve requests, and the policy may be amended or withdrawn at the company's discretion. Tinkogroup also introduced end-of-engagement meetings for workers with three or more years of service, with the option to be accompanied by a worker representative. While these measures strengthen procedural safeguards, they do not fully address questions relating to long-term employment security.

Finally, workers reported that their non-disclosure agreements do not prevent them from raising concerns, and management confirmed that Tinkogroup does not subcontract work to other firms.



The Fair Management principle evaluates whether workers are treated with respect, protected from abusive or arbitrary management practices, and given effective channels to raise concerns. The first threshold addresses safeguards against harassment, discrimination, and retaliation. The second focuses on transparency in data use, monitoring systems, and access to appeal where decisions affect workers.

According to evidence provided by management, Tinkogroup promotes

respectful communication in the workplace and encourages workers to raise concerns with management or HR. Workers reported that management was generally supportive and responsive. However, there were no formally documented anti-harassment or anti-discrimination policies, no structured disciplinary and appeals procedure, no written non-retaliation guarantee, and no formalised mechanism for worker input into performance metrics.

Over the course of Fairwork’s evaluation, Tinkogroup adopted a formal Fair Treatment of Workers Policy, establishing explicit prohibitions on bullying, harassment, abuse of authority, and discrimination across a comprehensive list of protected characteristics. The policy introduces defined reporting channels, structured investigation procedures with clear timelines, a documented disciplinary process, and a formal right of appeal to an impartial decision-maker. It includes an explicit non-retaliation commitment and formalises structured worker participation in performance metric review through quarterly consultation processes and documented feedback mechanisms.

Tinkogroup does not rely on any forms of algorithmic management in its workflows.

The company also reported limited use of monitoring tools. However, there was no documented framework outlining worker data rights, opt-out mechanisms, or clear data governance safeguards.

Following engagement with Fairwork, Tinkogroup adopted a Worker Data Rights Policy and an Opt-Out for Non-Essential Data Processing Policy. These policies grant workers the right to access, review, correct, and request deletion of personal data where legally permissible; object to non-essential data processing; and receive confirmation of third-party data sharing. These measures represent a significant strengthening of formal governance safeguards. Their long-term impact will depend on how consistently they are applied and enforced in practice.




Fair Representation

The Fair Representation principle evaluates whether workers can collectively organise, express their views, and participate in decisions affecting their work. The first threshold addresses formal mechanisms for collective voice, employer recognition of independent representative bodies, and protections against retaliation. The second focuses on democratic governance, requiring either meaningful worker participation in company governance or formal recognition and engagement with unions or other collective bodies.

Tinkogroup does not have a documented mechanism for collective worker voice that enables all workers, regardless of contract type or duration, to participate in representative structures. There is no elected workers’ council, recognised collective body, or trade union partnership. While workers can raise concerns directly with management, this occurs through informal and individual channels rather

than structured collective processes. Tinkogroup has also not issued a formal written statement recognising workers’ right to organise or expressing willingness to recognise or bargain with an independent collective body. Most workers reported that they have not considered union membership or collective representation. However, while collective representation is not formally embedded or protected through written policy, there is no evidence that workers are disadvantaged for expressing concerns.

Workers do not currently have a formal role in the company’s governance processes. There is no evidence of worker participation in formal decision-making processes, strategic discussions, or policy development, nor any publicly documented recognition of an independent representative body or steps toward collective bargaining.



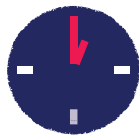
Moving Forward: A Summary of Changes Introduced by Tinkogroup

The following 15 changes were made by Tinkogroup over the course of its engagement with Fairwork:



Fair Pay

1. Adopted a formal Policy Briefing & Acknowledgement Procedure to ensure that workers are informed of company policies during onboarding for new hires, through annual reconfirmation for existing workers, and through a written acknowledgment system that tracks which workers have been informed.
2. Updated the Statement of Work to provide for a biannual review of workers' hourly rates.
3. Removed the previous 10 per cent annual cap on increases to workers' hourly rates in the Statement of Work.
4. Revised the Time Tracking Guidelines to include clearer instructions on what constitutes trackable time and the appropriate categories under which such time should be recorded on Clockify.



Fair Conditions

5. Adopted a formal Occupational Safety and Health (OSH) Policy tailored to remote work arrangements, replacing previously informal practices with a structured and documented framework. The OSH Policy establishes a risk-classification system for task-related and content-based risks; mandatory pre-task risk disclosure; a documented right to refuse elevated-risk assignments with non-retaliation protections; trauma-informed safeguards for high-risk content, including exposure limits, task rotation, decompression breaks, and access to psychological support; recognition of psychosocial and ergonomic risks; and monitoring and annual review mechanisms.



Fair Contracts

6. Removed the 'termination for any reason' provision from the Statement of Work.
7. Aligned termination clauses across the Statement of Work and the Pay Structure, Rate Review, and Payment Rules document to ensure consistency.
8. Added a provision in the Services Agreement explicitly stating that workers are not liable for incomplete work upon termination.
9. Confirmed in the Services Agreement that workers are entitled to payment for services performed up to the termination date.
10. Amended the Statement of Work to define worker's roles by including the job title and adding a specific list of tasks outlining the services to be provided by the worker.
11. Adopted a formal Long Term Engagement Review Policy to provide workers with the option to request a change in their employment status after three years of engagement as an independent contractor.
12. Introduced an End-of-Engagement Meeting provision within the Long Term Engagement Review Policy, providing for a formal review meeting for workers engaged for three years or more, with the option for workers to be accompanied by a worker representative.



Fair Management

13. Adopted a formal Fair Treatment of Workers Policy, establishing a documented framework for prohibiting harassment, bullying, abuse of authority, and discrimination across a comprehensive list of protected characteristics; structured reporting channels and defined investigation timelines; a documented disciplinary procedure and formal right of appeal to an impartial decision-maker; explicit non-retaliation protections; and structured worker participation in performance metric review.
14. Adopted a Worker Data Rights Policy, formalising workers' rights to access, review, and correct personal data; request deletion where legally permissible; restrict or object to certain forms of processing; receive confirmation of third-party data sharing; and exercise these rights within defined timelines and without retaliation.
15. Adopted an Opt-Out for Non-Essential Data Processing Policy, distinguishing essential from non-essential data processing and establishing a structured mechanism for workers to decline optional processing activities without adverse consequences.



Recommendations for Tinkogroup

Principle 1: Fair Pay

1.2 – Pays at least the local living wage

1. Develop and formally adopt a documented living wage benchmark, based on credible national or regional cost-of-living data, and ensure it is reviewed annually.
2. Establish a time-bound plan to progressively increase base rates where earnings fall materially below living wage.

Principle 2: Fair Conditions

2.2 – Ensures paid leave and a safety net

1. Introduce a sickness income protection mechanism. Even within a contractor model, establish a proportionate system that provides minimum income protection during medically certified illness or unavoidable absence.
2. Provide healthcare support where public systems are insufficient. Where workers are located in jurisdictions without comprehensive public coverage, consider a healthcare stipend, insurance contribution, or pooled coverage arrangement.

Principle 3: Fair Contracts

3.1 – Provides decent contracts

1. Implement a formal written trainee agreement that clearly sets out remuneration, scope of work, termination provisions, and dispute resolution mechanisms.
2. Remove the 'termination for any reason' provision from the Services Agreement, consistent with its removal from the Statement of Work.

3.2 – Provides secure employment

1. Amend the Long Term Engagement Review Policy to clarify that long-term employees may request a

transition to permanent employment, rather than a change in employment status.

2. Revise the clause 'This Policy may be amended or withdrawn at the Company's discretion,' in the Long Term Engagement Review Policy to enhance accountability and strengthen the policy's stability. Consider including safeguards such as notice requirements, consultation obligations, or limitations on unilateral withdrawal to ensure the policy cannot be removed without appropriate process.

Principle 4: Fair Management

No additional recommendations are made under this principle in the current round of assessment.

Principle 5: Fair Representation

5.1 – Assures freedom of association and expression of worker voice.

1. Establish a documented worker representation mechanism (e.g., elected worker representative or workers' council) that is open to all workers with clear election procedures and defined mandate.
2. Issue a formal written Freedom of Association policy explicitly recognising workers' right to organise, join, or form independent collective bodies or trade unions without retaliation. Ensure this is included in contracts, onboarding materials, and internal documentation.

5.2 – Supports democratic governance.

1. Issue a written statement publicly recognising independent collective bodies and committing to good-faith collective bargaining where applicable. Alternatively, introduce structured consultation requirements for major workplace decisions with documented minutes and evidence of worker input.

Appendix: Fairwork AI Principles

Principle 1: Fair Pay

1.1 – Pays at least the local minimum wage

To achieve this point, the employer takes appropriate steps to ensure ALL of the following:

- Workers, regardless of their employment status or contract type, must earn the local minimum wage or the wage¹⁴ set by collective sectoral agreement (whichever is higher) for all hours worked.¹⁵
- Workers, regardless of their employment status or contract type, are paid on time and in full.
- Workers receive clear and accessible information on how their wages are calculated, including base rates of pay, overtime rates, bonuses or allowances, and any deductions applied. They must have access to accurate wage records that detail the amounts paid and the period of work covered, and a channel through which to challenge discrepancies or raise concerns regarding payment accuracy or timing.
- Employers must ensure transparency and fairness in any algorithmic or AI-managed pay systems to prevent errors, underpayment, or delays.

1.2 – Pays at least the local living wage

Minimum wage can be insufficient to ensure workers and their dependents a basic but decent standard of living. The living wage exists to set the benchmark of what is required to enable this decent standard of living.¹⁶

To achieve this point, the employer takes appropriate steps to ensure the following:

- Workers, regardless of their employment status or contract type, must earn at least the living wage, or the wage set by collective sectoral agreement (whichever is higher) for all hours worked.

Principle 2: Fair Conditions

2.1 – Ensures safe working conditions

Workers face several risks in the course of their work, including strain, exhaustion, and exposure to traumatic

content. They have a right to protection from these risks.¹⁷ Employers must show they are aware of task-specific risks and take steps to mitigate them.

To achieve this point, the employer must satisfy ALL of the following:

- Implement policies and practices that protect workers' safety from task-specific risks. This should, at a minimum, account for well-evidenced risks such as:
 - High job strain, which can lead to a range of negative health impacts, including cardiovascular disease and mental health disorders
 - Secondary traumatic stress, which can be associated with repeated exposure to traumatic content
 - Musculoskeletal injuries, which may emerge as a result of unsuitable equipment, excessive workload, or perverse incentivisation in physical or repetitive tasks.
- Risks related to a specific job are flagged to workers before they accept a role or project (such as indicating that they might be exposed to violent content).
- The employer places a maximum limit on standard working time that meets either the applicable national regulation or, in cases where there is no applicable national regulation, the ILO standard of 40 hours a week.¹⁸
- Workers are entitled to take breaks during working time that is defined under the applicable national regulation, or in cases where there is no applicable national regulation, is equivalent to a minimum of one hour for every eight hours worked.
- If the work arrangements require workers to work in shifts, companies must have a clear policy outlining how reasonable accommodations can be made for workers with additional needs due to health, safety, and other personal reasons (such as pregnancy,

requirements, disability, and other health conditions).

- For work involving exposure to explicit, distressing, or otherwise potentially traumatic content (such as content moderation), employers must adopt additional, trauma-informed safeguards.¹⁹ In the absence of such provisions, companies must refrain from participating in projects that require workers to handle disturbing or explicit material.

2.2 – Ensures paid leave and a safety net

Workers are vulnerable to the possibility of losing their income as the result of unexpected or external circumstances, such as sickness or injury. Most countries provide a social safety net to ensure workers don't experience sudden poverty due to circumstances outside their control. However, not all workers might qualify for the social safety protections due to their own personal circumstances (e.g., visa status, residency status). In recognition of the fact that most workers are dependent on the income they earn from their work, employers must ensure that workers are compensated for any loss of income due to an inability to work. In addition, employers must minimise the risk of sickness and injury.

To achieve this point, the employer must ensure ALL of the following:

- Workers have access to paid time-off (such as bereavement, parental, sick, and annual leave.)
- Where core medical treatment is not provided by a public system, such as a national healthcare scheme, the employer makes a meaningful provision for the healthcare costs of its workers.²⁰

Principle 3: Fair Contracts

3.1 – Provides decent contracts

Fair and transparent employment terms are a fundamental part of decent work. Employment on temporary contracts can have significant negative effects on job satisfaction, well-being, and health. Short-term contracts, such as those lasting one to three months or with no guaranteed working hours, place workers in precarious positions and are likely to exacerbate these negative effects. In addition, companies are required to comply with all applicable local laws and regulations. The thresholds outlined below apply in addition to legal requirements and establish higher standards for fair and responsible employment practices.

To achieve this point, the employer must meet ALL of the following:

- Workers must sign a contract and/or give informed consent to the terms of conditions upon signing up, and for each subsequent contract extension.
- The contract or terms and conditions are presented in full, in clear and comprehensible terms, and provided to each worker in a language workers are proficient in.
- The contract or terms and conditions are easily accessible to workers in paper and/or electronic form. If these conditions differ for different contract types, reasonable steps are taken to inform workers about the differences in contract types.
- The party employing the worker must be identified in the contract or terms and conditions and be subject to the law of the place in which the worker works.
- Workers working on long-term projects that exceed the probation time are provided with the option to sign an employment contract lasting at a minimum the same length of time as the project.
- Non-disclosure agreements (NDAs) and other contractual or policy provisions must not prevent workers from reporting health and safety concerns, seeking support, or exercising their right to organise collectively.

3.2 – Provides secure employment

Whilst fixed-term employment may be suitable for some workers' circumstances, secure employment is a fundamental improvement in working conditions for many others.

To achieve this point, the employer must meet ALL of the following:

- Workers with three years or more of consistent short-term employment should be provided with the option to move onto permanent contracts if they so desire.
- The employer should make reasonable adjustments in wages and conditions between both: fixed-term and permanent employees and outsourced workers; and any outsourced or indirectly employed workers and directly employed workers. Workers who are outsourced or indirectly employed should be

compensated for additional costs incurred, including visa/work permits and their extensions, insurance, pensions, and other social security premiums.

- In cases of justified redundancy, the employer should provide workers with severance allowance commensurate with tenure at the company and retraining opportunities. In cases where redundancies are made for economic, technological, structural, or similar reasons, workers or their representatives are consulted, and steps are taken to minimise the resulting redundancies.²¹
- If desired, workers should be able to invite worker representatives to their end-of-contract meetings with the relevant HR departments.
- In the case of subcontracting arrangements, where part or all of the work is subcontracted to other companies, management implements a reliable mechanism to monitor and ensure that the subcontractor is living up to the standards expected from the company itself regarding working conditions.

Principle 4: Fair Management

4.1 – Treats workers fairly

The employment relation is an unequal one, with managers being afforded significant legal and economic sources of power not available to most workers. The interests of these two groups may diverge, leading to sometimes opposed immediate interests in the workplace. This dynamic can lead to unfair management practices.

To achieve this point, the employer must meet ALL of the following:

- Management should refrain from deploying any form of depersonalised bullying or mobbing in order to ensure organisational goals are met.²²
- There is a policy in place that guarantees that any form of harassment in the workplace will not be tolerated and ensures that incidents are dealt with promptly, fairly, and without retaliation.
- There is a policy in place to prevent and address discrimination against persons on the grounds of racial, ethnic, social or minority background, caste, religion or belief, political or any other opinion, language, gender, gender identity, sex, sexual

orientation, disability, age, geographical location, or any other status.

- Workers have access to a fair and transparent process to appeal dismissals and other disciplinary measures, and reasonable effort has been taken to communicate this process to all workers. The process must include safeguards against retaliation, with particular attention to workers in precarious or short-term arrangements. Workers are not disadvantaged for voicing concerns or appealing disciplinary actions.
- Workers have opportunities to provide input into the setting of task rates, productivity targets, and performance metrics. These mechanisms should ensure that targets are transparent and periodically reviewed.

4.2 – Creates clear and effective systems for data management, explanations, and appeals

Contemporary workplaces are increasingly defined by data. The use of AI systems and automated management processes exacerbates both the incentives for employers to gather data from the work process, and diminishes the importance of workers' existing rights to receive explanations, appeal decisions, and access/own their data.

To achieve this point, the employer must meet ALL of the following:

- Where AI systems are involved in work, employers must create explainability mechanisms such as transparency reports, question and answer processes, and measures to ensure human oversight that allow workers to understand both the model behaviour of the system as a whole and specific decisions.²³
- Employers using AI systems for evaluation, monitoring, or performance management must inform workers and conduct regular impact assessments to identify and mitigate risks of bias or discrimination.
- Workers must be able to appeal decisions made by AI systems through a multi-stakeholder process that reflects collective worker voice, and successful appeals to lead not only that specific decision being revised but also to wider revisions of the decision-making process.²⁴
- Management avoids excessive surveillance in the

workplace and avoids use of invasive technologies.

- Workers must not be subject to excessive data collection practices and should be informed about the data that is being collected about them. Employers must apply the principle of data minimisation (collecting the minimum amount of personal data required to fulfil a legitimate purpose) in their collection processes.
- Workers must have the right to access and review their personal data, to request corrections or deletions where appropriate, and must be able to opt out of non-essential data processing without risk of penalty, discrimination, or loss of employment.
- Workers' personal data must not be shared or sold to third parties without a lawful reason and the worker's informed consent. Where such sharing is optional, workers must be able to opt out without risk of penalty, discrimination, or loss of employment.

Principle 5: Fair Representation

5.1 – Assures freedom of association and the expression of worker voice

Freedom of association is a fundamental right for all workers and is enshrined in the constitution of the International Labour Organisation and the Universal Declaration of Human Rights. The right for workers to organise, collectively express their wishes – and importantly – be listened to, is an important prerequisite for fair working conditions.

To achieve this point, the employer must satisfy ALL of the following:

- There is a documented mechanism for the expression of collective worker voice that allows ALL workers,

regardless of contract type or duration, to participate in collective groups without risks.²⁵

- There is a formal, written statement of willingness to recognise, and bargain with, a collective, independent body of workers or trade union, that is clearly communicated to all workers, and available in a durable, accessible format (for example, in onboarding materials, contracts, or an internal company document).²⁶
- Freedom of association is not inhibited, and workers are not disadvantaged in any way for communicating their concerns, wishes, and demands to the company management, or expressing willingness to form independent collective bodies of representation.

5.2 – Supports democratic governance.

To realise fair representation, workers must have a say in the conditions of their work. This could be through a democratically governed cooperative model, a formally recognised union, or the ability to undertake collective bargaining with the employer.

To achieve this point, the employers must satisfy at least ONE of the following:

- Workers play a meaningful role in governing the company.
- In a written document available, the company publicly and formally recognises an independent collective body of workers, an elected workers' council, or trade union, and takes meaningful steps towards signing a collective bargaining agreement. This recognition is not exclusive and, when the legal framework allows, the company should recognise any significant collective body seeking representation.²⁷



Credits and Funding

Fairwork is a project run out of the Oxford Internet Institute, University of Oxford, and the WZB Berlin Social Science Centre, and draws on the expertise and experience of staff at Access to Knowledge for Development Center (A2K4D) at the American University in Cairo's School of Business, Audencia Business School, Centre for Labour Research, Chinese University of Hong Kong's Centre for Social Innovation Studies, CIPECC, De La Salle University, FLACSO-Ecuador, Humboldt University of Berlin, International Institute of Information Technology Bangalore (IIITB), iSocial, KU Leuven, Lagos Business School, Public Policy Research Center (CENTAR), Qhala, REPOA, Sapienza University of Rome, Solidarity Center, Technical University of Berlin, TEDIC, TU Wien, Universidad Adolfo Ibáñez, Universidad Complutense de Madrid, Universidad del Rosario, Universidade do Vale do Rio dos Sinos (Unisinos), Universitas Gadjah Mada's Center for Digital Society, University of California's Hastings College of the Law, University of Cape Town, University of Ghana Business School, University of Manchester, University of the Western Cape, and XU Exponential University.

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Please cite as:

Fairwork (2026). *AI Supply Chain Evaluation: Tinkogroup 2026*.

Please note that this report contains sections in common with other Fairwork reports, notably Evaluating the AI Supply Chain, Methodology, and the Appendix: Fairwork AI Principles

Funders:

The Fairwork Project has received funding from the Federal Ministry for Economic Cooperation and Development (BMZ), commissioned by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

Special thanks to:

Manzer Imam, Ayça Deniz Ergin, Katia Padvalkava, Duncan Passey, Sara Spinks, Lucy Hennings, Isabelle Malcolm, Ornella Sciuto, Caroline Hampshire, and David Sutcliffe at the University of Oxford for their extensive administrative support for the project since its inception.

The project team is deeply grateful to Maren Bernloehr, Shakhlo Kakharova, Lukas Sonnenberg and Miriam Oliver, at the GIZ for their continuing support and guidance as we take our work to the next stage.

We thank Tinkogroup for their engagement during this evaluation.

We are also grateful to the workers who participated in the survey and to those who took part in the interviews; their insights and contributions were invaluable to this report

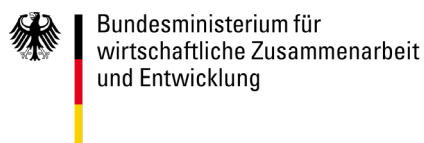
Conflict of interest statement:

None of the researchers have any connection with Tinkogroup. The work undertaken received no funding or support in kind from Tinkogroup or any other company. We declare that there is no conflict of interest.

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 14. The ILO defines minimum wage as the “minimum amount of remuneration that an employer is required to pay wage earners for the work performed during a given period, which cannot be reduced by collective agreement or an individual contract.” Minimum wage laws protect workers from unduly low pay and help them attain a minimum standard of living. The ILO’s Minimum Wage Fixing Convention, 1970 (No.131) and Minimum Wage Fixing Recommendation, 1970 (No. 135) establish the conditions and requirements for setting minimum wages and encourage all ratifying countries to ensure effective implementation. Minimum wage laws exist in more than 90 per cent of the ILO member states.
 15. This means not only that the rate of pay agreed with workers reaches that statutory level, but also that workers are accurately compensated for all hours worked. “Working time” includes any period during which a worker is required to be available or engaged in work-related activities, such as downtime or waiting periods beyond the worker’s control, mandatory onboarding or compliance training, eligibility tests or assessments, wellbeing sessions, participation in company governance activities, and administrative tasks essential to the role. Underpayment (also known as ‘wage theft’) is a pervasive problem, with evidence suggesting that huge sums of value go unpaid due to unpaid overtime, and incomplete/inaccurate wage payments.
 16. In 2024, the ILO published the Report of the Meeting of Experts on Wage Policies, Including Living Wages. The report defines a living wage as “the wage level that is necessary to afford a decent standard of living for workers and their families, taking into account the country circumstances and calculated for the work performed during the normal hours of work.”
- The conclusions emphasise that methodologies for estimating a living wage should follow a set of principles, including:
- a) Estimation of the needs of workers and their families through evidence-based methodologies
 - b) Consultation with representative employers’ and workers’ organisations to ensure local ownership and social dialogue
 - c) Transparency of data sources and methods, which must be open to scrutiny and replicable
 - d) Robustness and representativeness of data collection methods
 - e) Timely public availability of estimates and methodologies
 - f) Clarity on whether estimates are gross or net, and whether they include social security contributions
 - g) Regular adjustments to reflect changes in the cost of living and consumption patterns
 - h) Quality control through technical review and periodic updates
 - i) Promotion of gender equality and non-discrimination
 - j) Consideration of local socio-economic and cultural contexts
- Fairwork’s approach to identifying and applying living wage benchmarks is informed by these principles. In contexts where no official living wage estimate exists, Fairwork uses the most appropriate available data to identify a benchmark, drawing on sources such as the Global Living Wage Coalition, WageIndicator, or regionally published figures from reputable research institutions, labour organisations, or social partners.
17. The ILO recognises health and safety at work as a fundamental right. Where the company directly engages the worker,

occupational safety and health obligations should be interpreted in line with the ILO's Occupational Safety and Health Convention, 1981 (No.155). This stipulates that employers shall be required "so far as is reasonably practicable, the workplaces, machinery, equipment and processes under their control are safe and without risk to health", and that "where necessary, adequate protective clothing and protective equipment [should be provided] to prevent, so far as is reasonably practicable, risk of accidents or of adverse effects on health."

18. As endorsed by the ILO's Forty-Hour Week Convention, 1935 (No. 47) and the Reduction of Hours of Work Recommendation, 1962 (No.116)

19. For work that exposes workers to explicit or distressing content, safe content moderation should include measures such as:

- Providing full transparency about the nature of the work during recruitment for projects
- Setting reasonable limits on exposure to distressing material and enabling task rotation
- Integrating harm-reduction features in moderation tools
- Allowing workers to request reassignment from distressing tasks without penalty
- Ensuring productivity metrics and performance targets account for task complexity and worker wellbeing
- Offering mandatory, trauma-informed training for moderators and managers
- Ensuring access to confidential mental-health support and counselling services
- Enabling worker input into the design, monitoring, and improvement of occupational health and safety measures.

Companies are encouraged to consult UNI Global Union, The People Behind the Screens: Why Tech Companies Need New Protocols for Safe Content Moderation (2025) for detailed guidance and best practice implementation examples of these measures.

20. To be considered a meaningful contribution to worker health care, employer-provided or subsidised coverage must include:

- Access to a network of hospitals equipped with emergency and specialised services, such as intensive care units
- Coverage of both outpatient and inpatient care, without excessive exclusions or co-payments
- Inclusion of mental health and rehabilitation services
- A clear, transparent claims process and easily accessible policy information.

21. The ILO Termination of Employment Convention, 1982 (No.

158) defines worker representative consultation as sufficient when the employer provides "the workers' representatives concerned in good time with relevant information including the reasons for the terminations contemplated, the number and categories of workers likely to be affected and the period over which the terminations are intended to be carried out" and gives "in accordance with national law and practice, the workers' representatives concerned, as early as possible, an opportunity for consultation on measures to be taken to avert or to minimise the terminations and measures to mitigate the adverse effects of any terminations on the workers concerned such as finding alternative employment."

22. Depersonalised bullying is a form of workplace mistreatment where employees are unfairly treated not because of who they are, but because of the organization's system or structure. It constitutes a situation where harmful behaviour, like intimidation or aggression, are applied impersonally across the workforce by supervisors or managers in the name of achieving company goals.

23. Workers have a right to understand how the use of AI impacts their work and working conditions. Organisations must respect this right and provide detailed, understandable resources to allow workers to exercise it.

24. The automation of decision making can lead to reductions in accountability and fairness. But building human oversight into a decision-making loop does not solve this problem. Instead, the subjects of those decisions need to be empowered to challenge them, and a renewed emphasis should be placed on the liability of those stakeholders who direct the development and deployment of AI systems in the workplace.

25. "Collective" refers to an independent, worker-led body that represents shared worker interests and engages in dialogue with management. It can take multiple legal or organisational forms but must be free from company control or interference and able to determine and communicate shared positions on workplace issues. This mechanism can be in physical or virtual form (e.g., online meetings) and should involve meaningful interaction (e.g., not surveys). It should also allow for ALL workers to participate in regular meetings with the management.

26. For example, "[the company] will support any effort by its workers to collectively organise or form a trade union. Collective bargaining through trade unions can often bring about more favourable working conditions."

27. If workers choose to seek representation from an independent collective body of workers or a union that is not readily recognized by the company, the company should then be open to adopt multiple channels of representation, when the legal framework allows, or seek ways to implement workers' queries to its communication with the existing representative body.



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ISBN: 978-1-918367-10-2