



FROM INDEPENDENT CONTRACTORS TO AN INDEPENDENT UNION

BUILDING SOLIDARITY THROUGH
RIDESHARE DRIVERS UNITED'S DIGITAL
ORGANIZING STRATEGY

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In collaboration with Rideshare Drivers United-Los Angeles



About MIC



The Media, Inequality & Change (MIC) Center is a collaboration between the University of Pennsylvania's Annenberg School and Rutgers University's School of Communication and Information. The Center explores the intersections between media, democracy, technology, policy, and social justice. MIC produces engaged research and analysis while collaborating with community leaders to help support activist initiatives and policy interventions. The Center's objective is to develop a local-to-national strategy that focuses on communication issues important to local communities and social movements in the region, while also addressing how these local issues intersect with national and international policy challenges.

About the Author

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Dolber began his research on the gig economy while teaching as adjunct faculty at several different universities in the Los Angeles area, and driving for Uber and Lyft in order to supplement his income. He has a background in labor organizing, and served as co-president of the Graduate Employees' Organization at the University of Illinois Urbana-Champaign while earning his Ph.D. He is co-author of the forthcoming volume *The Gig Economy: Workers and Media in the Era of Convergence* and serves as co-chair of the *Union for Democratic Communications*.

About the Report

This report explores the viability of using social media and app-based organizing tools in building democratic gig worker organizations. The author partnered with Rideshare Drivers United-Los Angeles, a democratic and independent association of US rideshare drivers seeking fair pay, transparency, a voice on the job, and community standards in the rideshare industry. With limited resources and volunteer labor, RDU was able to leverage the low cost of social media advertising, and, through app-based technologies and SMS, develop a hybrid online-offline model of organizing. The success of RDU's campaign demonstrates that such a model can help overcome the obstacles endemic to building a democratic organization of a massive, unidentified, disaggregated, and fluid workforce that can exercise real power. Based on the outcomes of the campaign, the author makes recommendations for labor unions and policymakers.

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Executive Summary

In recent years, the “gig economy” has grown globally at the nexus of two intersecting social phenomena: the growth of a global precariat and the proliferation of mobile digital technologies. However, ideological, logistical, and legal constraints have been obstacles to organizing gig workers, particularly those who work for “rideshare,” or Transportation Network Companies (TNCs) such as Uber and Lyft. Given these challenges, this study tests the viability of using social media and app-based organizing tools in building democratic gig worker organizations.

The author partnered with Rideshare Drivers United-Los Angeles, a democratic and independent association of US rideshare drivers seeking fair pay, transparency, a voice on the job, and community standards in the rideshare industry. With limited resources and volunteer labor, RDU was able to leverage the low cost of social media advertising, and, through app-based technologies and SMS, develop a hybrid online-offline model of organizing. The success of RDU’s campaign demonstrates that such a model can help overcome the obstacles endemic to building a democratic organization of a massive, unidentified, disaggregated, and fluid workforce that can exercise real power. This is an opportunity to build what legal scholar Veena Dubal terms “solidarity unionism.”¹ Based on the outcomes of the campaign, the author makes recommendations for labor unions and policymakers.

Findings

With the goal of tripling its membership to 3,000, Rideshare Drivers United-Los Angeles spent \$3,201.91 on advertising on the social media platform, Facebook from October 2018 through January 2019. The advertising campaign was aimed to prompt Uber and Lyft drivers in the Los Angeles area to click on ads, which directed them to the RDU website. Drivers could sign up to become members of RDU. Then, through an in-house app, RDU volunteer organizers contacted new members to engage them in organizing conversations.

RDU also devised a system to send polls asking eight multiple choice survey questions and one free response question. The system allowed for members to communicate their concerns to leaders and offer their perspectives on their work despite the gig economy’s tendency towards disaggregation. A growing organizing committee could act with confidence in their ability to represent the interests of members. This was an essential step towards developing the priorities of a member-driven organization and having an agenda that could be articulated to the broader public.

In total, 12 members had joined the core organizing committee by January 11. In addition, through phone calls volunteers identified 50 potential core members and 114 activists. These 164 members were seen as potential recruits to make volunteer on-boarding calls themselves, and to participate in other actions.

RDU was able to build a membership base of nearly 2500, about 16 percent shy of its goal of 3000. Further, by utilizing app-based communication, RDU could then develop relationships with members, and translate these into face-to-face contact by turning them out to actions and meetings.

These efforts culminated in two strikes against both Uber and Lyft on March 25 and May 8, on the eve of the companies’ IPOs. The latter of these inspired a global day of action with participants in 30 cities, and helped make the injustices of the gig economy an issue of concern to the press, the broader public, and policymakers.

Recommendations

Based on the study of the Rideshare Drivers United-Los Angeles campaign, I make the following recommendations:

1. Unions should develop campaigns dedicated to organizing rideshare drivers and other gig workers.
2. Unions should experiment with social media ad buys as a low-cost method of reaching out to rideshare drivers and other gig workers.
3. Unions should either hire app developers, or purchase existing software to assist in developing technologies for organizing.

¹ Veena Dubal, “Gig Worker Organizing for Solidarity Unions,” June 19, 2019. *Law and Political Economy Blog*. Accessed at <https://lpeblog.org/2019/06/19/gig-worker-organizing-for-solidarity-unions/> on July 1, 2019.

4. In the absence of organizing efforts from large unions, labor-oriented non-profit organizations should support the development of such campaigns.

In order to facilitate these processes:

1. Policymakers should meet with unions and emerging gig worker organizations to learn about their concerns.
2. Policymakers should introduce legislation that creates strict classification guidelines, to ensure that gig workers have employee protections.
3. Policymakers should work with gig worker organizations to enable unionization.
4. Policymakers should demand access to data from gig companies in order to make regulatory decisions.

Over the last decade, the “gig economy” has emerged globally at the nexus of two intersecting historical phenomena—the 2007-8 economic collapse and its aftermath, and the emergence of digital mobile technologies. As U.S. unemployment peaked at ten percent in October 2009, and confidence was shaken in corporate and financial institutions, the gig economy offered the possibility for “job creation” through technology. While a new class of Silicon Valley companies could tout themselves as “job creators” in a moment of crisis, consumers could easily request rides, deliveries, or accommodations at cheaper rates than traditional taxis or hotels could offer.²

Gig companies have relied on the independent contractor, or “1099” classification in the United States, or job classifications in other countries that fall short of the protections granted by traditional employment. The Economic Policy Institute (EPI) suggests that gig work remains a small percentage of the overall economy. However, the gig economy exists within a broader matrix of large-scale change in modes of employment.³

2 Alex Rosenblat, *Uberland: How Algorithms are Rewriting the Rules of Work*. Berkeley: University of California Press, 2018, 21-5.

3 Lawrence Mishel, “Uber and the Labor Market: Uber Drivers’ Compensation, Wages, and the Scale of the Gig Economy,” Economic Policy Institute, May 15, 2018. Accessed at <https://www.epi.org/publication/uber-and-the-labor-market-uber-drivers-compensation-wages-and-the-scale-of-uber-and-the-gig-economy/> on June 29, 2019.

“Alternative work” as primary work grew by 50 percent between 2005 and 2015, representing all of the net employment growth in the U.S. economy.⁴

- By 2018, polling data suggested that 20 percent of all work was held by someone under an independent contract.⁵
- More than one-third of U.S. workers today are involved in the “gig economy,” and 29 percent rely on “an alternative work arrangement as their primary job.”⁶

All of this has created buzz among academics and public commentators around the rise of a “cybertariat,” whose lack of traditional labor protections are justified by an ideology of flexibility, independence, and creativity.⁷ In addition, the atomization of gig workers, and the lack of shared spaces as one would find in a factory or an office, present additional challenges for gig worker organizing.⁸ In order to build community among each other, gig workers do utilize online spaces.⁹ While forums allow gig workers to develop an understanding of the structural realities of their work, there has been little effort to link these approaches to strategic and comprehensive organizing efforts.

4 Lawrence F. Katz and Alan B. Krueger, “The Rise and Nature of Alternative Work Arrangements in the United States, 1995-2015,” NBER Working Paper No. 22667. 2016. Accessed at <https://www.nber.org/papers/w22667> on July 1, 2019.

5 Yugi Noguchi, “Freelanced: The Rise of the Contract Workforce,” *All Things Considered*, January 22, 2018. Accessed at <https://www.npr.org/2018/01/22/578825135/rise-of-the-contract-workers-work-is-different-now> on July 1, 2019.

6 TJ McCue, “57 Million Workers are Part of the Gig Economy,” *Forbes*, August 31, 2018. Accessed at <https://www.forbes.com/sites/tjmccue/2018/08/31/57-million-u-s-workers-are-part-of-the-gig-economy/#5600abd17118> on March 16, 2019.

7 See, for example, Robert McChesney and John Nichols, *People Get Ready*. New York: Monthly Review Press, 2016. 71; Ursula Huws, “The Making of a Cyberteriat?: Virtual Work in a Real World,” *Socialist Register 2001: Global Classes, Global Realities* edited by Leo Panitch and Colin Leys, volume 37. Accessed at <https://socialistregister.com/index.php/srv/article/view/5753/2649> on July 1, 2019; “iCapitalism and the Cyberteriat: Contradictions of the Digital Economy,” *Monthly Review* 66: 8, January 2015. Accessed at <https://monthlyreview.org/2015/01/01/icapitalism-and-the-cybertariat/> on July 1, 2019.

8 Rick Fantasia, *Cultures of Solidarity*, 1988.

9 Rosenblat, p. 201

Uber, Lyft, and Gig Worker Organizing

When one thinks of the gig economy, the first services that come to mind are likely rideshare, or transportation network companies (TNCs). In the United States, two companies—Uber, founded in 2009, and Lyft, founded in 2012— now control 98 percent of the rideshare market.¹⁰

In August 2018, the month the author applied for the grant for this study, Uber was valued at \$76 billion.¹¹ By 2017, Uber operated in 630 cities worldwide and had provided over 5 billion rides to passengers.¹² In 2019, the company lists 68 countries in which it operates on its website.¹³ Uber claims nearly 70 percent of the rideshare market in the U.S. and dominates globally although Didi Chuxing dominates the Chinese market after acquiring Uber's operations there in 2016.¹⁴

Lyft, Inc. was valued at \$15.1 billion in June 2018.¹⁵ Lyft claims 28 percent of the U.S. market, but its share has grown rapidly over the last two years as Uber became embroiled in multiple controversies in 2017.¹⁶

Rideshare driving has become a major source of work. In the United States, there were approximately one million Uber drivers in 2017, and three million worldwide.¹⁷ There were approximately 700,000 Lyft drivers, while 500,000 people likely drive for both Uber and Lyft in the U.S.¹⁸ If rideshare drivers were counted as traditional employees, Uber would be the largest employer not only in several major U.S. markets, such as New York and San Francisco. Uber would also have more employees than the U.S. and Chinese militaries, and the largest private employer, Walmart.¹⁹

¹⁰ Molla, 2018.

¹¹ Joel Anderson, "Uber's Value Gets a Boost Thanks to Toyota's \$500 Million Investment," *Go Banking Rates*, August 29, 2018. Accessed at <https://www.gobankingrates.com/making-money/business/how-much-is-uber-worth/> on July 1, 2019; Rosenblat, 25

¹² Rosenblat, 25.

¹³ <https://www.uber.com/country-list/> Accessed on March 10, 2019.

¹⁴ Arjun Kharpal, August 1, 2016, "Taxi App Rival Didi Chuxing to Buy Uber's China Business in 35 Billion Deal," Accessed at <https://www.cnbc.com/2016/08/01/chinas-didi-chuxing-to-acquire-ubers-chinese-operations-wsj.html> on March 10, 2019.

¹⁵ Trefis Team, "Breaking Down Lyft's Valuation: An Interactive Analysis," *Forbes*, March 7, 2019. Accessed at <https://www.forbes.com/sites/greatspeculations/2019/03/07/what-will-lyfts-ipo-valuation-be/#28d075032040> on July 1, 2019.

¹⁶ Rani Molla, December 12, 2018, "Lyft Has Eaten into Uber's Market Share, New Data Suggests," Accessed at <https://www.recode.net/2018/12/12/18134882/lyft-uber-ride-car-market-share> on March 10, 2019; Rosenblat, 192-196.

¹⁷ Melissa Berry, "How Many Uber Drivers Are There?" Accessed at <https://therideshareguy.com/how-many-uber-drivers-are-there/> on March 10, 2019.

¹⁸ Melissa Berry, "How Many Uber Drivers Are There?" Accessed at <https://therideshareguy.com/how-many-uber-drivers-are-there/> on March 10, 2019.

¹⁹ Mishel, 2018; Emma G. Fitzsimmons, "Meet the Man Tasked With Upending Uber's Business Model in New York, With a Smile." *New York Times*, November 30, 2018. Accessed at <https://www.nytimes.com/2018/11/30/nyregion/uber-new-york-sarfraz-maredia.html> on July 1, 2019; Lisa Fernandez, "Clogged Streets: 45,000 Uber and Lyft Drivers in San Francisco Grab Lawmakers' Attention." *FOX KTVU*, June 13, 2017. Accessed at <http://www.ktvu.com/news/clogged-streets-45000-uber-and-lyft-drivers-in-san-francisco-grab-lawmakers-attention> on July 1, 2019; "The World's 30 Largest Employers Will Surprise You." *MSN*, June 29, 2018. Accessed at <https://www.msn.com/en-in/money/photos/the-worlds-30-largest-employers-will-surprise-you/ss-BBKxFrN#image=28> on July 1, 2019.

Despite their widespread popularity, neither Uber nor Lyft have been profitable for a variety of reasons.²⁰ Thus, in order to continue to generate cash from their investors, Uber and Lyft must extract as much value as possible from rideshare drivers. Their classification scheme allows these companies to do this in several ways:

- **Low pay rates.** The EPI found that while Uber driver compensation averages \$11.77 an hour, their wage, comparable to that earned by a W-2 employee, averages \$9.21 an hour.²¹
- **Increasing commissions.** Uber and Lyft justify commissions as high as 70 percent by considering drivers to be customers or “end users” of their technological product—and to rework payment formulas for their own benefit.²²
- **No right to organize.** 1099 status denies drivers collective bargaining rights. In fact, as each worker is considered a business owner, collective efforts could potentially be viewed as antitrust violations.²³

Rideshare companies are terrified of losing these benefits. As Lyft notes in their 2019 S-1 filing, in advance of their IPO:

We continue to maintain that drivers on our platform are independent contractors in such legal and administrative proceedings, but our arguments may ultimately be unsuccessful. A determination in, or settlement of, any legal proceeding, whether we are party to such legal proceeding or not, that classifies a driver of a ridesharing platform as an employee, could harm our business, financial condition, and results of operation.²⁴

Existing Regulations and Organizing Efforts

Largely due to the legal hurdles, there is no independent, democratically run organization in the U.S. that represents the interests of rideshare drivers.

Discussion about the exploitation of rideshare drivers and other gig workers has been widespread. But while municipal action has been taken in New York City to regulate rideshare and provide some protections for drivers, bona fide labor unions have been hesitant to organize within the sector as there are no legal guarantees that they would be able to negotiate contracts for these workers. As such, many of the efforts to challenge gig companies have emerged for unions in sectors threatened by the low wage competition that lowers their standards.²⁵

Municipal action, however, has paved the way for some advances in rideshare regulation and driver protection. New York City and Seattle are cases of note.

20 Horan offers ongoing analysis of Uber’s economics via Yves Smith on the *Naked Capitalism* blog at www.nakedcapitalism.com; Heather Somerville, “True Price of an Uber Ride in Question as Investors Assess Firm’s Value,” Reuters, August 23, 2017. Accessed at <https://www.reuters.com/article/us-uber-profitability/true-price-of-an-uber-ride-in-question-as-investors-assess-firms-value-idUSKCN1B3103> on July 1, 2019. Some observers, suggest that this is inherent to their business model. Uber’s primary expenses include subsidizing the cost of rides in order to attract passengers, with the expectation of raising prices after squeezing our competition from Lyft. In 2015, Uber passengers were paying only 41 percent of the cost of their trips, and significant discounts continue in even the most mature markets. Other expenses include: marketing in order to ensure a high supply of drivers; research and development, particularly in order to develop self-driving vehicles; and lobbying, in order to fight off the possibility of regulation of the emergent market.

21 Mishel, 2018, 2.

22 Rosenblat, 2018.

23 Kate Conger, “California Bill to Give Gig Workers Organizing Rights Stalls Over Antitrust Concern,” April 21, 2016, *Tech Crunch*. Accessed at <https://techcrunch.com/2016/04/21/california-bill-to-give-gig-workers-organizing-rights-stalls-over-antitrust-concerns/> on March 10, 2019.

24 Johana Bhuiyan, “If Lyft Can’t Keep its Drivers as Independent Contractors, It May Never Be Profitable.” *Los Angeles Times*, March 9, 2019. Accessed at <https://www.latimes.com/business/technology/la-fi-tn-lyft-ipo-drivers-20190309-story.html> on March 10, 2019.

25 For example, Unite Here which represents hotel workers in major cities has been a vocal and visible proponent of placing regulations on Airbnb. In New York, the New York Taxi Workers Alliance (NYTWA) has been at the forefront of challenging the impact of the rideshare industry. See Chris Brooks, “How New York Taxi Workers Took on Uber and Won,” August 23, 2018, *Labor Notes*. Accessed at <https://www.labornotes.org/2018/08/how-new-york-taxi-workers-took-uber-and-won> on March 10, 2019.

New York City and the Independent Drivers Guild (IDG)

IDG claims to represent 45,000 drivers in New York City. It formed in 2016, through an agreement between Uber and a regional branch of the International Association of Machinists and Aerospace Workers. In August 2018, city council passed, and Mayor Bill De Blasio signed, legislation that guarantees rideshare drivers \$26.51 per hour before expenses, and \$17.22 per hour after expenses, and caps the number of rideshare vehicles that could operate in the city. These rules were approved by the Taxi and Limousine Commission (TLC) in December 2018.²⁶ Reports suggest that protections that were pushed by the Taxi Workers Alliance, and IDG acted as an impediment through the process.²⁷

Seattle and the International Brotherhood of Teamsters (IBT)

The Seattle City Council passed a 2015 ordinance giving rideshare drivers collective bargaining rights. By 2017, the International Brotherhood of Teamsters (IBT) launched an organizing drive that was met with an anti-union public relations campaign and legal challenges to the ordinance. In August 2018, the Ninth Circuit Court of Appeals maintained that since independent contractors are not covered by the NLRA, municipalities may extend collective bargaining rights to them, allowing organizing efforts to continue.²⁸ While the IBT's App-Based Drivers Association continues to organize in Seattle, the legal issues have hamstrung the campaign and led to debates over strategy.

26 Katie Honan, "Mayor De Blasio Signs Bills Capping Expansion of Uber and Lyft Vehicles," August 14, 2018, *Wall Street Journal*. Accessed at <https://www.wsj.com/articles/mayor-de-blasio-signs-bills-capping-expansion-of-uber-and-lyft-vehicles-1534284916> on March 11, 2019.

27 Chris Brooks, "Meet the Militant Taxi Drivers Union That Just Defeated Uber and Lyft," *In These Times*, August 15, 2018. Accessed at https://inthesetimes.com/working/entry/21386/militant_taxi_drivers_union_uber_lyft_alliance_new_york_city on March 16, 2019.

28 <https://seattle.curbed.com/2018/5/11/17346562/uber-lyft-union-law-appeal>.

Rideshare Driving in California and RDU-LA

Without access to the resources of bona fide labor unions, and without the consent of the TNCs, Rideshare Drivers United-Los Angeles aims to become a driver-run organization by using an innovative strategy that integrates digital technology with face-to-face organizing. Drivers in Los Angeles are well positioned to have significant impact on the overall revenues and practices of both Uber and Lyft for several reasons:

Labor Supply and High Cost of Living— The region's high cost of living, and relatively low wages have made it a prime target for Uber and Lyft to recruit drivers. A 2018 study found that Los Angeles and Orange County residents earning the median income would have to set aside about 47 percent of their pay to afford rent on median-priced homes or apartments, the highest proportion of any metropolitan area in the country.²⁹ One national study found that although the majority of drivers drive less than 10 hours per week, "a core group of Uber drivers work full time (35 hours a week or more) and provide about half the rides."³⁰ A 2018 study in Los Angeles, however, showed that two-thirds of rideshare drivers rely on driving as their primary source of income.³¹

Customer Demand—Los Angeles is the rideshare industry's second largest market in the U.S., and Lyft's largest market. This is largely attributable to the metropolitan area's poor public transit. Only 9 percent of Angelenos take public transit to work. TNCs provide a convenient alternative.³²

Political context—1099 status has become a political issue in the state. In 2018, the state California Supreme Court ruled in the case *Dynamex Operations West, Inc. v. Superior Court of Los Angeles*, that gig workers are

entitled to the same rights and protections as traditional employees. Assemblywoman Lorena Gonzalez of San Diego introduced the bill AB5, which would write the decision into statute. Although this has no direct impact on the federal classification, which denies drivers the right to collectively bargain, it also suggests that there is a lack of consensus and can be used to trouble the corporate view, endorsed by the Trump NLRB, in the public sphere.

Rideshare Drivers United-Los Angeles

Without the affiliation of a bona fide union, RDU-LA has kept space open for the possibility of democratic gig worker organizing in California. RDU-LA reflects what legal scholar Veena Dubal terms, "solidarity unionism" rooted not in law but in "practices of democratically-informed mutual aid."³³

RDU-LA's efforts began when drivers protested their lower-than minimum wage pay at LAX Airport in August 2017. Ivan Pardo, an app developer, heard about the protest through Facebook. He attended the next planning meeting and started volunteering with the organization. Putting his skills to use, he built the technology to send cheap texts to members. RDU-LA then held two more protests in 2017.

During 2018, RDU activists worked to organize more members at the LAX rideshare lot. RDU-LA also developed relationships with several key organizations in the Los Angeles labor community, including the Los Angeles Federation of Labor, the Los Angeles Alliance for a New Economy (LAANE), and the UCLA Labor Center. These groups provided meeting space, and offered their expertise to assist organizers, but did not commit sustaining resources. In the meantime, Pardo promoted the organization through small purchases of Facebook "page boosts."

By October, RDU's membership had grown to 1000 members. Pardo's use of social media set the stage for RDU's development of a more sophisticated organizing strategy that integrates social media advertising, texting services, and app-based communication and data collection.

29 Elijah Chiland, "Housing Costs Eat Up More Income in LA than in Any Other Major US City," *LA Curbed*, September 7, 2018. Accessed at <https://la.curbed.com/2018/9/7/17832150/cost-of-housing-los-angeles-income-rent-buy> on April 27, 2019.

30 Mishel, 2018, 2.

31 UCLA Institute for Research on Labor and Employment, *More than a Gig: A Survey of Ride-hailing Drivers in Los Angeles*. March 2018. Accessed at <https://www.labor.ucla.edu/wp-content/uploads/2018/06/Final-Report.-UCLA-More-than-a-Gig.pdf> on July 1, 2019.

32 Ibid.

33 Dubal.

Methodology

This study operates from the premise that translating online interactivity into the personal relationships might be one approach to building worker power within the gig economy. The study examines the strategic efforts of Rideshare Drivers United-Los Angeles (RDU-LA) from October 2018 through January 2019.

RDU-LA engaged in a large-scale membership drive by using targeted Facebook ads to attract the interest of rideshare drivers. By clicking on the ads, drivers were taken to the RDU website where they could become members. Through our own app-based system, the organization worked to maintain contact with members and develop a group of core leaders.

Over the course of this study, RDU-LA sought to expand its membership from 1000 to 3000 members by February 2019. We hoped to engage a significant portion of those members as participants in a developing, democratic organization. This would provide the basis for an organizing committee that could build a campaign to enact wage protections and/or legislative reform for rideshare drivers in Los Angeles. Through this effort, RDU-LA serves as an experiment, testing the viability of such organizing methods. Based on the levels of success, we hoped to see to what extent this strategy might be implemented to organize rideshare drivers and other gig workers in other locations.

Research was conducted between October 5, 2018 (when RDU-LA made its first ad purchase) and January 30, 2019 (when RDU-LA held a large-scale action outside the Los Angeles office of Governor Gavin Newsom). Through this period, RDU-LA spent \$3,201.91 on advertisements on Facebook. Over the course of the study, some adjustments were made in the advertisements themselves, the amount spent on them, and the ways in which targets were set. These changes, and the amount of money spent per week, were strategic decisions made by Ivan Pardo in consultation with the researcher.

I rely on the data gathered through Facebook Ad Manager in order to assess the reach of the advertising purchases and compare it to the data gathered over the same time by the application in order to assess the campaign's effectiveness and impact in generating membership. Rather than spending the total sum at once on Facebook ads, we spaced out our purchases in order to ensure that our organization would grow sufficiently to handle the incoming traffic that we believed would result from increasing the ad purchases. This allowed us to begin to generate more volunteers to have organizing conversations with new, incoming members.

During this period, RDU-LA worked to engage members through other digital methods. Using texting services provided by Twilio, the organization spent \$371 during this time to send members text messages. These prompted members to participate in surveys, where they would rank the issues of greatest concern to them. Messages were designed in order generate information about member concerns, but also to offer a way for members to engage with the organization and see their input reflected in organizational priorities. Using these digital tools, organizers were able to develop a Drivers' Bill of Rights and build a core group of leaders prepared to execute a rally at Gov. Gavin Newsom's office on January 30, 2019.

Data and Analysis

The RDU-LA campaign demonstrates that workers can build democratic and impactful organizations at extremely low cost which have the potential to shift the landscape of the gig economy.

RDU's use of social media was effective in overcoming the first obstacle in gig worker organizing. In a traditional organizing drive at a traditional work site, developing a preliminary list of employees is typically fairly simple and straightforward. Following the filing for a union election, employers in the U.S. must, by law, provide organizers a verified list of employees.

Rideshare drivers' organizations are entitled to no such information because of drivers' 1099 status.

Developing broad membership is an essential first step towards gathering contact information to begin to build an organization. We set a goal of attaining 3,000 members.³⁴ In order to achieve our goal, we aimed to strategically use Facebook advertising to drive traffic towards the RDU website (www.drivers-united.org) where drivers would join the organization as a member. Becoming an RDU-LA member at this stage required that an individual enter their phone number and ZIP code in a portal on the RDU website, and confirm their number upon receipt of a text message.³⁵

34 We set our goal of 3,000 as 10 percent of a workforce estimated at 30,000. This was suggested by NYTWA leaders, given the 65,000 Uber drivers in New York City which has twice the population of the City of Los Angeles. However, the flexible nature of gig work and ongoing efforts of TNCs to recruit new drivers make it difficult to determine a stable number of drivers. Further, given the sprawling nature of the entire LA area, some drivers frequently drive through and around the city and its surrounding communities, but may live as far as 100 miles from downtown in LA, Orange, San Bernardino, Riverside, and Ventura counties, making it difficult to know exactly how to determine who is a Los Angeles driver.

35 Being a member *did not constitute* having completed the survey, scheduling a phone call, or taking any other action. During the time of the study, members were neither required nor asked to make any financial contribution to the organization, through dues, membership fees or other donations. Individuals who clicked through from the Facebook advertisement to the website, entered the information in the portal, but failed to confirm their phone

Based on estimates from small-scale purchases before the study, RDU estimated it would cost *\$2920.00 to attract 2000 new members and reach the threshold of 3000 members.*

During the first weeks of our study, between October 5 through November 1, 2018, RDU spent \$580.05 on advertising, yielding only 175 members, at the cost of \$3.31 per member. At that rate, the campaign would need to spend \$6620—far beyond our budget-- to reach another 2000 members are meet our goal of 3000 members.

After making adjustments to our advertisement itself and to our targeting through Facebook Ad Manager on November 2 and again on November 13, *we were able to bring the cost per member down to \$0.73 by January 31.*

Between October 5 and January 11, *RDU generated 1147 drivers joined the organization, bringing the total number of members to 2188 by January 11.*³⁶

Onboarding Calls

In order to begin to develop an organizing committee that could build RDU as a democratic, driver-led organization, Volunteer organizers made phone calls, encrypted through the app, to members who had signed up through the website to have phone calls.³⁷ The goal of the call is two-fold: develop contact between the organization and the membership base, while attempting

number were counted as "conversions" on the backend of the RDU website, but did not count as "created" members. Members were also able to rescind their membership by responding STOP to text messages from the campaign. Thus, this report tracks the net growth of membership each week, taking members lost into account.

36 After January 11, our campaign shifted its communications strategy towards doing turnout for the protest outside of Gov. Newsom's office.

37 The model for the call was based on the classic organizing conversation, used by unions such as SEIU and many AFL-CIO affiliates. The conversation is intended to allow workers a space to articulate their concerns about their workplace, while the organizer agitates them on those concerns and presents the worker organization as a way to address those problems, while inoculating the worker against a possible backlash that they may face from the company.

to find people who may make significant contributions to building the organization themselves. By the end of these conversations, organizers assess the driver as one of the following: disengaged, a supporter, an activist, or a potential core organizer.

While several RDU organizers had experience in having these kinds of conversations, ultimately a significant number of drivers would have to become organizers in order to build a driver-led organization.

Between October 5 and November 28, organizers made 338 scheduled phone calls. 215 of these calls were answered, with the average call lasting 14 minutes and 38 seconds.

Callers took detailed notes on each call in a field within the mobile app. Those notes then became saved within our system and can be referred to during future communication with each member. They also allowed us to develop relationships with members, and to recruit activists and potential core members to take on greater responsibility in building the organization. New members are able to send DMs to the organizer with whom they spoke, and maintain contact with the organization. Volunteers callers would then recontact the same activists and potential core members to inform them of meetings and actions as the campaign progressed.

Volunteer callers recruited three core members. They identified 16 potential core members and 31 activists.

On November 28, two experienced organizers (including the author) who had been making phone calls prior to the development of the mobile app developed a training for nine drivers. Five of those who attended became long-term callers.

Between November 29 and January 11, a 50-day period, our capacity to engage in phone conversations increased significantly. During that time, volunteer callers made 451 calls, or an average of 9 per day and 283 calls, or an average of 5.66 per day were answered.³⁸

³⁸ The total time spent on phone calls dropped from the prior period to 46 hours and 59 minutes, with the average call lasting nine minutes and 57 seconds. This indicates that, perhaps, stronger training was needed in order to encourage better engagement with members over the phone and have more sustained and meaningful conversations to encourage member engagement.

In total, 12 members had joined the core organizing committee by January 11. In addition, volunteers identified 50 potential core members and 114 activists. These 164 members were seen as potential recruits to make volunteer on-boarding calls themselves, and to participate in other actions.

SMS and Voting on Issues

In order to ensure that the goals of the organization reflected the needs and desires of Los Angeles rideshare drivers, we created a system where new members were asked to vote and prioritize issues they would like to change about the industry. Prior to the study, Pardo had worked to gather data about member concerns by having members rate batches of eight issues on a 1 to 5 Likert scale. However, this did not allow for much nuance as members consistently put all issues at a 5.

For the period of our study, Pardo devised a system to send polls asking eight multiple choice survey questions and one free response question. If members had not completed their profile, they would then be prompted to do so. If they had, but had not scheduled a call, they would be asked to schedule a call at that point. Once members had voted, had scheduled a call and completed their profile they would be asked to rank the importance of issues to them. Polls at this point became highly personalized, with choices being determined by prior responses. Issues that members had assigned 4s and 5s to would be presented in order to be ranked.

Between 10/5/18 and 1/11/19, 1466 members participated in the online surveys. This is a participation rate of about 67 percent.

Through this method, we were able to collate a Drivers' Bill of Rights by January. The Bill of Rights consisted of four major categories: fair pay, transparency, a voice on the job, and community standards. Each of these had sub-demands that reflected the priorities members identified (See Appendix). The Bill of Rights became the cornerstone of RDU's campaign as we demanded that it be adhered to in any deal that the governor struck with Uber/Lyft.

By January 11, 2019, RDU had amassed 2188 members, still short of the 3,000 we had set out to organize.

Successes and Challenges

Based on this data, social media advertising does seem to be an effective way to solicit membership in a gig worker organization. Facebook was particularly effective at locating drivers by using minimal targeting information. During the period of the study, nearly all new members were brought to the RDU page through Facebook ad links. While we did not reach the goal of 3000 members at this point, we came very close.

Given the learning curve on how to use the Facebook Ad Manager, we may have been able to reach our target membership goals with better guidance at the beginning of our study. Organizations with more substantial resources—a larger advertising budget, and someone with expertise in social media marketing— could perhaps far exceed the number of members we organized, or find ways to do so at even a further reduced cost. However, at the cost of \$.73 per member, our study demonstrates that social media advertising might be one way for resource-strapped organizations to build their membership and begin to build relationships with gig workers.

Onboarding calls were an effective way to begin building RDU's organizational base. While more volunteers were needed in order to match the demand spurred by the Facebook ads, capacity to manage the calls gradually grew. Onboarding calls have proven to be not only an effective way to gauge the support of new members and assess their potential as activists; they also function as an entrée into greater engagement with the organization for volunteer activists. As RDU's campaign has progressed, leadership has used volunteer commitment to make these calls as one way of determining who might play a greater role in RDU as part of the organizing core.

The electronic polling system augmented the organization's communication with its rank-and-file. With this information, the organizing committee could act with confidence in their ability to represent the interests of members. This was an essential step towards developing the priorities of a member-driven organization and having an agenda that could be articulated to the broader public. Through greater face-to-face organizing efforts, and targeted efforts to involve under-represented constituencies, RDU can work to ensure that important concerns are addressed as their campaign moves forward.

Challenges noted included:

- **Turnover**—RDU trained several organizers who subsequently quit driving for Uber or Lyft. RDU expects that this problem is also reflected in the broader membership, suggesting that many members who joined months ago may no longer be engaged in rideshare driving.
- **Engagement**—While phone call conversations were useful in understanding issues that drivers face, there was not an immediate ask for members to engage at the beginning, beyond texting the link to join RDU to other drivers. The lack of resources and organizational capacity made it difficult to provide new members with something that they could immediately participate in following the onboarding call.
- **Technological/Linguistic Exclusion**—RDU's use of the social media advertising/phone call model excluded people who do not use Facebook, as well as those who speak languages other than Spanish or English. We were able to recruit some Spanish-speaking volunteer callers who could take calls from drivers for whom Spanish is their primary language. Such national and language groups predominant among Los Angeles area rideshare drivers include Korean, Chinese, and Armenian; however, it became a challenge to find representatives of these communities given organizers' identities and limitations. This is a serious weakness in RDU's organizing capacity that could be addressed with greater resources that could be put towards developing organizers to reach out to develop campaign materials in a variety of languages and to reach out to underrepresented constituencies.

Despite these limitations, several factors compelled RDU to organize a public event and launch a campaign. These were:

- **IPOs**—Tech and financial observers began to speculate that Uber and Lyft were both preparing for their IPOs early in the year. RDU believed that this was an important strategic point that we would need to take advantage of if we were to have any success in moving our agenda forward.
- **New governor**—Gov. Gavin Newsom took office in January 2019. This offered the possibility of gaining leverage at the state level and mandated that RDU

make its presence felt in order to ensure a seat at the table.

- **Established labor**—On January 16, Bloomberg Businessweek reported that California based locals of the Teamsters and of SEIU were meeting with Uber and Lyft behind closed doors, seeking to work out a deal that might be similar to the IDG-Machinists arrangement in New York City.³⁹

The Newsom Action

We began to organize a major public action to announce our campaign for a Drivers' Bill of Rights, garner the ear of policymakers, engage members, and generate media coverage that would help expand our numbers. We planned for a rally outside of Gov. Newsom's office in Downtown Los Angeles at 11 am on January 30. While we continued to run Facebook ads through this time, as well as take on-boarding calls, the emerging organizing committee placed its focus on building the protest through phone banking, text messaging, and media attention.⁴⁰

SMS was used to alert members of the protest, but RDU knew that phone banking would be key for mobilization. Phonebank sessions were held at the Los Angeles Federation of Labor headquarters on two days, with sessions in the afternoon and evening each day. This allowed Pardo to train new volunteers on downloading and using the app, as well as engaging in organizing conversations.

RDU still lacked the capacity to reach every member through the leadership's volunteer labor.

In planning the action, between January 11 and January 31:

- RDU volunteers made 1545 calls, attempting to contact about 63 percent of all members.

Priority was given to those who had been assessed as either potential core or activists.

- 1032 of these calls were answered, representing 42 percent of the membership.
- While approximately 300 members said that they planned to attend the protest, the rally drew approximately 120 participants.

Despite the organizing challenges, the event was still the largest protest of gig workers in the United States to date. With some assistance from local labor allies, we developed a media list and circulated a press release. Several drivers spoke at the rally and read a letter that was being sent to Gov. Newsom, which was blown up to poster board size. The letter requested a meeting and demanded that any deals struck between Uber/Lyft and the state include protections in line with the Drivers' Bill of Rights. Then, several drivers entered the office building to ask staff for a meeting.

The rally received some media attention including a story on Eyewitness News, on ABC's local affiliate KABC. In addition, the Facebook livestream of the event, at 52 minutes and 14 seconds, had earned 2700 views, as of June 25, 2019—greater than RDU's total membership on the day of the rally of 2439.

Spring Strikes

While RDU still lagged a bit behind its organizing goals, it had developed a sufficient base of membership to become a vehicle for rideshare drivers to challenge the power of Uber and Lyft. Following the Newsom action on January 30, the organizing committee began to expand its modes of engagement particularly via our social media (Facebook, Twitter, Instagram) and YouTube accounts. All of this helped to secure a strong enough membership base to move forward with a more large-scale campaign in Spring 2019.

This became clear when, on March 11, Uber announced that it would slash its pay rate in Los Angeles by 25 percent, from .80 to .60 per mile, or just 2 cents more than the IRS reimbursement rate. While RDU had planned to focus this strategy at the state and municipal levels, members of RDU's core organizing team voiced their

39 Josh Eidelson, "Uber Has Bigger Problems to Worry About Than the Government Shutdown," *Bloomberg Businessweek*, January 16, 2019. Accessed at <https://www.bloomberg.com/news/articles/2019-01-16/uber-has-bigger-problems-to-worry-about-than-the-d-c-shutdown> on June 24, 2019.

40 One concern that emerged during the planning of the protest suggests larger problems in organizing in the gig economy, exposing a major contradiction in the notion of flexible gig work. Since drivers could be driving at any time, any collective effort meant that drivers were withholding their labor during that time. As such, by attending a one-hour rally, drivers would be effectively going on a short-term strike in the middle of the day. We decided to hold the rally at 11 am, which is generally a low-demand time for drivers, following the morning rush hour.

outrage, and were emboldened by rank and file calls on Facebook groups and driver message platforms to strike.

Organizers met on March 13 to determine their strategy. Drivers decided:

- To strike both Uber and Lyft platforms, as the cuts were happening on the eve of the Lyft IPO;
- To demand an immediate restoration of the 25 percent cut and pay rates on both platforms on par with the regulations set in New York City;
- To do so on March 25 partially for symbolic reasons—a 25-hour strike for 25 percent on March 25.
- To hold a five-hour picket at the Uber Greenlight Hub in Redondo Beach, and participated in a rally and press conference between noon and 1 pm.

During the 10 days of phone banking, no drivers voiced opposition to the action and virtually all members reached committed to striking. RDU estimates, then, that 3000 drivers turned off their apps on March 25. In addition, hundreds turned out to picket in Redondo Beach.

Although the companies did not concede to RDU's demands—and there was little expectation they would—the strike was enormously successful in generating media attention. Stories ran in publications including newspapers such as *the Guardian*, the *Los Angeles Times*, *Washington Post*, *Philadelphia Inquirer*; web-based publications such as *Slate*; and on major networks such as ABC News.⁴¹ The coverage was impactful in several ways:

41 Johana Bhuyian, "'I'm really struggling': Facing pay-cuts, some ride-hailing drivers plan to strike," *Los Angeles Times*. March 23, 2019. Accessed at https://www.latimes.com/business/technology/la-fi-tn-uber-driver-strike-la-pay-cut-20190323-story.html?utm_source=my_mailer&utm_medium=email&utm_campaign=email_message on July 1, 2019; Michael Sainato, "'I made 3.75 an hour': Lyft and Uber Drivers Push to Unionize for Better Pay," *The Guardian*. March 22, 2019. Accessed at https://www.theguardian.com/us-news/2019/mar/22/uber-lyft-ipo-drivers-unionize-low-pay-expenses?utm_source=my_mailer&utm_medium=email&utm_campaign=email_message on July 1, 2019; Faiz Siddiqui, "Uber and Lyft Slashed Wages. Now California Drivers are Protesting their IPOs," *Washington Post*. March 26, 2019. Accessed at <https://www.washingtonpost.com/technology/2019/03/26/uber-lyft-slashed-wages-now-california-drivers-are-prot>

▪ **Political impact**—Within days of calling the strike, Gov. Newsom's office reached out to RDU and agreed to meet with members. As Los Angeles Mayor Eric Garcetti rang the bell for Lyft's IPO, one dozen RDU members, including the author, traveled to Sacramento to meet with gubernatorial and legislative staff four days after the strike with the support of the California Federation of Labor and the building trades.

▪ **Economic impact**—Some journalists and business analysts attributed the sluggishness of Lyft's IPO to the strike, or predicted that such controversies might inhibit the company's prospects long term.⁴² This suggests that despite the relatively small percentage of drivers in Los Angeles who are RDU members and went on strike, RDU's production of a media spectacle influenced investor behavior. RDU demonstrated that gig worker organizations can exercise considerable power over gig companies through strategic collective action.

ting-their-ipo/?noredirect=on&utm_campaign=email_message&utm_medium=email&utm_source=my_mailer&utm_term=.25691fb65fcd on July 1, 2019; Juliana Felicia Reyes, "The Philly Connection to the Uber and Lyft Drivers' Strike in LA," *Philadelphia Inquirer*. March 25, 2019. Accessed at <https://www.inquirer.com/news/uber-lyft-strike-los-angeles-facebook-ads-20190325.html> on July 1, 2019; Soo Youn, "As Lyft goes public with a \$24 billion valuation drivers feel left behind," ABC News. March 30, 2019. Accessed at <https://abcnews.go.com/Business/lyft-public-24-billion-valuation-drivers-feel-left/story?id=61951551> on July 1, 2019.

42 See for example, Francois Aure, "Uber and Lyft IPO Valuations at Risk After Drivers' Wage Backlash," *CCN*. March 24, 2019. Accessed at <https://www.ccn.com/uber-and-lyft-ipo-valuations-at-risk-after-drivers-wage-backlash/> on July 1, 2019; Olivia Zaleski and Eric Newcomer, "Lyft Moves San Francisco IPO Roadshow as Drivers Protest," *Bloomberg*. March 25, 2019. Accessed at <https://www.bloomberg.com/news/articles/2019-03-25/lyft-moves-san-francisco-ipo-roadshow-as-local-drivers-protest> on July 1, 2019; Andrew J. Hawkins, "Lyft Drivers Strike as the Money Losing Company Goes Public," *The Verge*. March 29, 2019. Accessed at <https://www.theverge.com/2019/3/29/18286873/lyft-ipo-share-price-driver-protest-future> on July 1, 2019; Eric Rosenbaum, "Lyft is a Silicon Valley change-the-world, change lives, IPO Moment. So was Facebook," *CNBC*. March 30, 2019. Accessed at <https://www.cnbc.com/2019/03/30/lyft-is-a-silicon-valley-change-the-world-ipo-moment-so-was-facebook.html> on July 1, 2019.

• **Organizing impact**—Coverage helped boost RDU membership during a period when it had limited financial resources. From March 11, when Uber announced its rate cut, to March 25, the date of the strike, RDU spent \$238.16 on Facebook ads, and increased membership by 775, at the rate of \$0.307 per member. With 3456 members on the day of the strike, RDU reached a tipping point where we could grow through our own collective action. In the two weeks following the strike (3/26 to 4/8), another 506 members joined, followed by another 250 members in the two weeks after that (4/9 to 4/22). These new members were particularly hungry to participate in an action as they were joining the organization explicitly because we had gone on strike. In meetings, on onboarding calls, and in social media forums, drivers consistently asked, “when is the next strike?”

This desire for further action was echoed nationally. Emerging organizations continued to contact RDU. They wanted to know when the next strike would be and said they would follow RDU’s lead.

In April, the RDU organizing committee determined to strike again just prior to Uber’s IPO. While there was significant debate about the date the strike should be, with organizational capacity and the flows of rideshare work being taken into consideration, RDU decided to build for May 8, the Wednesday of the week we expected that Uber would begin selling shares on the New York Stock Exchange.

Over the course of the next month, RDU mobilized its 4748 members, solidified relationships with rideshare organizations and other unions, earned significant media attention, and legitimated itself as a major player in the larger debates over the rideshare industry and the larger gig economy. As a result, the May 8 strike became a National Day of Action, and spread to over 10 U.S. cities—including San Francisco, San Diego, New York, DC, Philadelphia, and Chicago-- and five continents. Presidential candidates Sens. Sanders, Warren, and Harris, and former Vice President Joe Biden and Mayor Pete Buttigieg all tweeted their support for the strike, suggesting that RDU was instrumental in elevating the conditions of gig work to a major political issue.

Conclusions and Recommendations

By the May 8 strike, RDU had not only built an organization; it had played a major role in sparking a movement. With limited resources and volunteer labor, RDU was able to leverage the low cost of social media advertising, and, through app-based technologies and SMS, develop a hybrid online-offline model of organizing. The success of RDU’s campaign demonstrates that such a model can help overcome the obstacles endemic to building a democratic organization of a massive, unidentified, disaggregated, and fluid workforce that can exercise real power.

While mobile technologies and algorithmic management have enabled the hyper-exploitation of labor, this mode of production contains contradictions that open up potential for the new organizing models at reduced costs to emerge. Although the legal infrastructure upon which the gig economy has been built – namely the abuse of “1099” status that denies gig workers collective bargaining rights—disincentivizes bona fide

trade unions from investing in gig organizing campaigns, RDU’s relative success suggests that well-resourced organizations could have enormous impact at a relatively minimal cost. In California, where the *Dynamex* decision already suggests that rideshare drivers and other gig workers are misclassified under state law, there is even greater reason for unions to build sustained organizing campaigns.

Despite its successes, RDU’s greatest challenge has been maintaining the capacity to reach and engage growing membership. While we can project membership growth proportional to a social media advertising budget, the ability to engage members, to lobby government officials, to reach out to potential allies, to garner press attention, to manage the technology, and to navigate the challenging legal terrain all require the resources available to more established organizations. Substantial resources are necessary in order to build organizations that are both powerful and democratic.

Unions such as SEIU, the Teamsters, and International Association of Machinists have sought to generate revenue from gig workers by developing “worker associations” in partnership with Uber and Lyft. This approach forecloses the possibility of building real worker power in the gig economy through striking and collective bargaining. In addition, it legitimates the technological fetishization that is the basis for independent contractor status. As we might expect increased algorithmic management across the economy, this approach risks incentivizing widespread misclassification and eroding long-standing labor protections.

RDU-LA suggests an alternative possibility. By using social media advertising and mobile communication to draw together a disaggregated workforce, democratic labor organizing can still take place within the technological infrastructure that undergirds our work, our politics and our everyday lives in the 21st century. Those with an interest in making this a reality might build upon the RDU model, or support organizations that take such an approach.

Since the spring strikes RDU has made several important advances:

- RDU has been a key player in lobbying for the passage of AB5. Members have met with state legislators both locally and in Sacramento to push forward this bill. As a result, RDU has garnered more media coverage, and built relationships with key lawmakers. The bill passed the State Senate on September 10, 2019.
- RDU has garnered important support from labor allies. Of particular note is the Transport Workers Union. TWU committed staff to work with RDU to help pass AB5; offered financial support to pay three RDU members to work as organizers during the month of September 2019; and contributed resources for Facebook advertising. This demonstrates the role that bona fide unions might play in building rideshare driver organizations.

Based on this research, I make the following recommendations for organizing:

1. **Unions should develop campaigns dedicated to organizing rideshare drivers and other gig workers.** The study of RDU-LA demonstrates that rideshare drivers are an organizable workforce, growing in numbers, and with the interest in, and ability to, participate in developing organizing campaigns.

2. **Unions should experiment with social media ad buys as a low-cost method of reaching out to rideshare drivers and other gig workers.** The study of RDU-LA demonstrates this method to be useful in generating a base of members who can be mobilized towards actions that further grow the organization.
3. **Unions should either hire app developers or purchase existing software to assist in developing technologies for organizing.** This can help lower communication expenses, help organize and protect large amounts of data, and enable worker-led organizing.
4. **In the absence of organizing efforts from large unions, labor-oriented non-profit organizations should support the development of such campaigns.** In Washington, DC, for example, the Democratic Socialists of America have worked to support a rideshare organizing campaign modeled on RDU-LA. In San Francisco, the Tech Workers Coalition has done the same.

In order to facilitate these processes, policymakers should:

1. **Meet with unions and emerging gig worker organizations to learn about their concerns.** As large numbers of workers become part of the gig economy, but may not have formal representation in unions, they become an important constituency with issues that demand addressing.
2. **Introduce legislation that creates strict classification guidelines, to ensure that gig workers have employee protections.** Legislators might use California’s AB5 as a model.
3. **Work with gig worker organizations to enable unionization.** As federal policy still impedes union recognition in the gig economy, legislators should work towards developing municipal and state-wide structures for gig workers to negotiate with app-based companies.
4. **Demand access to data from gig companies in order to make regulatory decisions.** App-based companies collect enormous amounts of data from workers and customers that have bearing on issues of public concern, such as congestion and carbon emissions. Municipalities can work with gig worker organizations to ensure that gig companies do not conflict with the public interest.

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Appendix

A Drivers' Bill of Rights

Fair Pay

- 10% cap on commission for Uber/Lyft on what passenger pays
- Pay drivers per mile & per minute rate en route to the passenger
- Set hourly minimum pay matching New York City's \$27.86 per hour before expenses
 - Include a gas-price indexed surcharge in fare

TNC Transparency

- Transparent, speedy, independent de-activation appeals process, with all discipline held to "just cause" standard
 - Show drivers the estimated fare payment & the trip destination before accepting trip
 - Show complete fare breakdown with Uber or Lyft's take on passenger receipt

A Voice on the Job

- Uber & Lyft recognition of our independent, driver-led organization, to negotiate on behalf of drivers
 - The right to organize without retaliation
- An elected driver-representative appointed to Uber & Lyft's boards of directors

Community Standards

- Rideshare vehicle cap to eliminate unnecessary traffic & carbon emissions
 - Emission standards for all new vehicles added to the platforms
- Uber & Lyft must share all vehicle data with local authorities for traffic management