

## **Regulating Algorithmic Management on Digital Labour Platforms In Malaysia: Lessons from the United Kingdom**

**Inss Emelda Teo Redzuan Teo<sup>1\*</sup>, Siti Suraya Abd Razak<sup>2</sup>, Lo Ying Tuan<sup>3</sup>**

<sup>1</sup> Faculty of Management, Universiti Teknologi Malaysia, Johor Bahru Malaysia

<sup>2</sup> Faculty of Management, Universiti Teknologi Malaysia, Johor Bahru

<sup>3</sup> Entrepreneurship & Enterprise Hub, XJTLU Entrepreneur College (Taicang), Xi'an Jiaotong-Liverpool University

inssemeldateo@graduate.utm.my, sitisuraya@utm.my, Joe.Lo@xjtlu.edu.cn  
Tel: 012-6078121

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### **Abstract**

Digital labour platforms increasingly rely on algorithmic management to allocate tasks, monitor performance, and regulate worker behaviour. In Malaysia, limited regulatory oversight raises concerns about transparency, fairness and protection for platform workers. This study benchmarks Malaysia against the United Kingdom to examine how regulatory approaches to algorithmic management shape working conditions. The findings reveal transparency gaps in Malaysia that expose workers to unfair evaluation and automated deactivation, while the United Kingdom demonstrates stronger employment recognition transparency duties and ethical AI governance. This study advances regulatory and ethical debates by showing how governance choices shape platform workers' quality of life.

**Keywords:** Algorithmic Management; Digital Labour Platforms; Labour Protections; Gig Economy

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### **1.0 Introduction**

Digital transformation has reshaped contemporary labour markets through the rapid expansion of platform-based work models in which tasks, performance and remuneration are increasingly governed by algorithmic systems (Huseynli and Huseynli, 2022; Wood et al., 2019). Digital labour platforms now play a central role in service sectors such as ride-hailing and food delivery, fundamentally altering how work is organized and managed. Despite claims that platform work offers flexibility and income opportunities, mounting evidence reveals ongoing concerns about transparency, fairness and the adequacy of labour protection under algorithmic management (Alauddin et al., 2025). These concerns have direct implications for platform workers' quality of life, particularly in relation to economic security, psychological well-being and access to justice.

At the heart of these challenges lies the expanding reach of algorithmic management. Core elements of the labour process, such as task allocation, remuneration and performance evaluation, are now routinely governed by automated systems, often without meaningful explanation or worker participation. Scholarly debates highlight algorithmic opacity, unilateral control and limited avenues for appeal as defining features of platform governance that undermine worker autonomy and intensify power asymmetries (Kellogg et al., 2020; Wood et al., 2019). These challenges are not merely technical shortcomings but reflect broader regulatory gaps that weaken labour protections in digitally managed work environments (Urman et al., 2024). Through automated deactivation, platforms can abruptly sever livelihoods

without due process, a risk that is heightened where workers are treated as independent contractors and denied employment protections (Harrison & Wielga, 2023; ILO, 2022).

Regulatory responses to algorithmic management remain uneven across jurisdictions. In the United Kingdom, incremental constraints on platform control have emerged through judicial interpretation of employment status and data protection safeguards, introducing limited but important checks on automated decision-making. In contrast, comparable legal standards remain mainly absent in Malaysia. This regulatory gap enables platform operators to exercise broad discretion over algorithmic decision-making, exposing workers to opaque and often irreversible outcomes with minimal access to redress. Such conditions intensify economic insecurity and undermine the overall quality of life of platform workers.

Against this backdrop, this paper undertakes a comparative analysis of regulatory approaches to algorithmic management in digital labour platforms, using the United Kingdom as a benchmark for examining governance standards in Malaysia. Specifically, the study aims to analyse transparency-related challenges in algorithmic management and their implications for platform workers' rights and working conditions, and to identify regulatory best practices that can inform legal and policy reform in the Malaysian context

## 2.0 Literature Review

### 2.1 Digital Labour Platform

The rapid expansion of the gig economy has been driven by the growth of digital labour platforms that rely on short-term contracting and digitally mediated work arrangements (Singh and Bhushan, 2023). In Malaysia, this expansion has accelerated alongside national digitalisation efforts, with platforms increasingly acting as intermediaries that allocate tasks, manage payments and regulate work processes online (Sharon, 2024; MyDIGITAL Corporation and Ipsos Malaysia, 2024). While platform work is often associated with flexibility, empirical evidence suggests that it is frequently accompanied by insecure working conditions, unstable income and limited labour protection (Unt et al., 2024). Regulatory vulnerabilities are especially evident in location-based platform work, which constitutes approximately 77% of Malaysia's platform economy (MyDIGITAL Corporation, 2024). Workers in these sectors are more exposed to intensive monitoring and customer-rating systems, increasing their susceptibility to economic precarity and managerial control. These developments reflect a broader transformation of employment relations in which traditional regulatory frameworks struggle to accommodate digitally mediated forms of work.

### 2.2 Algorithm Management

Although platform work is commonly portrayed as flexible and autonomous, the increasing reliance on algorithmic management complicates this narrative. Algorithmic management involves the delegation of managerial functions such as task allocation, performance evaluation and monitoring to automated systems driven by data analytics (Glavin et al., 2021). In practice, these systems shape workers' access to opportunities, income stability and continued participation on platforms. Recent studies indicate that algorithmic management often undermines transparency and restricts workers' ability to contest unfavourable decisions, thereby intensifying power asymmetries between platforms and workers (Gao et al., 2024). In Malaysia, these challenges are compounded by ambiguous employment classification, which places many platform workers in a legal grey zone with limited access to labour protections (Williams and Khan, 2024). Beyond regulatory implications, empirical research has also highlighted the psychosocial consequences of algorithmic control, including heightened stress, anxiety and burnout linked to biased performance metrics and the absence of effective grievance mechanisms (Kinowska and Sienkiewicz, 2023; Buonocore et al., 2025; Peng et al., 2024).

### 2.3 Employment Rights

The legal status of platform workers in Malaysia remains uncertain due to the absence of legislation tailored to platform-based work. Most workers are classified as independent contractors and excluded from core labour protections such as minimum wages, social security and formal dispute resolution mechanisms (Liu et al., 2024), while existing laws like the Employment Act 1955 reflect conventional employment models rather than digitally managed work (Gen et al., 2021). By contrast, jurisdictions such as the United Kingdom and Spain have begun to recalibrate regulation through judicial and legislative reforms, extending employment protections to certain platform workers and strengthening accountability in platform governance (Uber BV v Aslam; Gómez, 2023). In Malaysia, however, despite growing policy attention to gig-economy reform, the continued absence of clear legal definitions undermines job stability and income security for platform workers (Uchiyama et al., 2024).

## 3.0 Methodology

This study adopts a qualitative research design that integrates doctrinal content analysis with comparative regulatory benchmarking to examine how algorithmic management is governed in digital labour platforms. The analysis draws on authoritative secondary sources, including legislation, judicial decisions, government policy reports, regulatory guidelines and peer-reviewed literature. The study focuses on Malaysia and the United Kingdom, selected for their contrasting regulatory approaches to platform work.

Benchmarking approach is used to evaluate Malaysia's regulatory landscape against the United Kingdom as a reference jurisdiction, to identify regulatory gaps, best practices, and transferable lessons rather than replicating foreign models. The comparative analysis is guided by a thematic framework comprising four regulatory dimensions: employment classification, algorithmic transparency, grievance and redress mechanisms, and ethical and policy governance. The overall analytical procedure is outlined in Figure 1.

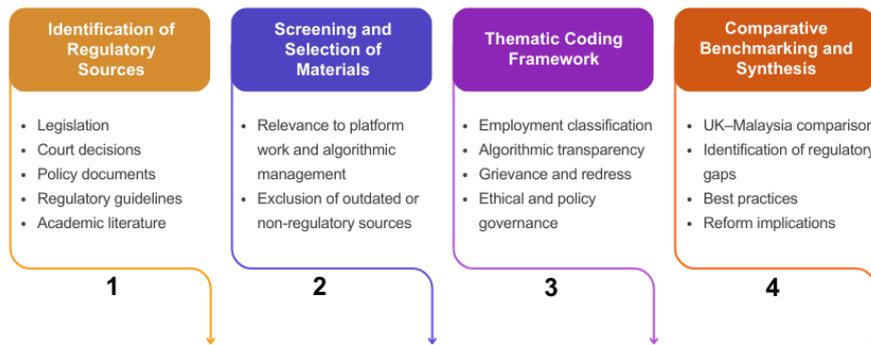


Fig. 1: Methodological framework and analytical procedure

This approach ensures a systematic and transparent comparison of governance frameworks and aligns the analysis with the study’s objectives of assessing transparency challenges, governance gaps and reform pathways for strengthening protection for platform workers in Malaysia.

## 4.0 Finding

### 4.1 Lessons from the United Kingdom

#### 4.1.1 Ambiguity in Legal Classification of Platform Workers

The United Kingdom has made notable judicial progress in addressing ambiguity over the employment status of platform workers, though regulatory coherence remains incomplete. Under the Employment Rights Act 1996, labour protection varies across the categories of “employees,” “workers,” and “independent contractors.” In *Uber BV v Aslam* ([2021] UKSC 5), the Supreme Court classified Uber drivers as “workers,” recognising that extensive algorithmic control including task allocation, performance monitoring, pricing and account deactivation created a relationship of dependency rather than genuine self-employment. The decision extended core labour protections to drivers and marked a shift towards a substance-based approach that prioritises practical realities over contractual form. However, this approach has produced uneven outcomes. In *IWGB v RooFoods Ltd* ([2021] EWHC), Deliveroo riders were classified as independent contractors based on contractual substitution rights, denying them access to collective labour protections and exposing persistent inconsistencies in legal recognition. Although the Taylor Review (2017) proposed a “dependent contractor” category to resolve this gap, the recommendation remains unimplemented. As a result, platform workers in the United Kingdom continue to experience fragmented protection shaped more by platform design than by consistent regulatory standards.

#### 4.1.2 Opacity of Algorithmic Management Practices

In addressing algorithmic opacity in platform work, the United Kingdom relies primarily on its data protection framework, which remains closely aligned with the EU General Data Protection Regulation and is implemented domestically through the Data Protection Act 2018. A central safeguard is Article 22, which restricts decisions based solely on automated processing that produce legal or similarly significant effects on individuals, including platform workers. This provision grants rights to information, human review and meaningful explanations of algorithmic decision-making processes.

These safeguards respond directly to the power imbalance and informational asymmetry characteristic of algorithmically managed work environments. Regulatory oversight has been strengthened through guidance issued by the Information Commissioner’s Office, which promotes explainability and accountability in the deployment of AI systems. By encouraging transparency-by-design, the UK framework seeks to limit opaque algorithmic practices while maintaining regulatory coherence. This illustrates how data protection law can function as a practical mechanism for constraining algorithmic control and safeguarding worker rights without the need for sector-specific legislation.

#### 4.1.3 Ethical and Policy Initiatives Promote Responsible AI Use

Beyond formal legal controls, the United Kingdom has developed a range of soft-law mechanisms to guide ethical algorithmic management. The Centre for Data Ethics and Innovation, before it transitioned into the Responsible Technology Adoption Unit, played a key advisory role in shaping expectations around algorithmic transparency, bias mitigation and public trust, despite lacking direct regulatory authority. These initiatives contributed to a broader governance culture oriented towards responsible AI use.

This approach is reflected in the United Kingdom’s 2023 Artificial Intelligence White Paper, which adopts a principles-based framework centred on safety, transparency, fairness, accountability and contestability. Rather than imposing prescriptive rules, the framework encourages ethical design and responsible deployment of algorithmic systems across sectors. Support from the Information Commissioner’s Office, particularly through its AI Auditing Framework, further operationalises these principles by promoting explainability and accountability in practice. Collectively, these developments demonstrate how soft-law instruments can complement formal legal regulation in shaping governance standards for algorithmic management in platform work.

## 4.2 Regulatory Framework for Platform Work in Malaysia

### 4.2.1 Employment Classification of Platform Workers in Malaysia

Malaysian labour law continues to rely on a rigid binary distinction between a contract of service and a contract for service under the Employment Act 1955 and the Industrial Relations Act 1967. Although courts assess disputes based on the substance of the working relationship, platform workers are frequently classified as independent contractors and excluded from statutory protections, reinforcing regulatory exclusion in platform work (Radzi et al., 2022). This is illustrated in *Loh Guet Ching v MyTeksi*, where both the High Court and the Court of Appeal held that Grab drivers were engaged in a commercial rather than an employment relationship and therefore do not qualify as “workmen” under Malaysian labour law, thereby denying access to the Industrial Court and employment-based redress. The case demonstrates that Malaysia’s classification framework is inadequate in reflecting the realities of algorithmically managed work, underscoring the need for clearer legal definitions and stronger worker protection.

### 4.2.2 Data Protection and Transparency in Algorithmic Decision-Making

In Malaysia, transparency in algorithmic decision-making within platform work is governed mainly by general data protection law rather than labour-specific safeguards. The Personal Data Protection Act 2010 (PDPA) regulates notice, consent, purpose limitation and data security, but it does not regulate algorithmic power. Platform workers have no legal rights to obtain explanations for automated decisions, to request human review or to contest outcomes generated solely by algorithms.

As a result, decisions on task allocation, performance scoring and account deactivation directly affect workers’ livelihoods without meaningful procedural safeguards, unlike in jurisdictions with explicit protections against automated decision-making (De Stefano & Wouters, 2022; International Labour Organization, 2022). In practice, platform workers must rely mainly on contractual and civil law, notably the Contracts Act 1950, which governs platform–worker agreements but does little to counter the entrenched power imbalances produced by algorithmic management. These avenues provide narrow remedies and fail to address systemic problems of transparency, accountability and contestability.

Recent policy developments reflect growing awareness of these gaps. The proposed Gig Workers Bill 2025 signals an emerging commitment to strengthening the legal position of platform workers, especially in relation to social protection and dispute resolution (Ministry of Human Resources Malaysia, 2025). Nevertheless, it does not establish clear standards for algorithmic transparency or safeguards against adverse automated decisions. Consequently, despite reform momentum, the governance of algorithmic management in Malaysia continues to rest on general legal principles rather than enforceable rights tailored to the realities of digitally managed work.

### 4.2.3 AI Ethics in Malaysia

Malaysia has begun to address ethical risks in AI deployment through the Artificial Intelligence Governance and Ethics (AIGE) framework, introduced by the Ministry of Science, Technology and Innovation under the National AI Roadmap 2021–2025. The framework promotes a human-centric approach grounded in principles of fairness, accountability, transparency and well-being, signalling growing national awareness of the governance challenges posed by AI.

However, the AIGE operates as a non-binding guideline and contains no sector-specific provisions for algorithmic management in digital labour platforms. Platform operators are therefore not legally required to disclose algorithmic decision-making processes, establish appeal mechanisms, or safeguard workers against adverse automated outcomes. As a result, ethical commitments remain mainly aspirational, exerting limited constraint on platform practices that directly affect income security and job stability. This regulatory configuration highlights the limits of voluntary governance and underscores the need for binding legal standards that translate ethical principles into enforceable protections for platform workers.

## 4.3 Comparative Synthesis of Regulatory Approaches to Algorithmic Management in the UK and Malaysia

To synthesise the comparative findings, Table 1 summarises key differences between the regulatory approaches adopted in the United Kingdom and Malaysia.

Regulatory Dimension	United Kingdom	Malaysia
Employment classification	Judicial recognition of worker status based on platform control, though applied inconsistently	Binary classification entrenches independent-contractor status and limits protection
Algorithmic transparency	Data protection law restricts fully automated decisions and mandates explanation and human review	No binding duty to disclose or justify algorithmic decision-making
Grievance redress	Formal legal avenues through courts and data protection authority	Limited access to redress due to employment-status barriers
Ethical governance	Soft-law frameworks promote accountability and fairness in algorithmic systems	Ethical guidance remains voluntary with no enforcement
Regulatory approach	Integrated model combining judicial interpretation, data protection and soft-law guidance	Fragmented, sector-neutral regulation with weak platform-specific safeguards

(Source: Research Findings)

The comparison illustrates that while the UK relies on judicial interpretation and data protection law to moderate algorithmic control, Malaysia's reliance on rigid employment classifications and voluntary ethical guidelines leaves significant regulatory gaps. These gaps directly affect platform workers' economic security and access to redress, underscoring the need for targeted legal reform.

## 5.0 Discussion

The comparative analysis reveals a clear divergence in how algorithmic management is governed in the United Kingdom and Malaysia, with important implications for power relations in platform work. In the United Kingdom, regulatory oversight operates through a multi-layered framework that combines judicial interpretation of employment status, data protection safeguards and soft-law guidance on responsible AI use. Although uneven, these mechanisms introduce checks on platform discretion by embedding algorithmic management within norms of procedural fairness and accountability. In contrast, Malaysia relies on rigid employment classification, voluntary ethical guidance and general data protection law, leaving algorithmic authority largely insulated from scrutiny and reinforcing asymmetrical power dynamics between platforms and workers. This pattern reflects broader scholarship that conceptualises algorithmic management as a new mode of labour control exercised through technological systems rather than human supervision (Kellogg et al., 2020; Wood et al., 2019).

A central point of divergence concerns the governance of algorithmic transparency. In the United Kingdom, restrictions on entirely automated decision-making and rights to explanation and human review establish an expectation that algorithmic decisions affecting workers must be intelligible and contestable. In Malaysia, however, transparency is governed primarily through data protection and contract law, neither of which addresses the power dynamics inherent in automated labour management. As a result, platform workers often experience task allocation, performance scoring and account deactivation as opaque and unchallengeable processes. These transparency gaps undermine individual autonomy and collective capacity to contest unfair practices, contributing to economic insecurity, psychological strain and erosion of trust in platform governance (De Stefano & Wouters, 2022; International Labour Organization, 2022).

Taken together, these findings show that the impact of algorithmic management on platform workers is shaped less by technology itself than by regulatory design. Where legal frameworks recognise and constrain algorithmic control, platforms are compelled to justify decisions that affect livelihoods; where such recognition is absent, automated management is normalised as contractual discretion. This underscores the need for an integrated regulatory approach that aligns labour law, data protection and digital ethics within a coherent rights-based framework. For Malaysia, the challenge is not to replicate foreign models wholesale, but to move beyond fragmented and voluntary arrangements towards enforceable standards that reflect the realities of digitally managed work and meaningfully protect platform workers' rights and quality of life. Future research should build on this analysis by examining platform workers' lived experiences of algorithmic management, extending comparative inquiry beyond the United Kingdom to ASEAN or EU contexts, and analysing platform algorithm design to assess how transparency and accountability mechanisms can be operationalised in practice.

## 6.0 Recommendation

The comparative findings indicate that Malaysia must move beyond its binary approach to employment classification and fragmented governance of algorithmic management. Priority is to introduce a more nuanced legal status for platform workers that reflects the realities of algorithmic control. Establishing an intermediate category such as a dependent contractor would preserve flexibility while extending access to essential protections, including minimum income standards, social security coverage and formal dispute resolution mechanisms. Clear statutory definitions would also reduce inconsistent judicial interpretation and strengthen legal certainty for both workers and platform operators, aligning employment law with the hybrid nature of digitally managed work.

A second priority is to strengthen algorithmic transparency and procedural safeguards. Malaysia's current reliance on general data protection and contract law leaves platform workers exposed to opaque decisions affecting task allocation, performance evaluation and account deactivation. Enforceable requirements for platforms to provide meaningful explanations of algorithmic decisions and opportunities for human review where outcomes have significant economic or employment consequences would reduce informational asymmetry and enhance procedural fairness. At the same time, independent grievance mechanisms should be established to allow platform workers to challenge adverse automated decisions regardless of employment classification, improving accountability and mitigating the insecurity associated with unexplained algorithmic control.

Finally, Malaysia should move from voluntary ethical guidance towards a coordinated and enforceable governance framework for algorithmic management. While existing AI ethics initiatives signal important normative commitments, their impact remains limited without legal force. Ethical principles such as fairness, accountability and transparency should therefore be embedded in binding labour and data governance regimes applicable to digital labour platforms. By embedding collaboration among labour authorities, data protection agencies and digital governance bodies, this integrated approach would prevent innovation in the platform economy from advancing at the expense of platform workers' rights and quality of life.

## 7.0 Limitation

This study is limited by its reliance on qualitative analysis of secondary sources, which does not capture platform workers' lived experiences or the day-to-day enforcement of algorithmic management. The absence of primary data from workers, regulators and platform operators restricts insight into how regulatory frameworks operate in practice. In addition, the focus on the United Kingdom as

a benchmark limits the broader transferability of findings. At the same time, the design of platform algorithms remains beyond the study's scope due to restricted access. These limitations highlight the need for future research using empirical methods, broader comparative frameworks and interdisciplinary approaches to algorithmic governance.

## 8.0 Conclusion

This study examined that while algorithmic management increasingly shapes work allocation, performance and job security in digital labour platforms, regulatory responses remain uneven across jurisdictions. The United Kingdom has developed partial safeguards through judicial interpretation, data protection law and soft-law AI governance. In contrast, Malaysia continues to rely on rigid employment classifications and voluntary ethical frameworks that offer limited protection for platform workers. The absence of binding standards on algorithmic transparency, human oversight and access to redress exposes workers in Malaysia to insecurity and procedural unfairness, undermining their quality of life. By benchmarking UK practices, this study identifies a clear regulatory direction for Malaysia: aligning innovation with accountability through more explicit employment status, enforceable transparency obligations and effective grievance mechanisms. Ultimately, the governance of algorithmic management must move beyond ethics without enforcement towards adaptive, rights-based frameworks that place fairness, accountability and worker well-being at the centre of digital labour regulation.

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## Paper Contribution to the Related Field of Study

This paper contributes to labour regulation and digital governance literature by examining how algorithmic management in digital labour platforms is regulated in Malaysia, using the United Kingdom as a comparative benchmark. By identifying regulatory gaps, it advances policy insights for strengthening protections, transparency and accountability for platform workers in emerging digital economies.

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