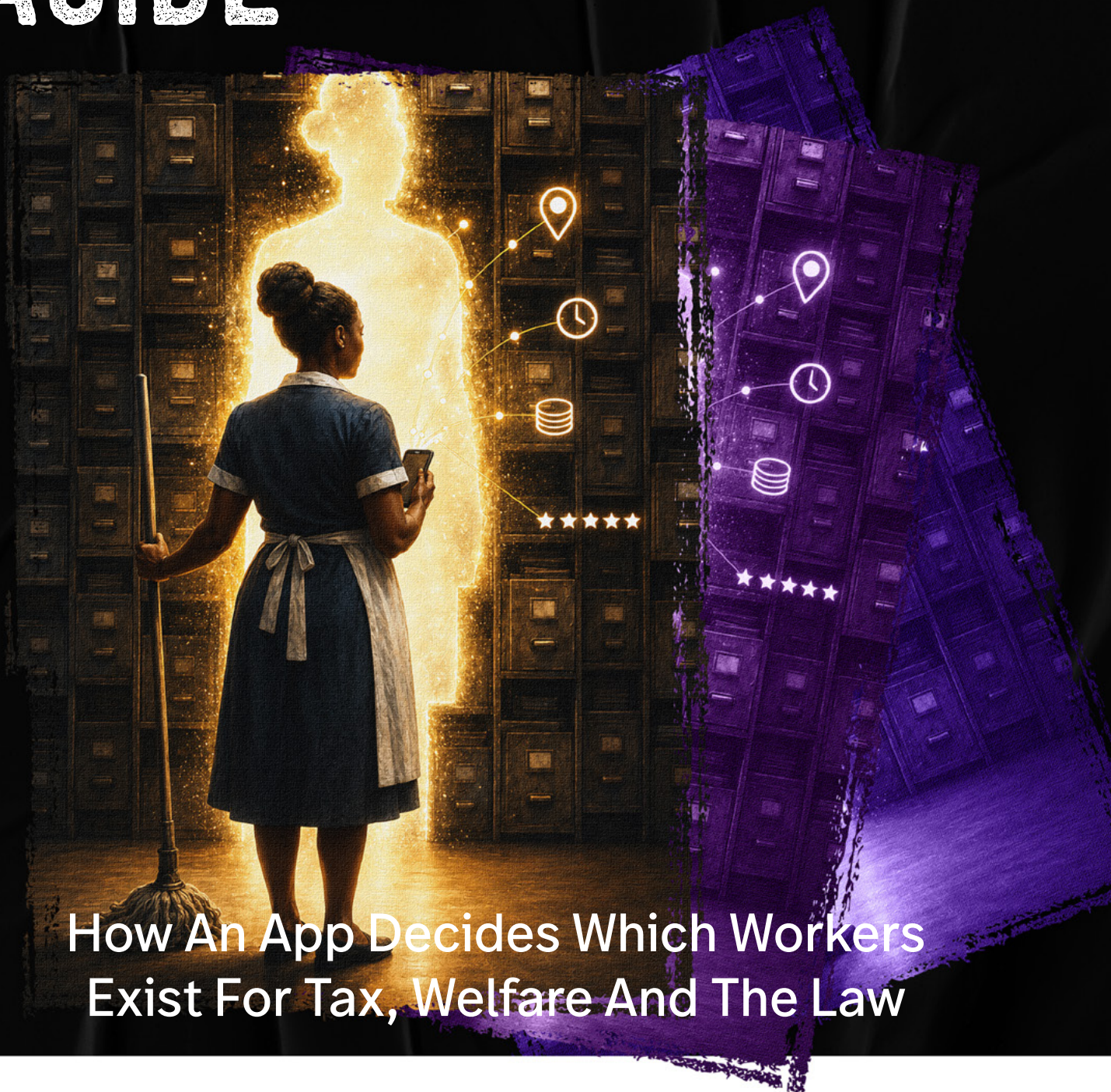


SWEPT ASIDE



How An App Decides Which Workers Exist For Tax, Welfare And The Law

A case study in the Project TERRA research series of
the House of Fiscal Wisdom

September 2026



ABOUT PROJECT TERRA

Project TERRA, the Technology, Equality and Regulatory Risk Assessment, is the flagship research programme of the House of Fiscal Wisdom led by Dr Lyla Latif. It begins from a refusal of the idea that the digital economy is weightless. That economy is quarried, cabled, powered and cooled on African ground, and TERRA follows it along that material chain: from the critical minerals lifted out of African soil, to the submarine cables landing on African coastlines, to the data centres humming inside African office blocks, and finally to the algorithms that decide which workers a fiscal system can see. The programme's central finding, drawn from fieldwork rather than assertion, is that the fiscal bargain has been inverted.

Hyperscale facilities attract incentives and exemptions, while the modest in-building operators carrying real national traffic absorb the full cost of electricity and cooling without relief, and platform workers, most of them women, are rendered fiscally invisible by design choices no revenue authority has ever reviewed. TERRA names this last phenomenon fiscalalgorithmic bias, a concept originated within the programme, and pursues it from diagnosis through to instrument, building courses for tax administrations and for women in platform work, comparative legal analysis of data centre regulation, interactive mapping of minerals, cables and data centre incentives across the continent, and a regulatory sandbox so that governments set a minimum standard for how applications are built without pre-clearing innovation out of existence. Project TERRA institutionalises its findings through university teaching and revenue authority training so that the work outlives the publication cycle.



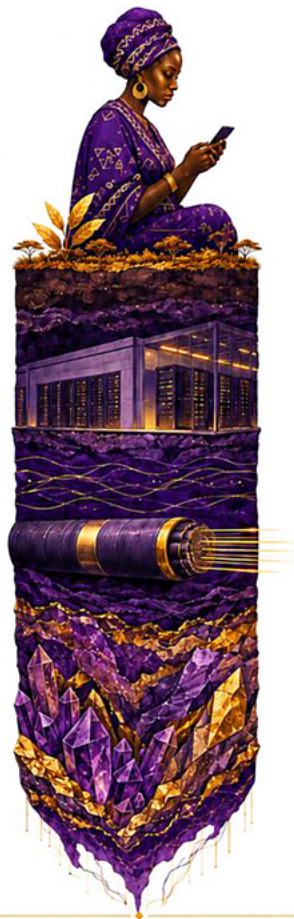
SWEPT ASIDE

How An App Decides Which Workers Exist For Tax,
Welfare And The Law

Lyla Latif (PhD)

PROJECT TERRA

TECHNOLOGY • EQUALITY • REGULATORY RISK ASSESSMENT



Project TERRA brings the digital economy back to earth.
It traces the land, water, energy, minerals and labour that sustain it.
It asks who benefits, who bears the cost, and who remains invisible.
Through research, maps and regulatory tools, it supports African states
to govern technology on fairer and more sovereign terms.

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ABBREVIATIONS

AI	Artificial Intelligence
BCEA	Basic Conditions of Employment Act 75 of 1997
COIDA	Compensation for Occupational Injuries and Diseases Act 130 of 1993
EU	European Union
FNV	Federatie Nederlandse Vakbeweging, the Netherlands Trade Union Confederation
HFW	House of Fiscal Wisdom
ILO	International Labour Organization
IMF	International Monetary Fund
NEDLAC	National Economic Development and Labour Council
NSSF	National Social Security Fund of Kenya
PAYE	Pay As You Earn
SARS	South African Revenue Service
SASSA	South African Social Security Agency
SDG	Sustainable Development Goal
SDL	Skills Development Levy
SETA	Sector Education and Training Authority
SHA	Social Health Authority of Kenya
SRD	Social Relief of Distress
TERRA	Tech, Equality, Regulatory Risk Assessment
UIF	Unemployment Insurance Fund
UN	United Nations
USD	United States Dollar

EXECUTIVE SUMMARY

Early on a winter morning in Johannesburg, a woman's phone lights up with a booking. An algorithm has matched her to a house she has never seen, at a price she did not set, for a client who will later score her performance on a scale that will decide whether the algorithm offers her work tomorrow. She will travel across the city, clean for six hours, and be paid through the platform that arranged it all. By every human measure she has spent the day working. By every measure that the South African fiscal state is able to read, nothing happened. No employer recorded her. No contribution was made in her name. No entitlement accrued to her. If she is injured in that house, no compensation fund answers for her. If she falls pregnant, no maternity benefit exists for her. If the algorithm withdraws her access next month, no unemployment insurance recognises that she ever worked at all.

This study explains how that outcome is manufactured. Its subject is SweepSouth, the Cape Town company founded in 2014 that became South Africa's most prominent digital marketplace for domestic cleaning and a celebrated story of African technology entrepreneurship. Its workforce, branded SweepStars, is drawn from a sector that is overwhelmingly female and overwhelmingly Black, and that was deliberately constructed under colonialism and apartheid as labour without protection. The platform classifies these workers as independent contractors. Upon that single designation an entire architecture turns. The study traces what the designation does as it travels through the four institutions of the South African fiscal state, the revenue authority, the Unemployment Insurance Fund, the compensation system for occupational injuries and the social assistance agency, and it shows that the worker's invisibility is not an accident of outdated regulation but the joint product of the platform's algorithmic design and the state's own automated systems.

The analysis is organised through five mechanisms.

The state's data architecture has no category through which her economic life can be recognised, an exclusion this study calls ontological. The proxies through which automated systems assess her, regular income, employer certification, filing history, were calibrated on people whose working lives look nothing like hers, so that formally neutral systems reproduce racial and gendered exclusion. The contractor classification transfers the employer's fiscal obligations onto the worker and the public purse. The conditions attached to social protection cannot be satisfied from where she stands, leaving her stranded between a contributory system her classification locks her out of and a means tested system whose algorithms misread her. And the four failures compound each other over time, so that years of work leave her exactly where she began, with nothing the fiscal state can see. The problem itself is old, older than the technology by centuries. What has changed is the machinery that enforces it.

The stakes extend well beyond one platform and one country. The algorithmic architecture documented here, contractor classification, platform set pricing, rating and deactivation, is globally standardised and already governs care work platforms on every continent. Left unexamined, it will carry the oldest asymmetries of tax policy, those of gender, race and informality, into the operating systems of the digital economy. The five mechanisms through which the examination proceeds are drawn from the Platform Investigation Methodology developed by the House of Fiscal Wisdom. The study therefore sets out the research methodology in full, as an instrument that others can apply to other platforms in other jurisdictions, and it closes with five directions for reform, running from a statutory presumption of employment through care credits in social insurance, algorithmic impact assessment and the redesign of means testing, to the negotiation of source based taxing rights over platform services under the United Nations Framework Convention on International Tax Cooperation.

| 1 |

INTRODUCTION

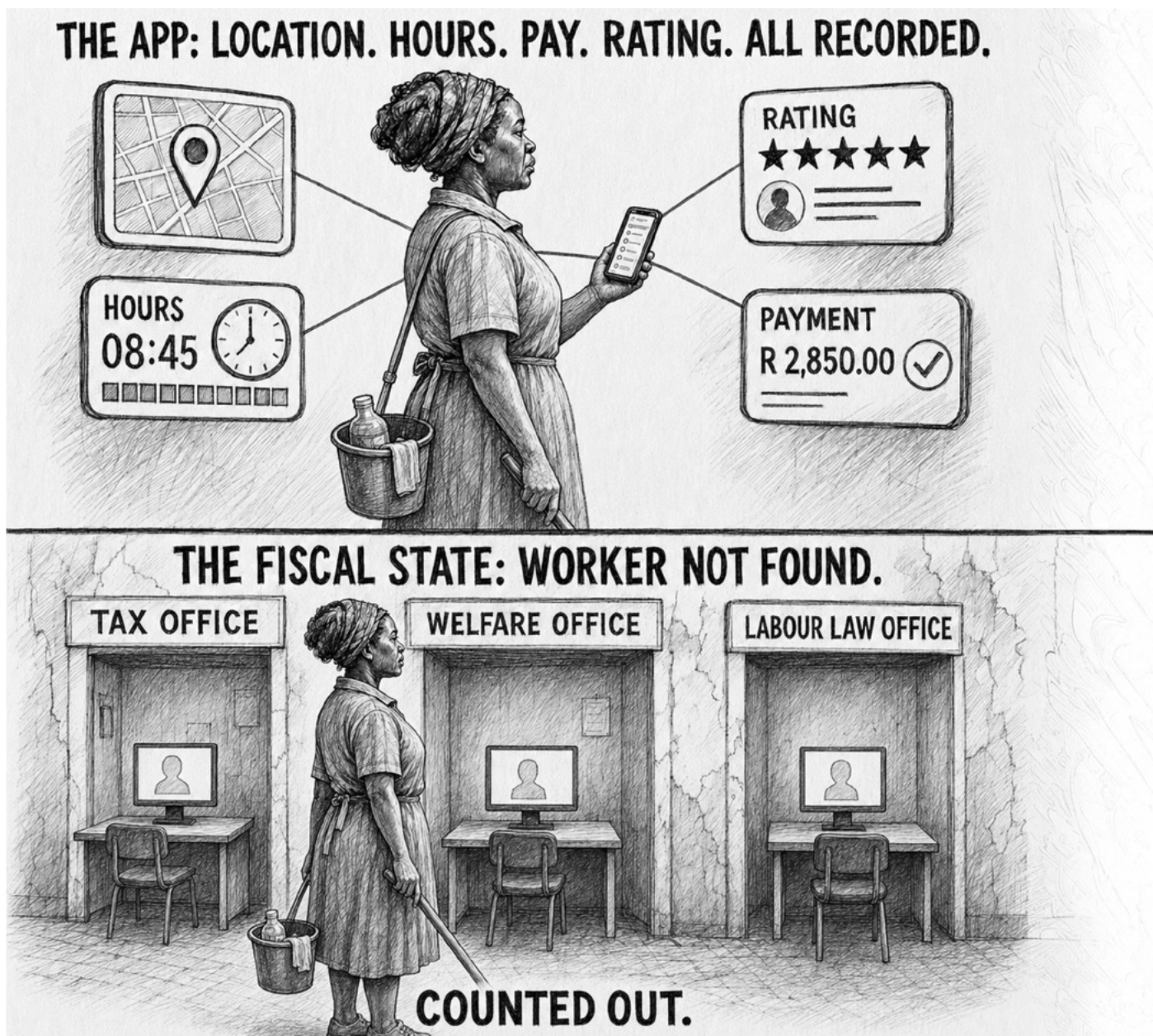
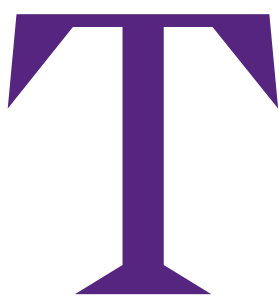


Figure 1: Seen by everything, counted by nothing. The application records her location, hours, pay and rating while the fiscal state finds no worker. Image generated using DALL-E from a prompt by the author.



here is a problem, and it is this. A state can only protect, insure and tax the work it is able to see, and the work of women who clean, cook and care has never been fully seen by any fiscal system anywhere.

That blindness has histor-

ical roots, in the way national accounts drew the boundary of what counts as production, in the way tax codes imagined their default taxpayer, and in South Africa's case in the deliberate construction of domestic service as unprotected Black women's labour. The blindness is now being transferred into algorithms, on the platform side through classification and rating systems that organise work while disclaiming responsibility for it, and on the state side through automated tax and welfare systems that recognise only the formally employed. The sections that follow trace this single problem from its roots to its algorithmic present, and then into the life of one workforce on one platform, where its operation can be documented line by line.

1.1. The digital economy as an architecture of power

The digital economy did not arrive in Africa as a set of tools. It arrived as a set of institutions. The applications through which millions of people now find work, move money, sell produce and secure credit are not neutral intermediaries standing between willing buyers and willing sellers. They are market makers, rule writers and judges of their own causes. A platform decides who may participate and on what terms, what a service will cost and who will provide it, whose

performance is acceptable and whose access will be withdrawn. It performs, in other words, the classic functions of a regulator and an employer at once, while presenting itself in law as neither. Scholars of platform capitalism have shown that this is not incidental to the business model but constitutive of it. The platform's profitability depends on coordinating vast quantities of labour and capital that it does not formally employ or own, and on extracting value from the data that this coordination generates.¹

For African economies the arrival of this architecture carries a particular weight. The continent's labour markets are predominantly informal, with 85.8 per cent of employment falling outside formal structures, and its digital transformation is proceeding faster than the regulatory and fiscal frameworks that might govern it.² Platforms promise to formalise the informal, to connect the unconnected worker to the paying customer and to make visible the transactions that states have never been able to see. The promise deserves to be taken seriously, and so does its inversion. A platform can digitise work without formalising it, capture the data of economic life without sharing that visibility with the state or the worker, and profit from informality while entrenching

The digital economy did not arrive in Africa as a set of tools. It arrived as a set of institutions

¹ Nick Srnicek, *Platform Capitalism* (Cambridge: Polity Press, 2017); Shoshana Zuboff, *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power* (New York: PublicAffairs, 2019).

International Labour Office, *Women and Men in the Informal Economy: A Statistical Picture*, 3rd ed. (Geneva: ILO, 2018).

² Lyla A. Latif, "The Evolving 'Thunder': The Challenges Around Imposing the Digital Tax in Developing African Countries," *International Journal of Digital Technology and Economy* 4, no. 1 (2020): 34–50;

³ Lyla Latif, "Mobilising and Securing Private Financial Flows from Digital Business Platforms and Curbing Tech-Enabled IFFs to Finance SDGs in Africa," in *Public Policy and Technological Transformations in Africa: Nurturing Policy Entrepreneurship, Public Ecosystems and Governance*, ed. Gedion Onyango (Cham: Palgrave Macmillan, 2023), 233–53.

⁴ Janet G. Stotsky, "Gender Bias in Tax Systems," IMF Working Paper 96/99 (Washington, DC: International Monetary Fund, 1996).



it. Which of these futures materialises is not a matter of technological destiny. It is a matter of architecture, of the choices written into the design of applications and algorithms, and of whether anyone with public authority is examining those choices while they can still be unmade. The present author has argued elsewhere that African states have approached the digital economy principally as a revenue question, reaching for digital services taxes and equalisation levies, while leaving the deeper structure of platform power unexamined, and that the financial flows generated by digital business platforms escape African fiscal systems through channels that are as much architectural as they are legal.³

1.2 Bias by design

Tax scholarship has long distinguished between explicit bias, where the law treats people differently on its face, and implicit bias, where formally neutral rules produce systematically unequal outcomes because of the different positions people occupy in economic life.⁴ The history of tax policy is in large part the history of implicit bias surviving the abolition of explicit bias. A tax code that no longer names women may still be built around a breadwinner it imagines as male, employed, continuously present in the labour market and unencumbered by care. The reliefs, deductions, exemptions and credits through which such a code returns value to taxpayers flow towards those who fit the imagined subject and past those who do not. South Africa's Income

Algorithmic bias arises when automated systems learn from data that carries the residue of past exclusion

Tax Act makes the point concretely. It contains no deduction or credit for childcare, its medical scheme fees credit presupposes membership of a medical scheme, and its retirement annuity deduction rewards those with steady declared income to shelter. Every one of these instruments passes over a woman earning irregular platform income below the thresholds at which they begin to matter. A woman whose working life is interrupted by childbirth and eldercare, whose income is irregular and whose employer is a household rather than a firm, finds that the code has nothing to say to her. Feminist fiscal scholarship, including recent Pan African work in which the present author has participated, has documented how deeply this asymmetry runs through African tax systems, which tax the consumption of the poor efficiently while leaving the care economy on which all production rests both unrecognised and unrewarded.⁵

The digital economy adds a third form to this taxonomy, and it is the form with which this study is centrally concerned. Algorithmic bias

⁵ Lyla Latif and Lyn Ossome, "Towards a Pan African Feminist Taxation Framework" (working paper, Tax Justice Network Africa, 2024), <https://doi.org/10.2139/ssrn.4730566>. See also Kathleen A. Lahey, "Women, Substantive Equality, and Fiscal Policy: Gender-Based Analysis of Taxes, Benefits, and Budgets," *Canadian Journal of Women and the Law* 22, no. 1 (2010): 27, and Ann Mumford, *Tax Policy, Women and the Law: UK and Comparative Perspectives* (Cambridge: Cambridge University Press, 2010), 45–78.

⁶ Antoinette Rouvroy and Thomas Berns, "Gouvernementalité algorithmique et perspectives d'émancipation," *Réseaux* 177, no. 1 (2013): 163–96; Frank Pasquale, *The Black Box Society: The Secret Algorithms That Control Money and Information* (Cambridge, MA: Harvard University Press, 2015), 3–18.

⁷ Cathy O'Neil, *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (New York: Crown, 2016), 17–32; Safiya Umoja Noble, *Algorithms of Oppression: How Search Engines Reinforce Racism* (New York: New York University Press, 2018).

⁸ Irginia Eubanks, *Automating Inequality: How High-Tech Tools Profile, Police, and Punish the Poor* (New York: St Martin's Press, 2018), 11–23.

⁹ Lyla M. Latif, "Why the U.N. Must Put AI and Data on the Tax Agenda," *Tax Notes International*, 17 May 2024.

arises when automated systems learn from data that carries the residue of past exclusion, or are designed around assumptions that encode it, and then apply what they have learned at a scale and speed no human administration could match. The scholarship on this phenomenon has established three points that bear directly on fiscal systems. Algorithms govern through statistical profiles rather than through addressable rules, which strips away the procedural moments at which a person might contest her treatment.⁶ Proxy variables reproduce discrimination without ever naming a protected characteristic, so that a system can be race blind in its code and race tracking in its consequences.⁷ And when these systems are installed inside welfare administration, they have demonstrably punished the poor for the informality of their economic lives, reading the absence of documentation as evidence of fraud rather than as evidence of exclusion.⁸

The algorithmic systems that now govern work on platforms and the algorithmic systems that now govern taxation and welfare inside states are studied by different scholars, regulated by different agencies and litigated in different courts. Yet they meet, every day, in the person of the platform worker, whose livelihood is allocated by one set of algorithms and whose fiscal existence is adjudicated by another. When both sets of systems were built around a subject she does not resemble, their interaction does not merely

Algorithms govern through statistical profiles rather than through addressable rules

disadvantage her. It erases her. The present author has argued that data and artificial intelligence must be brought onto the international tax agenda precisely because the systems that process economic life are becoming the systems that define it. This study takes that argument to ground level, into the interaction between one platform's architecture and one state's fiscal machinery.

1.3 Why SweepSouth

SweepSouth commands attention because it sits at the exact point where the lines of this inquiry cross. It is a celebrated African technology company, founded in Cape Town in 2014 by Aisha Pandor and Alen Ribic, backed by international venture capital and widely praised for bringing dignity, safety and better pay to domestic work.¹⁰ It operates in the care economy, the sphere of cleaning, cooking and looking after that sustains every other form of production and that fiscal systems have never learned to see. Its workforce is drawn from the population that South African history placed at the bottom of every hierarchy at once, Black women whose grandmothers were confined to domestic service by pass laws and whose mothers cleaned houses without contracts, protection or pensions. Its business runs on an algorithmic architecture of matching, pricing, rating and deactivation that is indistinguishable in structure from the architecture running ride hailing in London or delivery work in São Paulo. And it operates within a fiscal state that is itself rapidly digitising, whose revenue authority scores risk automatically and whose welfare agency determines eligibility by algorithm.

Domestic work platforms of this kind now operate on every continent, and the model travels faster than the scrutiny of it. What a researcher can document in South Africa, where the social

¹⁰ "SweepSouth Is the Lean Cleaning Company Your Home Has Been Looking For," Ventureburn, October 2014, <https://ventureburn.com/2014/10/sweep-south-is-the-lean-cleaning-company-your-home-has-been-looking-for/>; Tom Jackson, "SA Online Home Services Startup SweepSouth Raises \$11m for Further Expansion," Disrupt Africa, 27 September 2022

protection framework is codified, the constitutional jurisprudence is rich and the platform itself publishes annual data on its workforce, is operating undocumented in dozens of other markets. That is the sense in which this case study is about more than its case. The architecture examined here is a candidate global standard for how care work will be organised, priced and taxed in the digital economy. Whether it becomes that standard, and on what terms, depends on whether its fiscal consequences are understood while the regulatory window remains open. It must be said clearly that this study advances no claim of unlawful conduct against SweepSouth, which has done more than most platforms to measure and publish the conditions of its workforce. The argument is structural. The fiscal invisibility documented in these pages would follow from the same architecture whoever operated it, and that is precisely what makes it a matter of public concern rather than corporate blame.

1.4 The structure of the study

Section 2 assembles what is already known and turns it into an instrument. It moves in four steps, from the feminist economists who showed that women's work was deliberately left out of the

ledgers of national economic life, through the colonial construction of African fiscal systems, to the theorists of the platform economy who showed how digital firms came to employ without employing, and the scholars of algorithmic governance who showed what happens when decisions about people are handed to systems that owe them no explanation. It closes by distilling this inheritance into the five mechanisms through which the examination proceeds, drawn from the openly published Project TERRA Platform Investigation Methodology. Section 3 introduces the platform, the workforce and the four fiscal institutions within scope. Section 4 conducts the examination itself, testing each of the five mechanisms against the documented record. Section 5 places what the examination reveals within the racial and colonial history of the South African fiscal state. Section 6 follows the model abroad, from a shuttered platform in San Francisco to a court judgment in Amsterdam. Section 7 asks what reform would have to look like if its ambition were justice rather than mere inclusion. Section 8 concludes, and a closing note introduces the certificate course built on this research.

| 2 |

WHAT THE LITERATURE ALREADY KNOWS

2.1 Work that was never counted

The oldest layer of the problem is the ledger itself. In 1988 Marilyn Waring, a former New Zealand parliamentarian turned political economist, published *If Women Counted*, a systematic demonstration that the international rules of national accounting had drawn the boundary of production around the monetised market and thereby defined the majority of women's work out of economic existence. A woman who cooked, cleaned, fetched water and raised children produced, in the language of the accounts, nothing. Waring's point was never merely statistical. What a state does not count it does not see, what it does not see it does not provision for, and the invisibility of women's work in the accounts flowed directly into its invisibility in budgets, pensions and social insurance.¹¹

Nancy Folbre carried the argument from the ledger into the labour itself. In *The Invisible Heart*, she showed that care work is not a private preference that markets may safely ignore but the foundation on which every other form of production stands, and that economies systematically penalise those who perform it, because the motivations of care, obligation, affection and duty, do not behave like the self interest around which economic models are built. The invisible hand, she observed, has always depended on the invisible heart, and it has repaid that dependence by impoverishing it.¹² Within tax scholarship the same insight was formalised by Janet Stotsky, whose analysis for the International Monetary Fund distinguished explicit gender bias, where the statute itself treats men and women differently, from implicit bias, where facially neutral provisions interact with the gendered structure of economic life to produce unequal results. Stotsky's taxonomy matters

¹¹"SweepSouth Is the Lean Cleaning Company Your Home Has Been Looking For," Ventureburn, October 2014, <https://ventureburn.com/2014/10/sweep-south-is-the-lean-cleaning-company-your-home-has-been-looking-for/>; Tom Jackson, "SA Online Home Services Startup SweepSouth Raises \$11m for Further Expansion," Disrupt Africa, 27 September 2022.

¹²Marilyn Waring, *If Women Counted: A New Feminist Economics* (New York: Harper & Row, 1988).

¹³Janet G. Stotsky, "Gender Bias in Tax Systems," IMF Working Paper 96/99 (Washington, DC: International Monetary Fund, 1996).

¹⁴Jacklyn Cock, *Maids and Madams: A Study in the Politics of Exploitation* (Johannesburg: Ravan Press, 1980).

¹⁵Thandika Mkandawire, "On Tax Efforts and Colonial Heritage in Africa," *Journal of Development Studies* 46, no. 10 (2010): 1647–69; Mahmood Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism* (Princeton: Princeton University Press, 1996), 1–34.

¹⁶Lyla Latif, "The Lure of the Welfare State Following Decolonisation in Kenya," in *Imperial Inequalities: The Politics of Economic Governance across European Empires*, ed. Gurinder K. Bhambra and Julia McClure (Manchester: Manchester University Press, 2022), 240–58.

for this study because it names the direction of legal history. Explicit bias can be repealed, and largely has been. Implicit bias survives repeal, because it lives not in the words of the statute but in the mismatch between the taxpayer the statute imagines and the population it actually governs.¹³ Africa gave these general truths their harshest particular form, and the scholarship recorded it as it happened. Jacklyn Cock's *Maids and Madams*, published in 1980 while apartheid stood at full strength, drew on interviews with domestic workers and their white employers in the Eastern Cape to document a sector in which Black women worked without contracts, without hours, without insurance and without any recognition in law, bound to the households they served by poverty and to poverty by the pass laws that foreclosed every alternative. Cock called domestic service a microcosm of the entire apartheid order, the place where its racial and gendered hierarchies met in a single room. Her study is the historical baseline against which everything in this report should be read, because the women on the platform examined here are the daughters and granddaughters of the women in her interviews, and the fiscal systems that cannot see them were built during the years she describes.¹⁴

Cock called domestic service a microcosm of the entire apartheid order, the place where its racial and gendered hierarchies met in a single room

2.2 The fiscal state as a colonial inheritance

The ledger that would not count women sat inside a state that had been built to count Africans only as subjects of extraction. Colonial fiscal systems across the continent were designed to tax African populations into wage labour and cash cropping while reserving entitlement, protection and public goods for settlers and formal enterprises, and comparative research has confirmed how heavily that heritage still weighs on African tax systems today.¹⁵ The present author has traced, in the East African context, how the developmental promise of the welfare state after decolonisation was carried by fiscal structures never redesigned for the populations they had been built to exclude, so that independence changed the flag over the treasury without changing what the treasury could see.¹⁶ Digital platforms do not land in a historical vacuum. They plug into fiscal systems whose categories were formed by these histories, and Section 5 returns to this inheritance with the findings in hand, because it is the history that explains why the exclusions documented in this study fall where they fall.

2.3 The platform and the disclaimed employer

The second layer of the problem arrived with the platform economy, and its scholarship explains how firms learned to organise labour while disclaiming it. Nick Srnicek's Platform Capitalism located the platform's rise in the economics of data. After the crises of the older industrial model, capital migrated towards firms whose asset is the intermediary position itself, the place where transactions happen and data accumulates. A lean platform such as a cleaning or ride hailing marketplace owns no mops and no cars. It owns

¹⁷Nick Srnicek, Platform Capitalism (Cambridge: Polity Press, 2017).

¹⁸Shoshana Zuboff, The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power (New York: PublicAffairs, 2019).

¹⁹Jeremias Prassl, Humans as a Service: The Promise and Perils of Work in the Gig Economy (Oxford: Oxford University Press, 2018), 2–35.

²⁰Alex Rosenblat, Uberland: How Algorithms Are Rewriting the Rules of Work (Oakland: University of California Press, 2018), 68–112.

²¹Antoinette Rouvroy and Thomas Berns, "Gouvernementalité algorithmique et perspectives d'émancipation," Réseaux 177, no. 1 (2013): 163–96.



the meeting point, and because every booking, payment and rating passes through it, it accumulates the information from which control is exercised and profit extracted.¹⁷ Shoshana Zuboff pressed the analysis further in *The Age of Surveillance Capitalism*, arguing that the data harvested from human activity has become a raw material in its own right, refined into predictions of behaviour and sold or deployed to shape it. Her warning bears directly on this study. A platform workforce is among the most intensively surveilled populations in economic history, every movement logged, every performance scored, and yet, as the findings below show, all of that visibility belongs to the platform and none of it to the worker or the state.¹⁸

What this position means for the people who do the work was established by two further studies. Jeremias Prassl's *Humans as a Service* examined the gig economy through the lens of employment law and found a consistent architecture. The platform performs every function that the law associates with an employer, hiring, directing, disciplining, paying and dismissing, while its contracts deny that an employer exists. Prassl's conclusion, that the law should identify the employer by its functions rather than its labels, is the intellectual ancestor of the presumption of employment reforms discussed at the end of this study.¹⁹ Alex Rosenblat's *Uberland* supplied the ethnographic proof. Spending years with drivers across the United States and Canada, she documented how algorithmic management operates in practice, how surge pricing steers drivers without ordering them, how ratings transfer supervision to customers, and how deactivation functions as dismissal without ever using the word. Her drivers experienced comprehensive control exercised by an entity that insisted, in every legal forum,

The systems that score credit, employment and risk are deliberately opaque, protected by trade secrecy and complexity

that it was merely a technology company. Substitute the booking for the ride and her description transfers to the platform examined here without amendment.²⁰

2.4 Government by algorithm

The third layer concerns what happens when the algorithm stops being a business tool and becomes a form of rule. The philosophers Antoinette Rouvroy and Thomas Berns named the phenomenon algorithmic governmentality. Where classical government addresses people through rules they can know, contest and be judged against, algorithmic government works on statistical profiles assembled from data, acting on what people are predicted to do rather than on what they have done. The person disappears into the profile, and with her disappears the procedural moment, the hearing, the appeal, the reasoned decision, at which power could be answered. Frank Pasquale gave the problem its institutional name in *The Black Box Society*. The systems that score credit, employment and risk are deliberately opaque, protected by trade secrecy and complexity, so that the scored cannot learn why they were scored as they were, while the scorers accumulate ever more detailed knowledge of the scored. The asymmetry of the black box,

²²Frank Pasquale, *The Black Box Society: The Secret Algorithms That Control Money and Information* (Cambridge, MA: Harvard University Press, 2015), 3–18.

²³Cathy O'Neil, *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy* (New York: Crown, 2016), 17–32.

²⁴Lyla Latif, *Platform Investigation Methodology: Guiding Framework and Researcher Intake Protocol* (Nairobi: Project TERRA, House of Fiscal Wisdom, 2026). The methodology is published as an open research resource for use by researchers, civil society organisations, revenue authorities and policy institutions, and this study applies it rather than restating it.

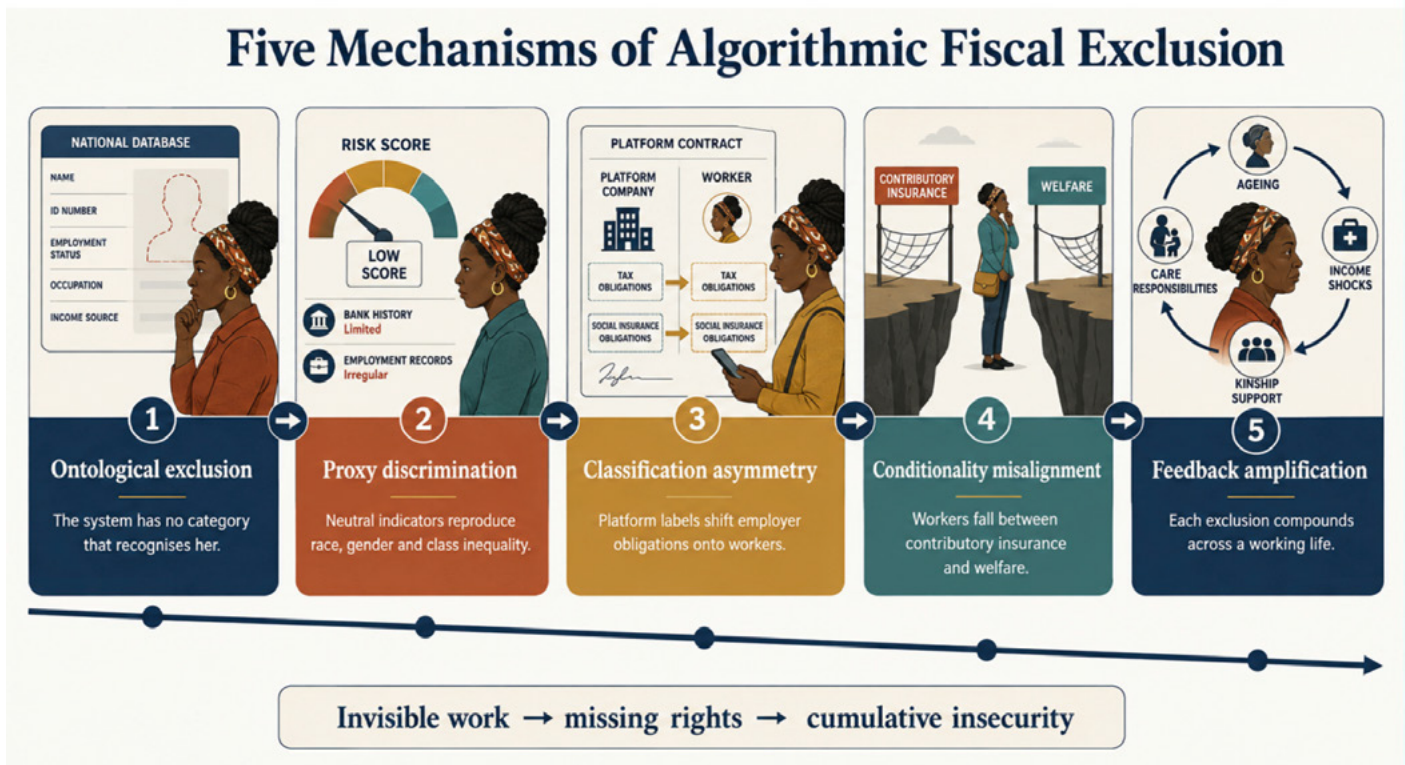


Figure 2. The five mechanisms of algorithmic fiscal exclusion, from invisible work through missing rights to cumulative insecurity.

he argued, is not a technical accident but a distribution of power. Cathy O’Neil showed what the black box does at scale. Her *Weapons of Math Destruction* identified the recurring anatomy of destructive scoring systems, opacity, scale and damage, and traced their common mechanism, the proxy. Because the quality a system wants to measure is unmeasurable, it substitutes variables that correlate with history, and because history contains discrimination, the proxies quietly import it. A model need never see race or gender to sort by them. It need only see the postcode, the payment record, the employment history in which race and gender are already written.

Held together, the three layers of this literature form a single sentence. Work that the state never counted is now organised by firms that disclaim it and adjudicated by systems that cannot be

questioned. What none of these literatures has done is follow that sentence into the fiscal architecture of an African state, where the uncounted work is the majority of women’s work, the disclaiming firm operates in the care economy, and the unquestionable systems decide access to tax records, social insurance and welfare. That is the gap this study fills, and the five findings at its core are the product of reading these literatures against one another in a single documented case.

2.5 From literature to examination: the five mechanisms

The inheritance assembled above is not left as background. It is distilled into the instrument with which the rest of this study works. The examination that follows holds together three things that are usually studied apart, the power exercised through the platform’s algorithmic architecture, the data that the platform and the

state each hold and withhold, and the tax and social protection consequences that flow from how the worker is classified. It does so through five mechanisms, drawn from the Platform Investigation Methodology published openly alongside this study, which sets out the full research protocol, evidence standards and intake instrument for any researcher who wishes to repeat the exercise elsewhere. The mechanisms function in the examination the way a differential diagnosis functions in medicine. Each is tested systematically against the documented record, the evidence is rated where it applies, and the absence of evidence is recorded with equal care, since a mechanism that does not operate in a given case is itself an analytically meaningful finding.

Ontological exclusion asks whether the state's fiscal data architecture possesses any category through which the platform worker can be recognised at all, examining whether the revenue authority's filing systems demand documentation she cannot produce, whether the social insurance registry depends on employer submissions that will never be made, and whether the welfare means test draws on data sources that structurally miss her. Proxy discrimination asks whether the fiscal system's automated assessments rest on indicators, income regularity, formal employment history, employer certification, bank account tenure, that correlate with the structural inequalities of race, gender and class, so that neutral systems yield discriminatory outcomes. Classification asymmetry asks how the platform's contractual designation of its workers transfers employer fiscal obligations onto workers and the public purse, requiring the researcher to

reproduce the contractual language, to apply the host jurisdiction's legal tests for employment to the platform's operational reality, and to specify the monetary value of each avoided obligation together with the worker entitlement it correspondingly denies.

Conditionality misalignment asks whether platform workers fall between the tracks of social protection, shut out of contributory insurance by their classification and misread by means tested assistance because of their platform income. Feedback amplification asks how the first four compound across a working life, as entitlement deficits deepen, undocumented income narrows access to credit and housing, and each interruption is absorbed by kinship networks that the formal system never sees.

A word on evidence before the examination begins. This study rests entirely on documentary and public sources, primary legal materials for every claim about the fiscal architecture, and the platform's own published reports and terms for every claim about the platform, read as its representations rather than as neutral fact. No worker interviews were conducted for this iteration, the woman in the opening pages is a composite drawn from published survey data, and where the evidence has limits the study says so in place, most notably in relation to the revenue authority's unpublished risk models. Absences are treated as data. A platform that publishes no racial breakdown of its workforce, and a revenue authority that publishes no account of its scoring variables, have each made a disclosure decision, and the examination records those decisions as part of what it examines.

| 3 |

THE PLATFORM, THE WORKFORCE AND THE FISCAL STATE

3.1 An algorithm with a mop

SweepSouth began in 2014 with a problem familiar to every middle class South African household and every domestic worker, the difficulty of finding each other on terms either could trust. Its founders built an application that made the matching instant. A client enters a location, a date and the size of a home. The platform quotes a price, assigns a worker, processes the payment and invites the client to rate the result. Within a decade the company had become the country's most prominent home services marketplace, had raised USD 11 million in a single funding round, had expanded into and retreated from Kenya and Nigeria, and had published eight annual reports on the pay and working conditions of domestic workers that remain among the best data sources on the sector.²⁵

Beneath the convenience sits a governance system. The platform sets the price paid by the client and the share remitted to the worker. Its algorithm allocates bookings, weighing avail-

ability, location and the worker's accumulated rating. Client scores feed a rating that determines the worker's access to future work, and a rating that falls below the platform's thresholds leads to deprioritisation and deactivation. Workers cannot negotiate prices, cannot market themselves independently through the platform, and cannot carry their ratings or client relationships away with them.

The contractual foundation of all this is set out in the platform's published terms, which describe SweepSouth as a communications platform connecting persons seeking services with persons providing them, declare in capitalised text that

Client scores feed a rating that determines the worker's access to future work, and a rating that falls below the platform's thresholds

²⁵Olumuyiwa Olowogboyega, "Inside SweepSouth's decision to close its Nigerian and Kenyan businesses," TechCabal, 20 January 2023, <https://techcabal.com/2023/01/20/sweepSouth-expansion-failure/>. Aisha Pandor stepped down as chief executive in January 2024 and was succeeded by Lourandi Kriel.

²⁶SweepSouth, "Terms and Conditions," accessed July 2026, <https://sweepSouth.com/terms/>.

²⁷SweepSouth, Fifth Annual Report on Pay and Working Conditions for Domestic Workers in South Africa (Cape Town: SweepSouth, 2022); SweepSouth, Eighth Annual Report on Pay and Working Conditions for Domestic Workers (Cape Town: SweepSouth, 2025).

²⁸Statistics South Africa, Quarterly Labour Force Survey, Quarter 3: 2024 (Pretoria: Statistics South Africa, 2024).

²⁹Shireen Ally, *From Servants to Workers: South African Domestic Workers and the Democratic State* (Ithaca, NY: Cornell University Press, 2010); Jacklyn Cock, *Maids and Madams: A Study in the Politics of Exploitation* (Johannesburg: Ravan Press, 1980); Deborah Gaitskell, Judy Kimble, Moira Maconachie, and Elaine Unterhalter, "Class, Race and Gender: Domestic Workers in South Africa," *Review of African Political Economy* 10, no. 27–28 (1983): 86–108.

the company does not itself provide cleaning services, and provide that every service provider is an independent contractor with whom no employment relationship arises.²⁶ That designation is the hinge of this study. If the worker is not an employee then no employer registers her with the state, no employer contributes to her social insurance, no employer deducts her tax and no employer answers for her injuries. Everything documented in Section 4 follows from the interaction between that clause and the design of four state systems.

3.2 The women the algorithm manages

The platform brands its workers SweepStars. Its own annual reporting shows who they are. The 2022 report, drawing on roughly eight thousand responses from domestic workers across South Africa, found that 94 per cent were women. The eighth report, published in 2025, found that 92 per cent were women and that 82 per cent were the primary breadwinners for their households, most supporting several dependants on earnings that the reports themselves describe as under persistent strain.²⁷ Official statistics count roughly 854,000 domestic workers in South Africa, and the sector is composed overwhelmingly of Black women.²⁸

That composition is the residue of design, as the historical scholarship discussed in Section 2.1 recorded while it was happening. Pass laws,

Pass laws, Bantu education and job reservation confined Black women to domestic service

Bantu education and job reservation confined Black women to domestic service as the principal legally tolerated form of urban economic activity, while the sector was simultaneously and deliberately excluded from labour protection statutes, an exclusion the apartheid state maintained because white households required cheap domestic labour and refused to bear its social costs. The democratic era has laboured to reverse the exclusion. Sectoral Determination 7 brought the sector under wage regulation, the domestic worker minimum wage was equalised with the national minimum wage in March 2022, and the Constitutional Court in Mahlangu extended occupational injury compensation to domestic workers with retrospective effect, in a judgment that arose from the death of a domestic worker at her workplace and whose story is told in the next section.³⁰ Every one of these gains, however, attaches to employees. A classification that removes the worker from that category removes her from the reach of each reform, and it matters for the fiscal analysis that the women entering the platform carry no inherited cushion of formal records. Their mothers' decades of work generated no tax histories, no contribution records and no pensions, because the systems that create such records were never applied to them. The platform inherits a workforce with blank fiscal profiles, and the question this study asks is what its architecture does with that inheritance.

3.3 Four systems that cannot see her

The findings that follow concern the worker's passage through four institutions, and the design of each must be understood first. The South African Social Security Agency administers social grants through automated means testing. For the Social Relief of Distress grant of R370 per month, eligibility is determined by algorithmic checks

³⁰Sectoral Determination 7: Domestic Worker Sector, made under the Basic Conditions of Employment Act 75 of 1997; National Minimum Wage Act 9 of 2018, under which the national minimum wage stands at R30.23 per hour from 1 March 2026; Mahlangu and Another v Minister of Labour and Others [2020] ZACC 24; 2021 (2) SA 54 (CC).

³¹South African Revenue Service, Guide for Provisional Tax (Pretoria: SARS, 2022); South African Revenue Service, Interpretation Note 17 (Issue 5), Employees' Tax: Independent Contractors (Pretoria: SARS, 2021).

³²Unemployment Insurance Act 63 of 2001; Unemployment Insurance Contributions Act 4 of 2002. Domestic workers were brought within coverage from 1 April 2003.

³³Compensation for Occupational Injuries and Diseases Act 130 of 1993; Mahlangu [2020] ZACC 24.

of applicant data against revenue records, UIF histories and bank accounts. In January 2025 the High Court held central elements of that system unconstitutional, including its online only application design and a definition of income that swept gifts and once off transfers into the means test. The evidence before the court recorded that approvals had fallen from roughly eleven million

to roughly 5.6 million after automated verification was introduced, and that in a given month about 15 per cent of approved beneficiaries went unpaid. The judgment matters here because it is judicial confirmation, from within the host jurisdiction, that automated fiscal systems have been excluding people who are substantively entitled. What follows shows how the platform's architecture and these four systems interlock.

| 4 |

FINDINGS. FIVE MECHANISMS OF ALGORITHMIC FISCAL EXCLUSION

4.1 Ontological exclusion, or the woman the database cannot imagine

The foundational finding is that the data architectures of SARS, the UIF and the South African Social Security Agency (SASSA) contain no category through which the economic life of a SweepStar can be recognised. These systems were built around the formal employment relationship as the normative model of economic activity, and their operational categories, the employer, the employee, the payroll submission, the contribution credit, are the categories through which a person becomes fiscally real. Scholarship on artificial intelligence has argued that data systems do not merely describe the world but determine what institutions are capable of acting upon.³⁴ The point lands here with precision. The eFiling architecture built from PAYE data does not process the SweepStar's affairs badly. It constitutes a fiscal world in which she does not appear.

Follow her through the front door of the system. She arrives with an identity document, a smartphone and a bank account, and typically with no formal employment history, because her prior economic life, informal domestic work, care within kinship networks, participation in rotating savings groups, generated no trace in any state database. This is not because that work

was insignificant. It may represent decades of labour that sustained households and raised children. It is because the systems were never built to record it. Even where domestic workers were formally employed, the registration obligation rested on household employers and went largely unenforced, so that a woman may retire from forty years of work with no tax record at all. The platform inherits this blank profile, and its contractor classification guarantees that the platform years will add nothing to it. The evidence for this mechanism is rated strong under the methodology, because it rests on the documented design of the state's own systems rather than on any inference about the platform's conduct. This is Waring's ledger, rebuilt in software. The boundary that once excluded women's work from the national accounts now runs through the state's databases, and the woman on the

The eFiling architecture built from PAYE data does not process the SweepStar's affairs badly. It constitutes a fiscal world in which she does not appear

³⁴Institute for Economic Justice and Another v Minister of Social Development and Others [2025] ZAGPPHC 29; 2025 (4) SA 249 (GP); Social Assistance Act 13 of 2004.

³⁵Kate Crawford, *Atlas of AI: Power, Politics, and the Planetary Costs of Artificial Intelligence* (New Haven: Yale University Press, 2021), 89–130.

platform stands on the same side of it that her grandmother did.

4.2 Proxy discrimination, or how neutrality learned to exclude

The second mechanism operates in the space between what fiscal systems want to know and what they are able to measure. No revenue authority can observe compliance directly, so its automated systems substitute proxies, regular income, employer certification, filing history, bank account tenure, for the quality they cannot see. The proxies were calibrated on the formal sector population, for whom they work tolerably well. Applied to a SweepStar they fail in unison. Her income arrives as irregular per booking deposits from a single corporate source, uncertified by any payroll, unaccompanied by any filing history, matching no template the system holds. The machinery does not conclude that she is a platform worker. It concludes that she is an anomaly, and in a risk scoring system anomaly and risk are the same word. This is O'Neil's proxy mechanism operating inside a revenue authority, and it behaves exactly as her analysis predicts.

The consequences radiate outward from the tax system into everything that depends on it. Proof of income is the passport of formal economic life. It opens rental housing, credit, insurance and the possibility of moving from platform work into formal employment. A worker whose deposits cannot be certified cannot produce that proof, whatever her actual earnings. And in South Africa the proxies carry a specific historical charge, because formal employment history, payroll documentation and bank account tenure are distributed across the population along the exact lines

that apartheid's labour market drew. A scoring system that relies on them is race blind in its code and race tracking in its consequences. The methodology records one evidence gap. SARS does not publish the variables of its risk models, so the finding rests on the documented design of the filing architecture rather than on inspection of the scoring code, and the study says so.

4.3 Classification asymmetry, or the employer who is not there

The third mechanism is the most visibly legal, and it begins with a tension that any South African labour lawyer will recognise on sight. Section 200A of the Labour Relations Act presumes that a person earning below the statutory threshold who works for another is an employee if any one of seven factors is present, among them control over her hours or manner of working, economic dependence, and forming part of the other's organisation. A SweepStar earns far below the threshold. The platform sets her prices, allocates her work, requires her personal performance, rates her and can remove her. The operational reality sits squarely inside the territory the presumption was written for, while the contract asserts the opposite. The scholarship on platform work has named this structure exactly. The platform is an employer that disclaims its own status, exercising through algorithms the control that the contract denies.

South Africa has already tested this tension once, and the result is instructive rather than reassuring. In 2017 the Commission for Conciliation, Mediation and Arbitration found that Uber drivers were employees of the platform's South African subsidiary, reasoning from the reality of algorithmic control. In 2018 the Labour Court

³⁶O'Neil, *Weapons of Math Destruction*, 17–32.

³⁷Noble, *Algorithms of Oppression*. Noble's analysis of how neutral seeming algorithmic systems reproduce racialised outcomes through their design assumptions applies with force to fiscal risk scoring built on apartheid patterned employment data.

³⁸Labour Relations Act 66 of 1995, s. 200A, read with the earnings threshold determined under s. 6(3) of the Basic Conditions of Employment Act 75 of 1997, which stands at R269,600.90 per annum with effect from 1 May 2026. Workers earning below the threshold enjoy the presumption.

³⁹Jeremias Prassl, *Humans as a Service: The Promise and Perils of Work in the Gig Economy* (Oxford: Oxford University Press, 2018), 2–35; Alex Rosenblat, *Uberland: How Algorithms Are Rewriting the Rules of Work* (Oakland: University of California Press, 2018), 68–112.

set that award aside, not because the control was absent but because the drivers had contracted with the Dutch parent company rather than the local subsidiary, so the wrong respondent had been pursued. The episode demonstrates both faces of the South African position. The doctrinal tools to see through the contractor label exist, and a corporate structure spanning borders can defeat them on procedure before any court reaches the merits. A workforce earning per booking rates cannot afford to litigate its way through that maze, which is why the reform argument in Section 7 turns on a presumption operating by force of law rather than on case by case adjudication.

The methodology requires the asymmetry to be priced, obligation by obligation. Were the platform an employer, it would contribute one per cent of each worker's remuneration to the UIF and deduct a matching one per cent, register with the Compensation Fund and pay annual assessments under COIDA, pay the skills development levy of one per cent where its payroll exceeds R500,000 a year, and operate PAYE for workers above the tax threshold. Read the same list from the worker's side. The unpaid UIF contribution is the maternity benefit she cannot claim. The absent Compensation Fund registration is the cover she does not have when she falls from a ladder in a client's home, where she is neither the client's employee nor the platform's. The unpaid levy is the training, funded through the Sector Education and Training Authorities (SETA), she cannot access. The unoperated PAYE is the certified income record she cannot show a landlord. The classification does not extinguish these costs. It relocates them, onto the worker while she can bear them, and onto her family, her

networks and the public purse when she cannot.

The asymmetry bears hardest on the care that surrounds the paid work. A SweepStar who reduces her bookings through a pregnancy or a child's illness has no employer, no paid leave and no insurance benefit to carry her. Her care period is fiscally invisible on the way in, generating no contribution, and invisible on the way out, generating no entitlement. Comparative welfare scholarship established long ago that conditionality regimes built around the continuous full time worker structurally penalise those who carry care, and the platform model does not correct that design. It supplies the design with a fresh population to exclude.

4.4. Conditionality misalignment, or falling between two systems

South African social protection runs on two tracks. The contributory track, the UIF and the Compensation Fund, is entered through employment and employer contributions. The means tested track, the SASSA grants, is entered through poverty and its proof. The SweepStar is barred from the first track by her classification, since no contribution has ever been made in her name and no length of service can substitute for one. She is then mishandled by the second, because its automated means test reads her bank account and finds deposits it cannot categorise, income that is neither certified employment nor legible self employment. The system was not designed to be cruel to her. It was designed without her, which in an automated administration amounts to the same thing.

The Social Relief of Distress (SRD) grant litigation shows the scale of what such design does. Approvals fell by roughly half when automated verification arrived, a definition of income swept gifts and once off transfers into the means test, and the High Court found the resulting exclusions unconstitutional. Scholarship on automated welfare administration elsewhere has documented the same reflex, in which the absence of formal documentation is read as risk rather than as informality, so that the system excludes precisely the people it exists to serve. Between

A workforce earning per booking rates cannot afford to litigate its way

the two tracks there is no category for a woman who works, earns little and is certified by no one. That is the space where the SweepStar lives.

4.5 Feedback amplification, or the arithmetic of compounding exclusion

The final mechanism is the one that converts a disadvantage into a destiny. Contributory entitlements accrue cumulatively, so a worker who enters the system late, or never, carries a deficit that widens with every uncorrected contribution period. For the SweepStar the compounding runs on every level at once. Each month on the platform generates no UIF credits, no injury cover, no training entitlement and no certified record, so the entitlement deficit grows in exact step with her service. The absence of certified income narrows her access to housing and credit, pushing her towards informal arrangements that cost more and record less. Each interruption, an illness, a deactivation, a season of intensive care for someone else, is absorbed by kinship networks rather than by insurance, drawing down the reserves of the very households the welfare system also fails to see. And because the algorithms on both sides of her life, the platform's deactivation process and the state's eligibility engines, issue their decisions without reasons or accessible appeal, there is no procedural moment at which the loop can be interrupted.

The deficit can be given rough numbers, and the methodology asks for them. Had she been an employee, a woman cleaning full time for five years would have accumulated roughly 325 days

A woman who spends five years working through the platform leaves it with the fiscal profile she brought to it

of Unemployment Insurance Fund credits, one day for every four worked, close to the statutory ceiling of 365. Those credits could have funded up to 121 days of maternity benefit and months of unemployment or illness benefit at the sliding replacement rates the Fund applies. Alongside them she would have carried five years of continuous Compensation Fund cover and a five year certified earnings record. The platform worker accumulates none of this. The contributions forgone are modest in money, a few per cent of a modest wage. The entitlements they would have purchased are not.

State the finding at its sharpest through the exit door. A woman who spends five years working through the platform leaves it with the fiscal profile she brought to it. No credits, no record, no entitlement, no documentary trace of five years of economically valuable work. The platform has realised the value of her labour. The state has collected little and recorded nothing. She has accumulated, in every register the fiscal architecture can read, exactly nothing. That is fiscal invisibility, and it is manufactured, not found.

One objection must be met squarely before the

⁴⁰National Union of Public Service and Allied Workers obo Members v Uber South Africa Technology Services (Pty) Ltd (Commission for Conciliation, Mediation and Arbitration, 2017); Uber South Africa Technology Services (Pty) Ltd v National Union of Public Service and Allied Workers and Others (2018) 39 ILJ 903 (LC).

⁴¹Unemployment Insurance Contributions Act 4 of 2002; Compensation for Occupational Injuries and Diseases Act 130 of 1993; Skills Development Levies Act 9 of 1999.

⁴²Mary Daly and Katherine Rake, *Gender and the Welfare State* (Cambridge: Polity Press, 2003), 29–67.

⁴³Institute for Economic Justice [2025] ZAGPPHC 29. The evidence before the court is set out in Section 3.3 above.

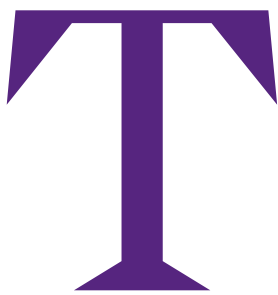
⁴⁴Eubanks, *Automating Inequality*, 11–23.

findings can be weighed, because it is the platform economy's best defence. The woman described here was, in most cases, fiscally invisible before the platform found her. Informal domestic work generated no UIF record either, and household employers who never registered their workers produced the same blank profiles this study has documented. All of that is true, and it changes the charge rather than dismissing it. The platform did not create her invisibility. It industrialised it. Work that was once dispersed across thousands of informal arrangements now flows through a single corporate architecture that records every booking, every payment and every hour, which

means the technical means of formalisation exist for the first time in the sector's history, held by one entity, and the contractor classification is the decision not to use them. The platform digitised the work without formalising the worker, and in doing so it converted an inherited absence into a designed one. That is what distinguishes the invisibility examined in this study from the invisibility that preceded it, and it is why the reforms in Section 7 are neither speculative nor premature. The data to make this workforce visible already exists. It is simply owned by the wrong party and put to other uses.

| 5 |

THE WEIGHT OF HISTORY



he five mechanisms would matter in any jurisdiction. In South Africa they carry the weight of three centuries. The colonial state on the continent governed through bifurcation, producing recognised citizens inside the formal economy and governed subjects outside

it, and its fiscal systems were instruments of that division, extracting obligation from African populations while reserving entitlement for others.

Apartheid gave the division its most elaborate form, taxing Black South Africans while denying them the public goods their taxes nominally funded, and the fiscal institutions of the democratic era were built on the registries, categories and administrative habits that racial order left behind. The present author has shown in the East African context how the developmental promise of independence was carried by fiscal structures never rebuilt for the populations they had been designed to exclude, and the South African case is that argument in its starkest form.

Domestic work sits at the centre of this inheritance. The sector's exclusion from protection was not an oversight awaiting correction but a load bearing feature of the apartheid labour settlement, which required abundant cheap

domestic labour for white households and refused to price its social costs. The gender dimension cannot be separated from the racial one. Every tax system encodes a default subject, and comparative scholarship has shown that the default is typically the formal male breadwinner. South Africa's default was more specific. He was white as well as male and formal, and the Black woman domestic worker was constituted as his structural opposite, indispensable to the economy and invisible to its records.

The global data confirm that this configuration is a sharpened instance of a worldwide pattern rather than a local pathology. Women perform 76.2 per cent of the world's unpaid care hours, and in Africa they spend 3.4 times as much time on unpaid care as men, while 85.8 per cent of the continent's employment is informal. What the South African case adds is visibility, because

Apartheid gave the division its most elaborate form, taxing Black South Africans while denying them the public goods

⁴⁵Nicholas Barr, *The Economics of the Welfare State*, 5th ed. (Oxford: Oxford University Press, 2012), chap. 4.

⁴⁶Danielle Keats Citron and Frank Pasquale, "The Scored Society: Due Process for Automated Predictions," *Washington Law Review* 89, no. 1 (2014): 1.

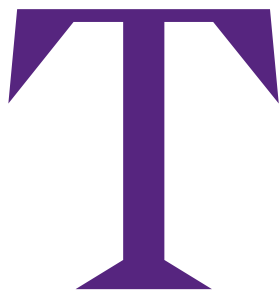


the country's social protection framework is codified, litigated and measured, so the mechanisms can be specified with a precision most jurisdictions do not permit. Seen against this history, the platform's algorithm appears in its true character. It did not invent the exclusion of the Black woman care worker. It inherited an exclusion three centuries in the making and automated it, replacing the pass law and the racial

statute with the contractual clause and the risk score, instruments that reproduce the outcome while dissolving the visible target that made the old instruments contestable. This is not equivalence with apartheid, and the study does not assert it. It is continuity of structural outcome, which is the register in which those who live the outcome experience it.

| 6 |

A MODEL IN CIRCULATION



he comparative protocol asks whether SweepSouth's architecture is particular or general, and the record answers quickly. Contractor classification, platform set pricing, algorithmic allocation, client rating and deactivation now constitute the

standard operating system of domestic work platforms across the world, deployed by Handy in the United States and the United Kingdom, Care.com globally, Helping across Europe and a succession of ventures across Africa, Asia and Latin America. The algorithmic architecture is globally standardised. The fiscal consequences are nationally specific, because the welfare systems the model collides with are national constructions,

and the collisions have begun to produce a case law of their own.

In the United States, Homejoy, the closest analogue to SweepSouth's business, shut down in July 2015 with its chief executive naming pending worker misclassification lawsuits as the deciding factor. In the United Kingdom, the Supreme Court held in *Uber BV v Aslam* that drivers governed by algorithmic management were workers in law, and that status is determined by the reality of the relationship rather than by the paperwork that denies it.

The Dutch chapter of this case law deserves to be told in full, because it concerned a cleaning platform running SweepSouth's exact model. Helping, founded in Berlin in 2014, operated an online marketplace through which households

⁴⁷Mamdani, *Citizen and Subject*, 1–34; Mkandawire, "On Tax Efforts and Colonial Heritage in Africa," 1647–69.

⁴⁸Latif, "The Lure of the Welfare State Following Decolonisation in Kenya," 240–58.

⁴⁹Ally, *From Servants to Workers*; Cock, *Maids and Madams*.

⁵⁰Mumford, *Tax Policy, Women and the Law*, 45–78; Stotsky, "Gender Bias in Tax Systems."

⁵¹International Labour Office, *Care Work and Care Jobs for the Future of Decent Work* (Geneva: ILO, 2018); ILO, *Women and Men in the Informal Economy*, 3rd ed.

⁵²Valerio De Stefano, "The Rise of the 'Just-in-Time Workforce': On-Demand Work, Crowdsourcing and Labour Protection in the 'Gig-Economy'" (Conditions of Work and Employment Series No. 71, International Labour Office, Geneva, 2016); Valerio De Stefano and Antonio Aloisi, *European Legal Framework for Digital Labour Platforms* (Luxembourg: Publications Office of the European Union, 2018); Mark Graham and Mohammad Amir Anwar, "The Global Gig Economy: Towards a Planetary Labour Market?," *First Monday* 24, no. 4 (2019).



across Europe booked home cleaners, with the platform setting the framework of fees, taking a commission on every booking and classifying the cleaners as independent contractors. In the Netherlands, the Federatie Nederlandse Vakbeweging, the country's largest trade union confederation, took up the case of a Helpling cleaner and sued the platform, arguing that the contractual label did not match the reality of the relationship. At first instance in 2019 the Amsterdam subdistrict court accepted that no employment relationship existed with the platform. On appeal, the Amsterdam Court of Appeal looked past the labels at how the platform actually functioned, at who controlled the terms, who mediated the payment and who profited from the placement, and held in September 2021 that Helpling was not a neutral noticeboard at all but was operating in the manner of a temporary employment agency, with the legal responsibilities towards its cleaners that agency status carries. Helpling's Dutch entity entered bankruptcy in early 2023. The judgment matters for this study because it shows a court refusing the central move the model depends on, the substitution of a contractual designation for an operational truth.

In Kenya, platforms such as Lynk carried the model into a fiscal architecture where the overwhelming majority of employment is informal

In Kenya, platforms such as Lynk carried the model into a fiscal architecture where the overwhelming majority of employment is informal and where the contributory schemes, the National Social Security Fund and the health insurance system now administered by the Social Health Authority, exhibit structural exclusions equivalent to those documented here, a setting whose financial technology dimension the present author has examined at length.

The most consequential legislative response has come from the European Union, whose Platform Work Directive requires member states to establish a legal presumption of employment for platform workers, places the burden of rebutting it on the platform, and regulates algorithmic management directly, with transposition due by 2 December 2026. South Africa's own reform process is live but unresolved. The National Economic Development and Labour Council (NEDLAC) labour law reform process reported in February 2025, and a Draft Labour Laws Amendment Bill was gazetted in February 2026, though no platform specific presumption of employment has yet been enacted. The comparative assessment is therefore sobering. The standardised architecture produces consistent structural outcomes wherever it lands. National institutions modify the severity of the outcome but not its direction. And reform in any single jurisdiction repairs one national expression of a model that is global by design, which is the strongest argument for replicating this investigation across jurisdictions before the architecture hardens into infrastructure.

⁵³Ellen Huet, "Cleaning Startup Homejoy Shuts Down, Citing Worker Misclassification Lawsuits," *Forbes*, 17 July 2015.

⁵⁴*Uber BV and Others v Aslam and Others* [2021] UKSC 5.

⁵⁵Gerechtshof Amsterdam, 21 September 2021, ECLI:NL:GHAMS:2021:2741 (FNV v Helpling).

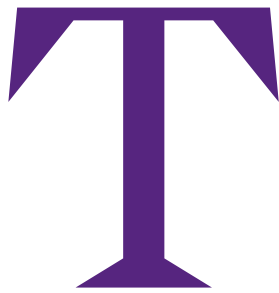
⁵⁶World Bank Group, *Lynk Addresses Inclusion in the Informal Sector* (Washington, DC: World Bank, 2021); Lyla Latif, *The Taxation of Financial Technology in Africa* (Nairobi: Tax Justice Network Africa, 2020). Kenya replaced the National Hospital Insurance Fund with the Social Health Insurance Fund, administered by the Social Health Authority, from 1 October 2024.

⁵⁷Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 on improving working conditions in platform work, art. 5.

⁵⁸National Economic Development and Labour Council, *Final Report on the Labour Law Reform Process* (Johannesburg: NEDLAC, 2025); Draft Labour Laws Amendment Bill, Government Gazette No. 54220, 26 February 2026.

| 7 |

FROM FISCAL INCLUSION TO FISCAL JUSTICE



he findings do not support the comfortable conclusion that platform workers simply need to be brought inside existing systems. The systems themselves were built around a fiscal subject these workers were never permitted to be. An

inclusion agenda that makes SweepStars more legible to the existing eFiling architecture, the existing UIF and the existing means test would extend the reach of the very designs that produced the invisibility, without delivering the protection they promise. The ambition must instead be fiscal justice, the redesign of the architecture around a different ontology of economic life, one in which care labour is productive, informal activity is legitimate and fiscal citizenship does not depend on a

formal employment relationship. The distinction echoes a broader argument about the global tax order, in which African states have been pressed to participate in structures designed elsewhere and to mistake participation for power, when the real task is to break the cycle of asymmetry by redesigning the structures themselves. Five directions follow from the analysis.

The first is a statutory rebuttable presumption of employment for platform workers. Section 200A of the Labour Relations Act already holds the presumption in general form, and the EU directive supplies a tested template specific to platforms, reversing the burden so that the platform must prove contractor status rather than the worker having to litigate for an employment status she cannot afford to claim. The Uber litigation described in Section 4.3 shows why the case by

⁵⁹Okanga Okanga and Lyla Latif, "Effective Taxation in Africa: Confronting Systemic Vulnerability through Inclusive Global Tax Governance," *African Journal of International Economic Law* 2 (2021): 100–121; Lyla Latif, "Breaking the Cycle of Domination in Global Tax Governance: Africans Defying Asymmetries and Seizing Opportunities," in *Redefining Global Governance*, ed. Irma Johanna Mosquera Valderrama et al. (Cham: Springer, 2025), 261–84.

⁶⁰ILO Convention No. 189 concerning Decent Work for Domestic Workers (adopted 16 June 2011, in force 5 September 2013), art. 14, ratified by South Africa on 20 June 2013.

⁶¹Department of Social Development, Green Paper on Comprehensive Social Security and Retirement Reform, Government Gazette No. 45006, Notice 741 (August 2021), withdrawn September 2021.

⁶²Ada Lovelace Institute and DataKind UK, *Examining the Black Box: Tools for Assessing Algorithmic Systems* (London: Ada Lovelace Institute, 2020).

⁶³United Nations General Assembly Resolution 78/230 (22 December 2023), initiating the framework convention process; the terms of reference were approved in August 2024 and adopted by Resolution 79/235 (24 December 2024), which established the intergovernmental negotiating committee working to conclude the convention and two early protocols, the first addressing taxation of income derived from the provision of cross border services in an increasingly digitalised and globalised economy, by 2027. See Latif, "Why the U.N. Must Put AI and Data on the Tax Agenda."



case route fails this workforce, and a further obligation already points the same way. South Africa ratified the International Labour Organization's Domestic Workers Convention in 2013, undertaking to ensure that domestic workers enjoy conditions no less favourable than other workers in respect of social security protection, an undertaking that a contractor classification operating at the scale of a platform workforce sits uneasily beside. A presumption operating by force of law would trigger the obligations attached to the UIF, COIDA, the Skills Development Levy (SDL) and PAYE obligations at the scale of the workforce and would start the accumulation of entitlements that the present architecture forecloses.

The second is the recognition of care within social insurance. Periods of documented care responsibility should earn contribution equivalent credits within the UIF and any successor arrangement, on the model of the care credits used in several European pension systems. This attacks feedback amplification at its source, because the care period would build entitlement rather than deepen deficit. South Africa's withdrawn Green Paper on comprehensive social security contemplated structural reform of exactly this kind, and the care credit belongs at the centre of any revival of that agenda.

The third is mandatory algorithmic impact assessment for the fiscal state itself. SARS, the

The capacity of South Africa and its peers to fund social protection depends on their ability to tax the value created within their borders

UIF and SASSA should be statutorily required to assess and publish the disparate impacts of their automated systems on informal and care economy populations, disaggregated by gender and race, using assessment tools that already exist for the purpose. The SRD litigation shows what such assessment would have surfaced years earlier, and the judgment supplies constitutional authority for treating automated exclusion as a rights question rather than a technical one.

The fourth is the redesign of means testing so that informal economic life reads as evidence rather than as risk. The means test should accept alternative documentation, including platform payment records and community attestation, and its definition of income must distinguish earnings from the once off transfers and mutual support flows that characterise informal economies, as the High Court has now required. A means test that cannot read informality will always misread the majority of the population it exists to serve.

The fifth is international, and it returns the study to the question of where the money goes. The capacity of South Africa and its peers to fund social protection depends on their ability to tax the value created within their borders, including value that platforms route through cross border structures beyond the reach of national law. The negotiations for a United Nations Framework Convention on International Tax Cooperation, with an early protocol on the taxation of income from cross border services in a digitalised economy, are the arena in which source based taxing rights over platform mediated services will be settled, and the case for placing data and algorithmic business models squarely on that agenda has been made and must now be carried. The revenue case and the social protection case are the same case, argued in different rooms.

| 8 |

CONCLUSION

Return, at the end, to the woman whose phone lit up on a winter morning. Nothing about her day was hidden. The platform knew where she was, what she earned, how she was rated and when she worked, with a granularity no employer of her mother's generation could have imagined. The state, meanwhile, operates some of the most sophisticated fiscal data systems on the continent. Between these two architectures of

total information, she is invisible. That is the finding of this study stated as a paradox, and its resolution is uncomfortable. She is not invisible despite the sophistication of the systems around her. She is invisible because of the way they were designed, by a platform whose business model requires her not to be an employee and by a fiscal

The screenshot displays the 'House of Fiscal Wisdom' learning platform interface. On the left is a dark blue sidebar with a course menu. The main content area is light blue and shows the details for 'MODULE 1 OF 5 - 40 MINUTES' titled 'Foundations: Algorithmic Bias and Fiscal Visibility'. Below the title, it states 'What algorithmic bias is, the four places it enters a system, the five mechanisms of fiscal invisibility, and why law, and tax law in particular, is the instrument that can answer it.' A diagram illustrates the concept: a person icon labeled 'seen for work' is connected by a dashed arrow to a building icon labeled 'unseen by the state', with the text 'Seen for work, unseen by the state.' below it. A 'LEARNING OBJECTIVES' section lists four points: defining algorithmic bias, distinguishing bias entry points, naming fiscal invisibility mechanisms, and drafting provisions. At the bottom of the sidebar is a 'Your certificate' button.

House of Fiscal Wisdom
CERTIFICATE COURSE
SUPPORTED BY
Luminate

0 OF 5 MODULES COMPLETE
Progress saves on this device

- 1 **Foundations: Algorithmic Bias and Fiscal Visibility**
MODULE 1 - 40 MIN
- 2 **Classification and Ontological Exclusion**
MODULE 2 - 40 MIN
- 3 **Proxies, Scoring and Discrimination**
MODULE 3 - 40 MIN
- 4 **Welfare, Conditionality and the Compounding Loop**
MODULE 4 - 40 MIN
- 5 **Detecting, Auditing and Remediating Algorithmic Bias**
MODULE 5 - 40 MIN

Your certificate
COMPLETE ALL MODULES

MODULE 1 OF 5 - 40 MINUTES

Foundations: Algorithmic Bias and Fiscal Visibility

What algorithmic bias is, the four places it enters a system, the five mechanisms of fiscal invisibility, and why law, and tax law in particular, is the instrument that can answer it.

FRAMEWORK FOR ALL FIVE MECHANISMS

seen for work → unseen by the state
Seen for work, unseen by the state.

LEARNING OBJECTIVES

- Define algorithmic bias as it arises in everyday consumer and labour apps.
- Distinguish the four sites where bias enters a system: data, design, deployment and feedback.
- Name the five mechanisms of fiscal invisibility and locate where the course treats each.
- Begin to draft, by setting down the objects and the core definitions on which every later provision depends.

Figure 3. The companion certificate course, *Algorithmic Bias in Apps*, on the House of Fiscal Wisdom learning platform.

state whose categories were never built to see her in the first place.

The five mechanisms documented here name the joints of that design, and the history recounted here explains why its weight falls where it falls. What remains is the question of scale. The architecture examined in this study is not a South African curiosity. It is a globally standardised model already governing care work on every continent, and it is being installed faster than it is being examined. The asymmetries that tax policy has carried for generations, of gender, of race, of the line between formal and informal work, are being written into the operating systems of the digital economy in real time. This study has offered a documented case and a replicable

instrument for examining it. The invitation to researchers, regulators and negotiators is to use the instrument while the architecture can still be redesigned, because the alternative is to discover, a generation from now, that the oldest exclusions in fiscal history have become code, and that no one can quite remember deciding it should be so.

Finally, reading about a problem is one thing. Learning to detect it, audit it and draft against it is another, and that second skill is what this study's companion course teaches. The free, self paced certificate course, Algorithmic Bias in Apps, follows the same arc as this study across five short modules and issues a certificate on completion. Enrolment is open to all at <https://fiscalgorithmic-course.hfw-project-terra.org/>

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About the House of Fiscal Wisdom

The House of Fiscal Wisdom emerges as a critical institutional response to the profound inadequacies of the current international fiscal and financial architecture, which has systematically failed to address the interconnected crises of unfair trade regimes, eroded tax bases, unsustainable debt burdens, climate vulnerabilities, illicit financial flows, economic instability, digitally enabled extraction, and misaligned investment priorities that perpetuate global inequality. Through its Global Commission on Financing Development, HFW challenges the technocratic orthodoxies that have confined fiscal policy discourse to narrow élites, instead democratising these discussions through diverse stakeholder engagement spanning fiscal decision makers, diplomats, private sector, civil society, scholars, youth and marginalised voices.

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