A Snapshot of the On-Demand Economy Landscape

December 2016

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This scan was prepared for the Ford Foundation to better understand trends affecting grantees and the field. It was compiled from a range of sources, including conferences, articles, interviews, and the author's expertise; it represents the author's analysis of the landscape and should not be seen as indicative of the Foundation's strategy.

Introduction

The "on-demand economy" catapulted into public consciousness following the emergence of online employment platforms at the very moment of unprecedented national conversations on income inequality and the changing nature of work in the U.S. Figure 1 maps these interconnected conversations: the on-demand economy, technology, worker protections, and the future of work itself.

The recent proliferation of start-ups whose business model marries new technological tools and age-old precarious employment has come at a time of widespread American anxiety about the growth of non-standard ways of working and the demise of the middle class, ways that are defined below in Figure 2. Some of the conversation is even around the extinction of jobs as we know them.

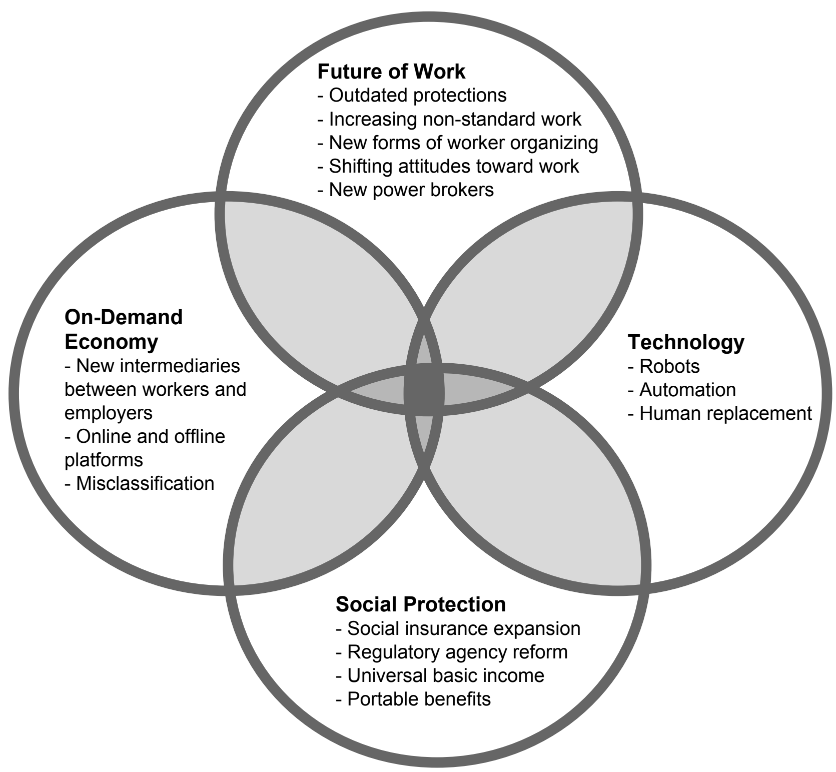

Figure 1. Venn Diagram of Work-related Conversations

Yet for all the attention popular media have given it, the best evidence we have suggests that the on-demand economy comprises at most one percent of the workforce.[1,2] Further, this one percent aren't *full-time* on-demand workers; the vast majority of those seeking employment online already have full-time primary jobs. They come to on-demand labor platforms for short-term income to supplement their wages. Most workers are still employed "off-line," even as their wages have stagnated, their working conditions have deteriorated, and their primary jobs offer less security.

In this context, the following are questions I have found most vital to ask about the on-demand economy—and the ones I attempt to answer in this report, at least in part:

- What is most relevant to know about on-demand employment and the online labor economy?
- What are the insights of actors on the ground?
- What are important outstanding questions?

This report hopes to point in responsible ways to answers to each of these salient questions probing the new, or not-so-new, economy as it is being impacted by on-demand, online labor platforms.

Part I. What's Most Relevant to Know about On-Demand Employment?

The premise of my landscape scan for this report was to examine the on-demand economy's interconnections to existing employment models and broader labor market trends. The scan involved reading and analyzing reports, scholarly articles, and media accounts of developments in the on-demand space.

Framework of Understanding

Economic processes are always in flux. They can be seen as a never-ending tug-of-war, or a laboratory for experimentation. Major and minor forces disrupt and reshape the ways that production, distribution, and consumption occur across the globe. These disruptions never manage to create truly new economic orders: any disruption always confronts an existing landscape of laws, institutions, and social norms. This is an important conceptual framework for understanding the on-demand economy, particularly since it has sometimes been framed as a new phenomenon.

Definition

The on-demand economy is shorthand for **economic activity created by digital marketplaces that fulfill consumer demand via the immediate provision of**

goods and services. See Figure 2 for more definitions.

Two assumptions are important to notice about this definition. The first is the expansion of "demand" to include employer and consumer expectations for “just-in-time” access to workers, or the immediate provision of goods and services. The second is the use of digital technologies to mediate the labor market.

Let's look more closely at these assumptions latent in the definition of the on-demand economy:

1. Expansion of employer and consumer expectations for “just-in-time” access to workers: From an employment perspective, just-in-time production and distribution processes have meant a restructuring of workplace practices.

In the past, uncertainty and volatility in consumer demand were absorbed by companies who hired workers directly and for the long-term. Workers had a job, even when there was a drop in consumer demand.

Employers have moved to using flexible and temporary workforces to be able to respond to variation in demand and make worker organization more difficult. Today, particularly where workers are independent contractors, they themselves absorb the uncertainty of spikes and drops in demand.

DEFINITIONS

Standard work: work that is full-time, continuous, with workers who are directly employed by a company and receive a W2 form.

Non-standard work: work that is temporary, part-time, freelance, via contract, and/or employed by an intermediary; sometimes also called precarious or contingent work; workers receive a 1099 form.

On-demand economy: economic activity created by digital marketplaces that fulfill consumer demand via the immediate provision of goods and services.

Labor platform (e.g., Uber, Handy): online marketplace in which workers perform and are paid for discrete tasks by customers.

Capital platform (e.g., Etsy): online marketplace in which owners of assets or goods sell or rent to customers.

Figure 2. Definitions

Digital matchmaking also makes "just-in-time" a much more intimate consumer experience. The just-in-time revolution in the global production chain has led to new consumer expectations about instant gratification.

2. New technology mediating the labor market: Digital technology is a central shift making the on-demand economy possible, especially when it comes to quickly and efficiently matching supply and demand.

One way to think about these platforms is to categorize them by what is being sold or rented, as the JPMorgan Chase Institute did in their analysis of participation in the on-demand economy. The JPMorgan Chase Institute study categorized "labor platforms" as matching workers to tasks and thus selling or renting *labor* itself; whereas "capital platforms" offer *assets or goods* for sale or rent.

Another way to think about these platforms is to examine their business models. Some digital platforms operate on the basis of *brand* reputation, such as the home care company Honor. Others offer virtual matching in which the match relies on participants' *personal* reputation, as in the case of AirBnB or Handy. These distinctions give us an indication about the kind of employment relationship we can expect from the two business models. Brand-reputation-based models will likely rely more heavily on a traditional employment relationship in order to standardize the brand offering across individual providers.

Context

While digitally mediated work has dominated media and public debate, I found it useful to broaden my analytical context so as not to miss key understandings.

Along with workers in the on-demand economy, temp workers, independent contractors, day laborers, and millions of workers excluded from existing labor laws form a long-standing precedent to more recent, high profile, high-tech forms of gig employment. It's important to notice that all of these work arrangements fall under the banner of “non-standard” and that both older and more recent arrangements emerge from the same inter-related and increasing trends that have radically shifted the shape and feel of work in the United States over the last 40 years:

- the globalization of production
- deunionization
- technological change
- global financialization, and
- a deteriorating social contract.

Taken together, these trends have left many workers with little access to economic security. The on-demand economy takes advantage of decades of technological progression and political regression. It is the most recent iteration of employers distancing themselves from responsibility for workers, and is built on a set of factors that took a half-century to develop.

The rapid growth of the temporary staffing industry in the 90s offers an illustrative parallel from the recent past to today's on-demand economy. Temp agencies and labor platforms share structural similarities in that both are labor market intermediaries.

The 1990s saw a moment similar to the one we are in currently, when the temporary staffing industry was exploding and it seemed all jobs could, and would, go the way of the temp. Despite speculation at the time about unlimited growth, temporary staffing leveled off at roughly 2-3 percent of the overall workforce. Yet aggregate growth numbers obscure the unevenness of this rise: two industries in particular did experience significant change due to increases in temporary staffing: manufacturing and warehousing/distribution.

If we accept this lesson from the 1990s as cautioning us to pay attention to the limits to and the unevenness of expansion, the parameters of the on-demand industry are brought into sharper perspective:

- **On-demand business models and financing may not be sustainable.** The application of the Uber model to other services is being questioned given the very specific context and regulation of the taxi industry.[3] Venture capital funding for on-demand start-ups began to decline in late 2015.[4] Some of my research suggested that consumers aren't willing to pay what on-demand services actually cost.[5] The JP Morgan Chase Institute report cited above charted increased participation in labor platforms, but also the deceleration of that growth in 2015. The long-term trend lines for growth in worker participation and for the firms themselves are far from clear.
- **Platform workers still appear to have a "reservation wage"** (the lowest amount for which they are willing to work): taxi drivers, for example, who had moved to ride-share driving are now switching back in some markets because of unpredictable rate changes. This is noteworthy because the business model on which ride-sharing depends requires a very large reserve of workers to quickly and reliably dispatch drivers.
- **In the face of another recession,** it's unclear whether the on-demand economy will be able to withstand fluctuations in the economy, particularly on the consumer side.

These indicators remind us to be cautious and precise about tracking how and where the on-demand economy is moving, and about our predictions for labor conditions and workers' outcomes.

The context I want to emphasize here is that the on-demand economy is a response to and enabler of longer-term labor market trends toward increasing flexibility, offloading risk and responsibility from employers and onto workers, redesigning jobs and tasks, and relentless downward pressure on the cost of labor. Noncompliance with labor law and urban policy is a common competitive strategy in traditional industries and the on-demand economy alike, particularly in lower-wage sectors. In an era of dramatic imbalance of power between workers and employers, it becomes ever more significant when businesses routinely evade legal and normative standards. If an industry must break laws in order to be profitable, its business model may be fundamentally flawed or its regulatory framework outdated.

Continuing to view on-demand labor in its longer-term historical context, we see that what is new is that labor platforms offer new ways of pooling and managing a disaggregated, intermittent workforce. Some assert that the demand for this kind of workforce lies with consumers: “What the on-demand economy creates as a whole,” says Arun Sundararajan, “is the possibility of a more decentralized labor force, which consumers are increasingly coming to expect.”[6]

Sundararajan's assertion, echoed by others, is shortsighted in at least two ways:

1. It discounts the very real work companies are currently doing to *shape* consumers’ expectations. Consider, for example, strategies Amazon has used to make immediate gratification a norm in online shopping.
2. Consumers are purchasing a good or service, not demanding it be delivered or completed by a decentralized workforce. This distinction is important so we do not obscure who is making decisions about labor strategy or misplace responsibility for working conditions. The argument that it is consumers who demand a disaggregated workforce echoes the assertions of employers of temporary workers: the temp staffing industry claims simply to be *responding* to untapped demand both from workers and employers for flexibility. Flexibility is cast as a win for both: workers fit jobs into their own schedules, and employers hire and dismiss according to fluctuations in their business. Yet the terms of flexibility are largely controlled by, and for the benefit of, employers.

Labor flexibility has become a central tactic of business strategy, part of a broader trend toward outsourcing and downsizing. What emerged as valuable to temp agencies and the companies that use them, and what is most valuable to today's on-demand companies, is the sheer availability of workers. In the absence of other viable opportunities, companies can essentially keep workers on unpaid retainer.

The reality is that flexibility for employers often amounts to a great deal of inflexibility for workers, for whom low-paid, unstable work offers low levels of economic security, opportunity, and access to workplace rights. Again, similarities between the temp industry and the on-demand economy help us see the present moment in sharper perspective. Instead of being a neutral matchmaker of supply and demand, research has shown that temp agencies are actively creating markets for their services and in doing so, changing the norms of the labor market and workers' expectations of what jobs should offer.

Using the recent history of the temp industry as an indicator guides us to question changes in relationships between workers and employers—workplace relations are continuously being remade through these dynamics. This suggests, then, that the rate of growth of the on-demand economy may not be most important, but rather the economic, regulatory, and normative power of these new actors.

Part II. What are the Insights of Actors on the Ground?

The foregoing sections relied mostly on publicly available data and information. My research also gathered thinking from those in the field about how the on-demand economy is affecting organizing and advocacy work via a series of interviews conducted between January and June 2016. Interviews were conducted with 34 individuals representing 22 organizations—a range of thought leaders who work as organizers, lawyers, technologists, researchers, and union leaders from workers' rights organizations, the tech sector, and think tanks, among others. A full list of interviewees is included in Appendix 1.

The individuals I spoke with, and the landscape of advocates at large, fall into three general categories in their approach to understanding the on-demand economy:

- They build with existing blocks: they advocate using existing regulatory approaches for platforms (e.g., employee categories and misclassification lawsuits)
- They build with employers' blocks: they advocate engaging with labor-platform entrepreneurs to try to shape employment practices and business models
- They are building a separate system: they advocate creating a parallel, alternative system based on cooperative principles and good employment practices, including platforms that compete directly with more exploitative models.

Employment Classification

As we saw in the definitions in Figure 2, standard employees who receive a W2 tax document are set apart from other kinds of workers. They have access to a set of rights that independent contractors do not, whether those contractors work using online platforms or offline. This issue of employment classification has emerged as one of the most contentious among workers' rights advocates, policymakers, and employers and entrepreneurs in discussions of the on-demand economy. A number of lawsuits have been filed to clarify the employment classification of workers, especially those in ride-sharing. Yet some advocates argue that fighting misclassification is an overly protectionist approach and that as a strategy, lawsuits are inefficiently expensive, slow, and create a patchwork of regulatory frameworks.

Thus far, misclassification lawsuits have had two main effects:

1. They have put pressure on companies by exposing low-road labor practices central to the competitive strategies of many on-demand platforms. Some interviewees suggested that more could be done to take advantage of this pressure by offering win-win solutions for both companies and workers.
2. Lawsuits create disincentives for companies who want to offer benefits or make other changes, but fear making themselves employers of record. Meanwhile, some companies are moving to the W2 employment model.[7] To date, settlements of misclassification lawsuits in the ride-sharing industry, where the debate is most heated, have yet to achieve the goal of reclassifying workers as employees.

Academics Seth Harris and Alan Krueger have proposed a third employment classification called an "independent worker" that would offer some, but not all, of the protections of employee classification to independent contractors.[8] Many argue a third category only further muddles distinctions among a too-vague classification system, and that allowing some employers to circumvent existing labor law would incentivize employers to move workers into less-direct employment relationships. It is entirely possible that time and energy would be better spent streamlining, clarifying, and simplifying the employee classification rule rather than carving out new categories of exemption.

Reinforcing existing employment categories, however, fails to address problems for those workers who fall outside of the formal employment relationship. Many interviewees asserted that we shouldn't rely on employee classification for access to rights. Instead, current interest in the on-demand economy provides an opportunity to assert that a long-term, formal employment relationship with a single employer is going away and/or never existed for many workers, and energy is better spent designing the replacement. One potential opportunity is that non-employee classification opens up possibilities for creative approaches to raising standards regionally or by sector, and will push leaders to think about organizing and raising standards in new ways. Some in Silicon Valley foresee a future in which no one will be a standardly classified, W2 employee. Yet this futurist vision of an entire workforce of independent contractors is not neutral. Normalizing it should be questioned—and, as some of those I quote below argue, actively resisted.

Threats and Challenges

The on-demand economy poses risks to workers' rights in multiple ways, arranged here into sections on organization, policy, and other threats that go beyond organization or policy, followed by a separate section illustrating problematic "silos." The common denominator across these challenges seems to be the tension of old and new co-existing—labor's past and labor's future coinciding. We see old and new existing simultaneously in the ways power dynamics are shifting, particularly in the growing direct and indirect political influence of Silicon Valley, as well as in the arena of technologies and organizing models that workers and advocates are struggling to understand and use to shape popular discourse and build worker power.

Organization

- Organizing one employer doesn't solve the organizing problem for workers using multiple online platforms, or who are doing the same work in multiple employment relationships (platforms, private employer, firm, etc.)
- Labor advocacy has operated on the assumption that you can understand what any given firm is doing, within limited deviation—but platforms can change architecture at any time
- Inequality may be codified in algorithms[9]

Policy

- Silicon Valley's influence on policy is becoming outsized
- The old safety net is a barrier to building a new safety net, and the balance between protecting workers now and creating a more flexible and inclusive set of protections is difficult to strike
- The race is not against robots and technological advancement but institutions and regulatory frameworks that are slow to adjust
- "Safe harbor" from employment classification undermines existing worker rights
- The tech sector is using data for efficiency and growth, but may be overlooking the social dynamics that result

- Companies may be manipulating data without recourse or accountability

Other Threats

- A collective sense of inevitability that we have to cede shaping the conversation about workers rights and labor standards to forces often unknown, unseen, or unanticipated
- Not taking into account that platforms offer real benefits to both consumers and workers; both tend to be quite satisfied with their experiences
- Ride-sharing car loan programs could be the next debt bubble: philanthropy and others must be careful about supporting what could be proposals that do not benefit workers
- Lifting up voices that don’t represent workers

Silos

A number of silos emerged during interviews across the political and organizational spectrum, summarized in Figure 3. These sharply different tactics and strategies among groups who are at the intersection of workers’ rights and the on-demand economy are, to be sure, a snapshot in time of the fissures that exist. Interviewees also identified ways in which actors in silos are collaborating, learning from each other, and, on occasion, forming alliances.

Silos in Approaches to the "On-Demand" Economy

Silos			Description
Worker rights and raising wages	vs	Silicon Valley vision of "Future of Work"	Parallel conversations but dissonant perspectives on role of workers
Transportation (Uber, etc.)	vs	Everyone Else	Uber is everything / We have to stop focusing on Uber; transportation sector disruption / other sectors
Collective bargaining	vs	Building power outside of collective bargaining	Different views on models of worker organization and approaches to improving wages and working conditions
Our own heads	vs	What we need to reimagine	Our biggest obstacle is being stuck in the way we've been thinking
Existential threat	vs	Opportunities and threats	Dissonance about what this economic sector means to workers and their organizations
Activists	vs	Entrepreneurs	As soon as money or business gets involved, activists run away
Silicon Valley economic models	vs	Messy social reality	Vision of a frictionless, bias-free labor market with politically-neutral technologies versus reality
"Innovators"	vs	"Luddites"	Technologists are the future; those trying to shape it are protectionists

Figure 3. Silos in the On-Demand Economy

The landscape is shifting quickly in this realm although, from the outside, the shifts are almost imperceptible without both historical perspective and attention to the micro-levels of unevenness within the economy's different sectors. The dynamics of these relationships mean that they offer both opportunities and threats to the cohesion of advocates and organizers for workers' rights.

Promising Arenas of Change

When I asked interviewees to identify some bright spots in the organization and policy spaces, the range of reactions was telling. Some had a hard time thinking of any promising campaigns or experiments, while others rattled off a handful without pause. The majority of excitement was in the realm of organizing, where interviewees pointed to actual campaigns underway and potential new avenues for base-building. The list below could be characterized as "throwing spaghetti at the wall," which one interviewee suggested was the only way forward in an uncertain time. Similar to Silicon Valley's much-touted innovation process that is dependent on trial and error, the many experiments underway may well yield successes and/or offer lessons for others in the field.

Organization

- Seattle's innovative organizing coalition (comprised of unions and community organizations), which helped pass an ordinance that allows independent contractors to bargain collectively
- Coordination among broad range of partners, including but not limited to other precarious workers
- Experimentation with new models and alternatives
- Aggregator apps, like those in hotel and airfare industries, could potentially offer consumers increased ability to compare goods and services and change the field of competition such that they threaten apps pursuing low-road employment practices
- Encouraging high-road business models, as in through the Good Work Code,[10] and opportunities to shape practices before companies become large.

Policy

- Innovation in portable benefits and benefit funds. This would require a parallel legislative process to ensure company contributions where appropriate, ways to include protection from discrimination and harassment, and access to FMLA and ACA.

Discourse

- Accentuating the cultural shift happening around attitudes toward working and consuming less, particularly among Millennials
- Amplifying debate over who controls technology, and for whose benefit
- Making room for new norms to emerge around access to data—how do we develop the obligation to reveal data?
- Redefining the language used to describe the on-demand economy: flexibility, choice, sharing, etc.

Part III. What are Important Outstanding Questions?

There are, of course, many unknowns about organizing and policy advocacy as it relates to the emergent on-demand economy. Some of the unknowns are not particular to digitally mediated work, and reflect the broader challenges of protecting all workers in this political and economic moment.

This report also identifies gaps in data and research specific to the dynamics of emerging seats of power and the impacts of technologies on workers and communities. The list below offers multiple entry points for supporting the work of front-line organizations in shaping the trajectory of the on-demand economy.

- What are the ripple effects of policies being proposed?
- How will technology continue to shape workers' outcomes, in what sectors, and at what pace of change?
- What are the long-term effects of isolated and disaggregated jobs on social process?
- What is the role of venture capital in dictating the terms of platforms?
- Should workers' rights groups be creating apps?
- How are communities of color being affected by the on-demand economy in both positive and negative ways?
- How will OSHA be involved in regulating work from home?
- Networks can be highly discriminatory; what is the role of affirmative action in them?
- How do we address and change benefits in the interim as we're figuring out long-term changes to social safety net?

Needs

The final category that emerged from interviews is a set of needs that could be supported by philanthropy. Above all, interviewees identified the need for both obstructive and constructive tactics to discourage the race to the bottom, and to offer a positive vision on the horizon that can catalyze cohesion. The need for additional resources was so common a response that it should be taken as a given for all organizations; but the ways in which these resources could be used are diverse.

- **Creating space**. Open up "imaginative space" while being sensitive not to draw people away from important daily work. Develop visionaries. Offer flexible funding that allows experimentation and creativity.
- **Learning**. Study communities that have long-term high unemployment to understand how they have adapted. Learn how other countries organize labor markets and regulatory approaches. Do scenario planning and projections of which industries are ripe for disruption. Mine better data, especially by increasing access to industry data and performing sophisticated analysis of it.
- **Connecting**. Cultivate methods of distributing info about what's working and what is not. Help make connections to advance our agenda. Support initiatives to bring new communities into the tech world to shift culture and habits that foster exclusivity.

- **Building skills**. Cultivate people with the skills necessary to build real, competitive business models and who are committed to workers' rights. Develop a new discipline of platform design centered in the convergence of tech, political science, and economics--around a set of common principles. Invest in the development of alternative apps.

Conclusion

The on-demand economy is succeeding in part because the barriers to entry for workers are very low and alternative opportunities that pay a livable wage are scarce. But the barriers to sustained participation and success may be steep: unpredictable wages, overly demanding customer feedback, and lack of benefits and protections are among them. Flexible workers are valuable to on-demand companies because they are on hand. If flexibility is key to the economy of the future and, at the same time, the negative impacts on workers are untenable, one pressing need is to make flexibility more expensive and capture the gains for workers.

The national conversation about the on-demand economy and what will be the "future of work" offers a welcome opportunity to shift the terms of dialogue in favor of workers' rights. Centrally important, though, is the need to not focus too narrowly on showy, yet outlier, examples like Uber, and instead work to bridge the old economy and the new economy. The majority of workers in the U.S. still have a standard employment relationship, but deteriorating working conditions have made low-wage work increasingly prevalent. Race, gender, immigration status, and other markers of difference continue to strongly shape the experiences of workers, both online and offline. The fraying social contract has been functioning poorly for decades, especially for low-wage workers, and those in the gig economy now face similar insecurity. Interviewees for this report expressed urgent concern that the current window of opportunity created by contemporary energy and attention to the issue of the changing nature of work will dissipate before the field can coalesce. This is perhaps the greatest threat facing advocates and organizers: missing out on a ripe opportunity for base-building, policy advocacy, and coordinated communications to push a more cohesive and forceful agenda on behalf of workers.

Appendix 1: Interviewees

Palak Shah, National Domestic Workers Alliance
Carmen Rojas, Workers Lab
Kati Sipp, National Guestworker Alliance
Danah Boyd, Data and Society
Alex Rosenblatt, Data and Society
Marina Gorbis, Institute for the Future
Michelle Miller, Co-worker.org
Mary Gray, Microsoft Research
Patricia Jerido, independent (formerly OSF)
Emma Oppenheim, OSF
Tim O’Reilly, O'Reilly Media
Sara Horowitz, Freelancers Union
David Rolf, SEIU 775
Felicia Wong, Roosevelt Institute
Nell Abernathy, Roosevelt Institute
David Robinson, Upturn
Nikki Fortunato Bas, Partnership for Working Families
Hays Witt, Partnership for Working Families
Mariah Montgomery, Partnership for Working Families
Nathan Schneider, UC Boulder
Natalie Foster, Aspen Institute
Conor McKay, Aspen Institute
Maureen Conway, Aspen Institute
Sarita Gupta, Jobs with Justice
Erin Johansson, Jobs with Justice
Rebecca Smith, NELP
Haeyoung Yoon, NELP
Kelly Ross, AFL-CIO
Christian Sweeney, AFL-CIO
Nicole Aro, AFL-CIO
Caroline Fredrickson, American Constitution Society for Law and Policy
Colleen Briggs, JP Morgan Chase
Fiona Greig, JP Morgan Chase
Derecka Mehrens, Silicon Valley Rising

Endnotes

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