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Divergent Paths to a Shared Goal: Comparative Legislative Responses to Account Suspension on Digital Labour Platforms

ABSTRACT

With the widespread use of algorithmic management in the platform economy, account suspension has emerged as a core issue affecting working conditions. This article analyses the differing legislative responses adopted by the European Union and Taiwan to address this challenge. The EU approaches this issue from a “data protection” perspective, conceptualising algorithmic decision-making as a dual issue of working conditions and personal data protection. It clarifies the underlying facts of automated decision-making through mandatory algorithmic transparency obligations to resolve disputes.

In contrast, whilst Taiwan has not directly regulated algorithms, it has developed a unique “contractual regulation” approach. Through mandatory contractual terms formulated by administrative authorities, any unilaterally drafted terms contradicting these mandatory terms are rendered void. Moreover, Taiwan’s new law contains an obligation to establish an appeal procedure and reverses the burden of proof, requiring platform operators to prove the legitimacy of account suspension. Although the EU and Taiwan differ in their legislative approaches, both seek to alleviate information asymmetry between platform operators and platform workers, and to ensure procedural fairness in account suspension decisions.

Keywords: Algorithmic Management, Account Suspension, Platform Worker, Transparency, Standardised Contractual Regulations

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I. Introduction

The rapid expansion of digital labour platforms over the past decade has fundamentally reshaped the modern labour market. In both the European Union (EU)¹ and Taiwan,² the scale of platform work continues to grow, and working through these platforms has become increasingly prevalent.³

The EU has defined platform work as a type of labour in which algorithms are deployed on digital platforms⁴ to match the demand and supply of paid work.⁵ Algorithmic management, broadly defined as the use of computer-programmed procedures to monitor, organise, direct, and evaluate workers, has become ubiquitous in platform work, and presents a fundamental challenge for regulating such work. By collecting and processing personal data⁶ and real-time feedback, algorithms can generate predictions,⁷ support managerial functions, such as work allocation, control the monitoring, evaluation, disciplining, and rewarding of workers,⁸ and serve as the basis for automated decisions.⁹ As decisions made by these systems directly and adversely affect platform workers' working conditions and economic security, the emergence of algorithmic management has raised profound legal concerns.¹⁰

Among the various controversies related to algorithmic management, account suspension stands out as a particularly serious issue.¹¹ The suspension of platform workers' accounts is not merely an interruption of their access to the platform; it may also restrict their access to work opportunities,¹² hinder their ability to retrieve accumulated earnings,¹³ or unfavourably influence workers' accrued outcomes, thereby affecting the amount of their remuneration, particularly remuneration linked to the reward mechanism.¹⁴ As such, suspension can have an adverse effect on their livelihoods.¹⁵

¹ Council of the European Union, EU Rules on Platform Work, 2025, 1.

² Chen, 2025, 1.

³ International Labour Organisation, 2024, 15-16.

⁴ Eurofound, 2025.

⁵ Council of the European Union, EU Rules on Platform Work, 2025, 1.

⁶ Eurofound, 2025.

⁷ *Ibid.*

⁸ Baiocco et al., 2022, 7, 11-12.

⁹ Eurofound, 2025.

¹⁰ Baiocco et al., 2022, 13, 21-23.

¹¹ *Ibid.*

¹² Hsin, 2024, 3-4, 252.

¹³ Hung, 2021, 55-57.

¹⁴ Chiu and Chang, 2023, 59.

¹⁵ Hsin, 2024, 4, 252.

However, automated systems inherently lack transparency.¹⁶ Platform workers subject to algorithmic management often do not understand how these algorithms operate, which types of personal data are utilised, or how such systems influence their behaviour. Moreover, platform workers may be unaware of the reasons behind decisions related to suspension. A more significant problem is that, due to information asymmetry, platform workers fail to acquire sufficient evidence to challenge platform operators' decisions or seek redress.¹⁷ They also find it difficult to obtain explanations or contact a person for clarification.¹⁸ Therefore, account suspension should be taken seriously, as it concerns not only the accuracy of decisions, but also broader issues related to procedural fairness and working conditions under algorithmic management.

Although the legal frameworks addressing this issue differ between the EU and Taiwan, Directive (EU) 2024/2831 on improving working conditions in platform work (referred to as “the PWD”) establishes a broad, cross-sectoral framework covering various types of digital labour platforms.¹⁹ In contrast, Taiwan's recent legislation is limited to regulating the delivery sector.²⁰ As they differ in terms of coverage, this article does not use the overall legal framework as a basis for comparison, but instead adopts a comparative legal analysis, concentrating on the protective measures provided by both the EU and Taiwan concerning account suspension. This article also focuses on how both systems address common issues regarding information asymmetry, arbitrary suspension, and workers' access to effective remedies.

II. The EU's Suspension-Related Protections under the Platform Work Directive

1. The EU's Approach to Addressing Suspension-Related Issues

As the number of platform workers has grown within the EU, and platform work has been increasingly shaped by algorithms,²¹ the EU has introduced a series of protections to ensure fair working conditions and adequate social protection²²

¹⁶ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Recital 30.

¹⁷ Agosti et al., 2023, 6-7, 15, 34-35, 42.

¹⁸ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Recital 8.

¹⁹ Dubal, 2025, 410-411; Aloisi, Potocka-Sionek, 2025, 4.

²⁰ Ministry of Labour, 2026.

²¹ European Commission, 2021.

²² European Commission, 2020.

under the PWD.²³ This Directive is recognised as part of the European Pillar of Social Rights Action Plan,²⁴ which aims to achieve fairness, inclusion, and abundant opportunities in the vision of Social Europe.²⁵

The PWD was adopted based on Articles 153 and 16 of the Treaty on the Functioning of the European Union (TFEU). Article 153 confers competence on the EU to legislate in the field of social policy. Article 16 provides a legal basis related to the protection of personal data.²⁶ The PWD operates within the legal framework of EU fundamental rights established by the Charter of Fundamental Rights of the European Union,²⁷ and gives legal enforcement to the social goals outlined in the European Pillars of Social Rights.²⁸ In this context, this article focuses on the protection against the arbitrary suspension of accounts and equivalent adverse decisions made by algorithms.

In response to legal issues arising from arbitrary suspension, the PWD has established protections through mechanisms including: (1) *ex ante* transparency; (2) human review; (3) *ex post* protection regarding suspension; (4) procedural safeguards, and (5) remedies.

Before turning to the PWD's *ex ante* transparency, it is essential to define what the automated systems are that can lead to suspension. The PWD distinguishes between two types of automated systems. Automated monitoring systems are systems used to collect personal data from platform workers, monitor, supervise, and evaluate their work performance or activities.²⁹ By comparison, automated decision-making systems are systems used to make or support decisions that have a significant impact on the working conditions of platform workers. The recital of the PWD also indicates that impacts on the working conditions of platform workers are not limited to matters related to work assignment, remuneration per task, safety and health, and

²³ Dubal, 2025, 410-411.

²⁴ European Commission, 2020.

²⁵ European Commission, n.d.

²⁶ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 "On Improving Working Conditions in Platform Work", Recital 16.

²⁷ *Ibid.*, Recital 2.

²⁸ These rights are strongly connected to principles 5 (protection of working conditions), 7 (effective and fair dispute resolution mechanisms, and the right to redress), and 10 (workers' right to privacy) of the European Pillars of Social Rights, see: Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 "On Improving Working Conditions in Platform Work", Recital 2-3; European Commission, n.d.

²⁹ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 "On Improving Working Conditions in Platform Work", Art. 2(1)(h).

working hours. Crucially, this impact also encompasses contract status, including decisions to restrict, suspend, or terminate platform accounts.³⁰

Notably, prior to the PWD, Regulation (EU) 2016/679 (GDPR) had already established a general legal framework to address the risk of processing personal data by automated means. The PWD is positioned as a rule tailored specifically for platform workers, offering more specific protection regarding the processing of personal data.³¹ However, it must be emphasised that the PWD and GDPR are not mutually exclusive. Instead, the PWD functions as a sector-specific specification that refines and applies the principles of the GDPR in the context of platform work governed by algorithmic management.³² More precisely, the PWD strengthens and clearly defines the responsibilities of platform operators to ensure fairness, transparency, and accountability when automated systems are deployed to monitor and make decisions regarding the working conditions of platform workers.³³

2. *Ex Ante* Transparency in the Platform Work Directive

Although the GDPR had already imposed restrictions on automated systems without meaningful human involvement, it remains uncertain whether these regulations apply. In particular, Article 22 is often debated with respect to decisions made solely based on automated processing.³⁴ The principle concerning “profiling produces legal effects or similarly significant effects on data subjects” also remained contestable.³⁵ Furthermore, the existence of a “right to an explanation” of algorithmic decisions under the GDPR remains subject to debate.³⁶

Article 9 of the PWD covers all decisions made or supported by automated systems, and requires the *ex ante* disclosure of algorithmic information.³⁷ Article 9(1) of the PWD imposes obligations on the platform operators to inform workers, workers’ representatives, and supervisory authorities about the use of automated systems. This

³⁰ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Art. 2(1)(i).

³¹ *Ibid.*, Recital 38-39.

³² Aloisi, Joppe and Abraha, 2025, 1, 15.

³³ *Ibid.*, 15-16.

³⁴ Rainone and Aloisi, 2024, 5-6.

³⁵ *Ibid.*

³⁶ *Ibid.*, 6.

³⁷ Aloisi and Potocka-Sionek, 2025, 17.

Article helps mitigate inherent information asymmetry in platform work, and specifies the information that must be disclosed.³⁸

In cases of suspension, platform operators are required to disclose that such systems are being implemented or used, the types of decisions that are made or supported, the types of data and key parameters considered by the system while making suspension-related decisions, and the relative importance of these parameters in the decision-making process.³⁹ More specifically, this may include detailed information about platform workers, such as their punctuality, order completion rates, time spent in specific areas, order conversion rates, working periods, efficiency, customer feedback, or any other information that contributes to suspension.⁴⁰

Therefore, there is a mandatory obligation under Article 9(1)(b) to provide reasons for any decision involving restriction, suspension, or termination of accounts, or that adversely affects contracts. Moreover, when data and behaviour collected through monitoring lead to account suspension, Article 9(1)(a) of the PWD requires platform operators to clearly explain which type of data or behaviour are being monitored, supervised, and evaluated.⁴¹ Finally, Article 9(1)(c) of the PWD shows that its function is to serve as a general clause to prevent omissions, covering information that does not fall into either of the two categories mentioned above.

3. Regular Human Oversight

In addition to the obligation to disclose information, specific measures are introduced to strengthen the transparency of algorithmic decisions. This provision establishes a mechanism for human oversight of automated systems, which entails the following obligations:⁴² (1) impact assessment with the participation of worker representatives; (2) preventive measures for repeated occurrences of high-risk infringement; (3) multi-stakeholder access to evaluation information; (4) mandatory human review for decisions significantly affecting platform workers.

³⁸ Ibid.

³⁹ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Art 2; International Labour Organisation, 2024.

⁴⁰ Zappalà, 2023, 625-626.

⁴¹ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Art. 2; International Labour Organisation, 2024.

⁴² Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Art. 10.

4. The Procedural Requirements for the *Ex Post* Protection regarding Suspension

Some obligations and rights related to human review have been introduced to ensure the transparency prescribed in Article 11 of the PWD, composed of empowerment and the imposition of obligations. “Empowerment” refers to granting platform workers the right to request an explanation concerning suspension decisions made by algorithms.⁴³ Platform operators must ensure that meaningful information regarding the logic behind the processing of personal data is provided, along with explanations of the potential consequences.⁴⁴

Article 11 also requires platform operators to give a sufficiently accurate response without delay, at the latest on the date on which suspension is to take effect. In principle, explanations to platform workers can be provided either orally or in writing. However, platform operators are obliged to explain such decisions in a written statement and to provide those affected with the opportunity to contest and rectify them if any decision is taken or supported by an automated decision-making system that restricts, suspends, or terminates the accounts of workers.⁴⁵

The PWD builds upon the GDPR to establish more specific and robust safeguards applicable to platform work. However, even with a written statement, without establishing corresponding mechanisms, the effectiveness of these rules may be easily undermined. A lack of adequate channels for communicating could effectively preclude platform workers from clarifying decisions that influence their working conditions, including any decision concerning restrictions, suspensions, or terminations to their accounts. This systemic barrier hinders the rights prescribed in the PWD, rendering provisions concerning purpose and substantial protection meaningless.

Therefore, Article 11(1) of the PWD stipulates that platform operators shall designate personnel as the contact person for platform workers, and ensure that platform workers can contact them to discuss and clarify the facts, circumstances, and reasons for the decisions made. Meanwhile, the contact person designated by the platform operator must be functionally qualified, trained, and empowered. These requirements are placed to ensure that platform workers can promptly seek remedies.

⁴³ Dubal, 2025, 428-429.

⁴⁴ Keller and Aplin, 2026, 27.

⁴⁵ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 “On Improving Working Conditions in Platform Work”, Art. 11(1) & (3).

Furthermore, if any decisions made or supported by the automated system infringe upon the rights or interests of platform workers, the platform operator must ratify these decisions within two weeks of their adoption. If rectification is not possible, the platform operator must compensate the platform workers for any damages suffered, and take the necessary measures to amend unfavourable outcomes or prevent the recurrence of similar conditions. Therefore, although damages may still occur, taking preventative or compensatory measures can at least help mitigate the risk arising from algorithmic opacity that adversely affects working conditions and privacy rights.⁴⁶

5. Third-Party Participation and Burden of Proof

Despite the remedies prescribed in Article 11, the PWD acknowledges the necessity of complementary external mechanisms and strengthens procedural protections for platform workers within the national procedure. To begin with, Article 19 of the PWD introduces third-party participation in judicial and administrative proceedings to facilitate the effective enforcement of obligations and rights. This provision allows representatives or any entity acting in the interests of platform workers' rights to participate in proceedings regarding suspension decisions.

However, crucial information necessary to establish the facts is often embedded within algorithmic systems and is not readily accessible. Platform operators may refuse to disclose this information or delay its disclosure under the guise of protecting trade secrets. There is little expectation that platform operators will provide complete information, either proactively or upon the request of platform workers. To address this imbalance, the PWD further provides that courts and competent authorities may order the disclosure of relevant evidence in proceedings. For instance, during administrative investigations or adjudicatory processes, an authority may require platform operators to provide relevant algorithmic information to verify compliance with transparency obligations. While adjudicating a private dispute about a restriction, suspension, or termination of platform workers' accounts, the court may also order platform operators to provide algorithmic information to clarify the case.⁴⁷

⁴⁶ De Petris, 2024, 476.

⁴⁷ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 "On Improving Working Conditions in Platform Work", Art. 21(1), 24(5).

This article argues that these safeguards are based on the acknowledgment that evidentiary asymmetry tilts in favour of the platform operators, to the platform workers' structural disadvantage. They are designed to fulfil the principle of equality of arms. Whilst unrestricted disclosure of information could infringe on the rights of platform operators and risk irreversible harm to confidential data due to an overly broad scope, courts are expected to require platform operators to submit confidential evidence in relief proceedings with caution. The court will assess the relevance of such evidence to the case and take effective measures to protect the information.⁴⁸ This approach demonstrates the EU's efforts to strike a balance between ensuring remedies for platform workers, with respecting the legitimate rights of platform operators.

Finally, no one shall be treated unfavourably for seeking redress through legal procedures. Article 23(1) of the PWD prohibits platform operators from taking adverse action against a platform worker who exercises the right provided for. Regulated action covers any action taken by platform operators that adversely impacts the platform workers' contract status, as indicated in Recital 66, including dismissal, termination of contract, or equivalent actions. The term "equivalent effect" leaves room for interpretation; therefore, the national court may determine it based on the specific circumstances of each case. Article 23(2) creates a right for those who are suspended from their account to request a duly substantiated explanation of the adverse action. Additionally, Article 23(3) reverses the burden of proof, requiring platform operators to demonstrate that such an adverse action was not taken in retaliation.

III. Taiwan's Suspension-Related Protections in the Delivery Sector

1. Limits of Soft Law and Legislative Development

In Taiwan, the controversy surrounding suspension has been widespread and ongoing for many years. The central government initially sought to resolve the issue through platform self-regulation. Its early attempt involved requiring platform operators to propose a self-regulatory convention to protect the rights of delivery platform riders; however, this approach failed to address the problems effectively.

⁴⁸ Directive (EU) 2024/2831 of the European Parliament and of the Council of 23 October 2024 "On Improving Working Conditions in Platform Work", Art. 21(2).

Subsequently, the National Food Delivery Industry Union was established in November 2019, and has continuously made demands to protect riders' rights.⁴⁹

In this context, the local government sought to take further action. The Taipei City Government and the New Taipei City Government initiated a consultation mechanism to draft model terms for standardised contracts. These terms include clauses addressing account suspension and other issues, aiming to guide platform operators seeking to avoid agreements with delivery platform riders on conditions that fall below the minimum standards set out in the model terms.⁵⁰ These terms seek to limit the grounds for account suspension to breaches of contract, safety-related misconduct, and illegal activities, and require platform operators to demonstrate that any suspension is proportionate. Further, the model terms require that platform operators must not take adverse action against delivery platform riders who give seven days' advance notice of their absence from delivery services. The model contract terms establish procedures, including the provision of appeal channels and legal recourse, a prior obligation to assess the legitimacy of a suspension, and a requirement to provide a clear explanation, conduct an investigation, and offer compensation for wrongful suspension. It is notable that these model terms serve only as administrative guidelines, and do not automatically bind platform operators. If platform operators refuse to include suspension protection terms, such terms are unenforceable due to the absence of legal authorisation.

Although some food delivery platforms have released appeal mechanisms on their websites following social dialogue, and have listed eight categories of suspension criteria, many aspects of the contract terms remain incomplete and unclear. Therefore, delivery platform riders may not fully understand the criteria for losing partial or full access to their accounts. Further, in some cases, the platform operators have failed to clarify the appeals procedures and processing timelines, leaving riders to wait anxiously for the outcome, unable to know the current progress of their appeals, or when their account access might be restored.⁵¹

While the platform operator promises to provide advance notice, it unilaterally retains discretion to determine exceptions, and uses illustrative examples rather than an explicit list to explain these exceptions.⁵² Consequently, delivery platform riders

⁴⁹ Lin, 2024, 46.

⁵⁰ Department of Labour, 2024.

⁵¹ Uber, 2025.

⁵² *Ibid.*

may not realise they are at risk of suspension until they receive a suspension notice or attempt to log in to accept orders, only to find themselves blocked from their accounts. Furthermore, the platform operators have not implemented a third-party review mechanism to ensure the impartiality of their review decisions, nor have they sought to provide specific and transparent explanations for their decisions, with the method of explanation not being clearly defined.⁵³

Due to the strong demand for protection among delivery workers,⁵⁴ and the failure of numerous social dialogues over the years,⁵⁵ the Legislative Yuan passed a law to protect delivery platform riders,⁵⁶ called the “Delivery Worker Rights Protection and Delivery Platform Management Act” (hereinafter referred to as “the Act”), which includes regulations on suspension.

2. Taiwan’s Legal Protection against Account Suspension

This section explains how Taiwan’s approach addresses account suspension and equivalent adverse actions by introducing various legal instruments. To adequately protect delivery platform riders from unfair suspension and the infringement of their rights, the Act establishes both *ex ante* and *ex post* protection mechanisms.

The standardised contract regulation serves as a crucial *ex ante* protection mechanism against arbitrary suspension through administrative intervention. This approach follows the regulatory framework established by the Consumer Protection Act, which allows the government’s administrative authority to intervene in private contractual agreements to mitigate information asymmetry and address economic disparities between the parties involved. It retains considerable regulatory flexibility for the central competent authority to determine contract terms in delivery service contracts, and to regulate account suspensions without valid grounds. Compared to the model contract terms drafted by local governments, the standardised contract regulation represents a shift in Taiwan’s position on delivery service contracts: from relying on platform operators’ self-regulation, towards adopting a legally mandated approach.

In addition, the Act establishes *ex post* protection mechanisms by combining the interpretation of the grounds for suspension, the burden of proof, the appeals

⁵³ Ibid.

⁵⁴ Wang and Chen, 2021, 111.

⁵⁵ Uber, 2025; Ministry of Labour, 2025.

⁵⁶ Ministry of Labour, 2026.

system, and the obligation to preserve documents. The regulation on interpreting the grounds for suspension and the burden of proof requires platform operators to address situations where delivery platform riders are unable to access information about restrictions on their accounts. The regulation regarding the appeal system aims to provide delivery platform riders with a transparent channel and set a list of items for platform operators to add to the appeal system. This provision plays an important role in ensuring that delivery platform riders have a channel to clarify the reason, contest the decision, and restore their rights or access to their accounts. The regulation on the obligation to preserve documents prevents platform operators from refusing to provide relevant documents on the grounds of data destruction. Overall, these regulations ensure both substantial justification and procedural protections.

3. Standardised Contract Regulation as *Ex Ante* Protection against Arbitrary Suspension

Standardised contract regulations impose an *ex ante* restriction on platform operators' arbitrary suspensions by setting minimum standards for suspension and limiting the inclusion of unilateral contract terms that are detrimental to delivery platform riders. Certain provisions also explicitly define the validity of terms that conflict with the required and prohibited provisions, significantly increasing the intensity of administrative intervention and demonstrating a strong orientation towards administrative control. A press release issued by the Ministry of Labour explained that platform operators possess substantial informational and technological advantages, which have led to significant market monopoly power.⁵⁷ To enhance the fairness and reasonableness of the rights and obligations of relevant stakeholders, the competent authority may develop standardised contract terms or templates.

Article 3 of the Act codifies the platform's procedures regarding adverse actions taken against delivery workers who violate delivery service contracts. This article defines "suspension" as the temporary cessation of order allocation by the delivery platform. Article 4 addresses the inherent imbalance arising from delivery platform riders' lack of bargaining power to negotiate contract terms with platform operators. Since the contract terms, unilaterally drafted by the platform operator, frequently lead to disputes over rights and obligations, this Article delegates the Ministry of Labour to set mandatory or prohibitory provisions for delivery service contracts to

⁵⁷ Ministry of Labour, 2026.

rectify the imbalance between the parties. Furthermore, this Article also stipulates that such provisions should include protections related to suspension, and specifies the legal effects of any violations.

To prevent the unilateral modification or coerced agreement to contract adjustments, Article 4(3) of the Act prohibits platform operators from taking adverse actions against delivery platform riders to force them to agree to modify or supplement the contract. It also regulates that any adjustments to the contract made without consent are invalid. The purpose of the Act specifies the regulations on suspensions that cover any direct or indirect adverse actions, such as restricting delivery platform riders' abilities to log into the app or accept orders, reducing the number of orders allocated, suspending their accounts, or terminating their contracts. To ensure delivery platform riders are aware of their key rights and obligations under the contract, Article 4(4) of the Act also imposes an obligation on platform operators to provide delivery service contracts. The platform operator may provide the contract electronically or in writing within seven days of its establishment.

4. The Procedural Requirements as *Ex Post* Protection against Suspension

The Act also introduces a set of legal instruments, including the obligation to provide reasons and bear the burden of proof, the obligation to preserve documents, and an appeal system. Since platform operators often fail to clearly explain the standards for suspension or to justify the legitimacy of suspensions, it becomes difficult for delivery platform riders to resolve disputes and protect their rights after being suspended. To prevent platform operators from arbitrarily suspending riders' accounts, or making other adverse decisions that affect their rights, Article 7 of the Act requires platform operators to notify delivery platform riders of the reasons for suspensions and other adverse decisions, and to provide them with an opportunity to appeal. Moreover, this Article shifts the burden of proof, requiring platform operators to demonstrate the justification for suspension.

Article 20 of the Act further stipulates that platform operators must retain relevant records of delivery riders for at least two years. These records include, but are not limited to: (1) delivery service contracts; (2) the periods during which delivery riders provided services on digital platforms; (3) activity times; (4) suspension records; and (5) records of adverse actions taken against delivery platform riders by platform

operators through algorithms or other methods. When the competent authority requests access to these records, the platform operator must provide them.

When platform delivery riders have disputes with platform operators regarding suspension or contract termination, the lack of effective appeal channels can easily lead to an infringement of their rights. Therefore, Article 9 of the Act requires platform operators to establish appeal mechanisms to protect riders' labour rights and ensure procedural justice. The appeal mechanism must contain appeal channels, investigation procedures, processing timelines, response methods, and compensation measures following a successful appeal, and these details should be disclosed publicly. Platform operators are prohibited from taking adverse action against riders who file appeals regarding their own suspension disputes, or who assist others in doing so. Although the Act provides multiple protections for platform delivery riders, the key to ensuring adequate protection lies in effective implementation. To ensure that platform operators comply with their legal obligations and cooperate with the competent authorities by providing relevant records, Article 24 of the Act stipulates penalties for non-compliance.

IV. Shared Protective Functions and Divergent Paths in the EU and Taiwan

1. *Ex Ante* Disclosure of Suspension-Related Information

Since account suspension affects platform workers' job opportunities and income, they should have a clear understanding of the suspension standards, procedures, and potential consequences. The PWD facilitates *ex ante* transparency by requiring platform workers to disclose information about automated systems in advance. Taiwan's new legislation fulfils the same function through standardised contract regulation and mandatory provisions regarding account suspension drafted by the competent authority. Both the PWD and Taiwan ensure transparency of suspension criteria.

2. *Ex Post* Explanations for Suspension Decisions

Effective protections require that any decision to suspend an account be provided with a clear and comprehensible reason. Without such an explanation, workers cannot assess the reasonableness of the decision. Under the PWD, platform operators are obliged to provide a written statement of the reasons when an automated system

makes or supports a decision to restrict, suspend, or terminate accounts. Similarly, Taiwan's new legislation requires platform operators to provide delivery platform riders with a reason for suspension in a complete, concise, and intelligible manner, and to bear the burden of proof to demonstrate the validity of those reasons.

3. Contestability of Suspension Decisions

Ensuring that decisions can be challenged is crucial for protecting the rights of platform workers. The PWD introduces third-party participation in relevant procedures, and provides platform workers with the right to contest and rectify unjustified decisions. To ensure an effective channel for platform workers to assert their rights, the PWD also requires that the personnel handling complaints possess the necessary skills, training, and authority. Taiwan's new legislation requires platform operators to establish an appeal mechanism and to disclose it publicly. Both the PWD and Taiwan's new legislation provide mechanisms to ensure that platform workers can contest and require platform operators to rectify the decisions.

4. Mitigating Evidentiary Imbalance

Disputes over suspension-related decisions made by an algorithm are often opaque because platform operators do not typically disclose such information. The PWD stipulates that competent authorities and courts may require platform operators to bring forward evidence. Taiwan's new legislation shifts the burden of proof, requiring platform operators to prove the justification for suspension. These provisions help effectively reduce obstacles to legal redress.

5. Prohibition on Retaliation

Without supporting measures to prevent platform operators from making adverse decisions, platform workers may be reluctant to assert their rights for fear of retaliation. The PWD shifts the burden of proof to platform operators, who must demonstrate that they are not making adverse decisions in retaliation. Taiwan's new legislation also adopted similar provisions to safeguard the exercise of platform workers' rights.

Although the EU and Taiwan adopt different approaches and operate within different legal frameworks, they share a common protective goal. In both jurisdictions, relevant rules seek to mitigate information asymmetry, prevent arbitrary suspension, and ensure effective remedies.

V. Conclusion

Account suspension has been identified as a significant concern arising from algorithmic management. Although the EU and Taiwan adopt divergent regulatory approaches, both jurisdictions share the common goal of enhancing transparency and procedural justice in relation to account suspensions. From the EU's perspective, platform operators use vast amounts of personal data collected through automated monitoring systems to make or support decisions regarding working conditions. Transparency in algorithmic management, implemented through *ex ante* obligations of disclosure and *ex post* explanations, serves as a vital mechanism for reviewing the use of personal data and clarifying the underlying facts of decisions taken or supported by automated systems. Similarly, Taiwan has developed a standardised contract regulatory mechanism and an obligation to provide explanations to prevent unjustified suspensions, which function similarly to the EU's transparency obligations.

In addition, both jurisdictions require platform operators to establish an appeals mechanism, and prohibit them from taking adverse action against delivery platform riders who assert their rights. These provisions ensure procedural justice and bolster the contestability of suspension decisions. To enable platform workers to properly exercise their rights, both the EU and Taiwan prohibit platform operators from retaliating. More importantly, information asymmetry often makes it difficult for platform workers to seek redress. The reversal of the burden of proof addresses the evidentiary asymmetry between platform operators and platform workers in both legal frameworks. Despite differences in legal instruments, both the EU and Taiwan mitigate information asymmetry and ensure procedural justice in platform work.

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