

Update on Implementation of Ordinance 124968

EDUCATION, EQUITY AND GOVERNANCE COMMITTEE

AUGUST 3, 2016

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Stakeholder Workshops

Public feedback opportunities well beyond what is typically done through rulemaking:

- Held seven workshops
- Used DON's public outreach and engagement liaisons
- Translated materials and provided interpretation in five languages
- Offered opportunities to comment via e-mail

Topics discussed:

- Qualifying driver
- Qualified Driver Representative
- Drivers' statements of interest
- Subjects of bargaining
- Approval of negotiated agreements

Approximately 180 people attended three workshops for drivers and nine people attended four workshops for management representatives.

The City received mixed feedback at the workshops, particularly on how the law gives drivers a voice.

Qualifying Driver

“One Ride, One Vote”

- Opportunity to decide on representation should be as expansive as possible
- Acknowledgement by some that allowing all drivers on an app/dispatch system to vote would set up an impossible task of getting support from majority of those individuals
- Many who supported the “all drivers” option were able to name issues they would like to negotiate

The division of opinion indicates tension between the ordinance’s goal of a qualifying driver having a significant stake in the for-hire industry and the individual qualifying driver’s goal of every person affected having a voice.

The question of a closed vs open shop was raised.

Qualified Driver Representative (QDR)

Drivers generally agreed a non-profit organization should represent their interests.

Important driver considerations for a QDR:

- Do not assume a traditional labor union
- Have knowledge of the industry
- Familiar with needs of immigrant/refugee communities
- Have experience with activism and collective bargaining
- Do not have an extensive organizational bureaucracy that would result in high fees or dues to drivers
- Be able to represent the views of all drivers

Many suggested drivers forming their own organization to specifically represent their interests.

Drivers' Statements of Interest

Statements of interest from qualifying drivers in support of designating an Exclusive Driver Representative (EDR) could take the following form(s):

- Be simple and straightforward – sign a piece of paper or push a button in an application on a smartphone or both; electronic means preferred by many
- Use a driver's license number as the unique identifier to verify statements (possibly in addition to a driver's signature)

Drivers viewed a third party, not the City, verifying the statements as generally acceptable.

Subjects of Bargaining

In addition to those subjects already listed in the Ordinance, other topics suggested by stakeholders include:

- Insurance
- Tolls
- Driver training
 - Customer relations
 - Continuing education
- Driver compensation
 - Tips
 - Guaranteed base pay (incentive for short trips)
- Driver rating systems
- App and driver data transparency
- Right of first refusal/approval for new product offerings
- Benefits such as health insurance

City Approval of Negotiated Agreements

The ordinance requires City approval of an agreement negotiated by an EDR and a Driver Coordinator. To further the provision of safe, reliable and economical for-hire transportation services, drivers recommend an agreement address the following:

- Driver safety
- Driver satisfaction
- Passenger safety
- Vehicle safety
- Competition

Drivers expressed interest in a requirement that they be able to vote on the final agreement between their representative and a company.

Next Steps

Based on implementation work completed and lack of clear direction in stakeholder feedback received to date, FAS believes additional outreach, particularly to drivers, needs to be completed.

To do this work, FAS requires more time and seeks an extension of the current commencement date of September 19.