

## **Annual Report on the Activities of the Ombuds Office of the Code of Conduct for Paid Crowdfunding for the Year 2023**

According to Section 8 of the Rules for the Ombuds Office of the Code of Conduct for Paid Crowdfunding, the Ombuds Office hereby submits its aggregated annual report for the calendar year 2023.

The Ombuds Office works voluntarily. It is/was staffed in 2023 by:

- Prof. Dr. Jürgen Treber (Presiding Judge at the Federal Labor Court)
- Roland Szabados (German Crowdsourcing Association)
- Mariya Vyalykh (IG Metall Headquarters, Crowdsourcing Project)
- Dr. Arne-Christian Sigge (content.de); representative in the event of a complaint against content.de: Ines Maione (Clickworker GmbH)
- Olaf Hoffmann (Crowdworker)

During the reporting period, the Ombuds Office held 5 video conferences to discuss the submitted cases.

In calendar year 2023, 135 cases were submitted to the Ombuds Office. The complaints originated from 20 countries and were predominantly in English. In all cases, the complaints were submitted by crowdworkers. Report on the complaints submitted:

- In one case, the Ombuds Office was not responsible: there was a technical problem.
- In another complaint, the Ombuds Office was contacted before attempting to resolve the issue directly with the platform.
- 22 complaints submitted were resolved directly with the platform before the Ombuds Office discussed the case in a conference call and reached a decision.
- In 39 cases, the crowdworkers did not pursue the submitted complaint any further after receiving a statement from the respective platform.
- 19 cases were resolved amicably through the mediation of the Ombuds Office.
- The Ombuds Office provided the crowdworkers and/or platforms involved with information notes in 52 cases.
- In one case, the authorization of a platform to invoke the Code of Conduct was denied based on an application by a person entitled under Section 4 of the rules. This was based on violations of the Principle No. 3 of the Code of Conduct - "fair payment".

At the end of the 2023 calendar year, 25 proceedings were still open. All of these have now been concluded.

In 2023, the number of complaints almost doubled compared to the previous peak in 2021 and increased by just over 350% compared to the previous year 2022.

The majority of the proceedings concerned the blocking of user accounts based on a reasonable suspicion on the part of the respective platform that the crowdworker had several user accounts ("multi-account"). There were also isolated cases in which an

access device was passed on for use by another crowdworker, which also gave rise to the suspicion of a “multi-account”.

In light of the numerous disputes that have arisen between platforms and crowdworkers and the arguments put forward in the context of the Ombuds Office proceedings, the Ombuds Office therefore suggests that the platforms formulate guidelines for their internal processes regarding the cases in which an account can be (temporarily) blocked.

At the same time, in the external relationship with crowdworkers, the criteria for permissible use and those circumstances in which use is in any case impermissible should be defined (non-exhaustively) as part of the registration process and/or the General Terms and Conditions - insofar as this can be done sensibly and with a reasonable amount of effort. The possibility should also be considered as to whether and, if so, under what conditions the same access device can be used by several people within a household.

In these cases, it could also be advantageous if communicated criteria are defined in which cases of justified blocking activities performed to date are not remunerated due to lack of value.

The annual report also makes it clear that in quite a few cases no further response was received from the complainant following a response from the platform. For clarification purposes, the signatories to the Code of Conduct could consider supplementing the rules for the Code of Conduct Ombuds Office so that the Ombuds Office is entitled to definitively discontinue the proceedings in the absence of a statement from the crowdworker four or six weeks after the platform's statement has been delivered to the complainant.

Frankfurt am Main, October 2024