

Amendment 15 Version 1 to CB 120294 – App-Based Worker Minimum Payment

Sponsor: Councilmember Nelson

Change adjustment of associated mileage factor

Effect: This amendment would change the Office of Labor Standards (OLS) Director’s discretion to adjust the associated mileage factor from annually to every three years. As a result, the associated mileage factor would remain constant for at least three years.

This amendment is contingent on the passage of Amendment 6, which would amend CB 120294 to change the frequency of adjustments to the associated cost factor and associated time factor, and the passage of Amendment 7, which would amend CB 120294 to give the OLS Director the authority to adjust the associated mileage factor annually.

Amend Section 3 of CB 120294 as follows:

8.37.050 Minimum network company payment

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C. Adjustment of the associated cost factor, associated time factor, and associated mileage factor

1. Adjustment of the associated cost factor. Beginning three years after the effective date of this Chapter 8.37, the Director by rule may adjust the associated cost factor every three years; provided, that this adjustment shall not result in reduction of the associated cost factor below 1.13. In adjusting the associated cost factor, the Director shall consider relevant and available sources of data, which may include but are not limited to: app-based worker surveys; data provided by network companies; data provided by app-based workers; data provided by customers; data from other jurisdictions; data available through academic, policy, or

community-based organizations; public testimony; and stakeholder interviews. The Director may consider the non-exhaustive list of factors that comprise the “associated cost factor” as defined in Section 8.37.020, as well as any other factor the Director determines is necessary to further the purposes of this Chapter 8.37. The Agency shall file a schedule of any adjustment(s) to the associated cost factor with the City Clerk.

2. Adjustment to the associated time factor. Beginning three years after the effective date of this Chapter 8.37, the Director by rule may adjust the associated time factor every three years; provided, that this adjustment shall not result in reduction of the associated time factor below 1.21. In adjusting the associated time factor, the Director shall consider relevant and available sources of data, which may include but are not limited to: app-based worker surveys; data provided by network companies; data provided by app-based workers; data provided by customers; data from other jurisdictions; data available through academic, policy, or community-based organizations; public testimony provided; and stakeholder interviews. The Director may consider the non-exhaustive list of factors that comprise the “associated time factor” as defined in Section 8.37.020, as well as any other factor the Director determines is necessary to further the purposes of this Chapter 8.37. The Agency shall file a schedule of any adjustment(s) to the associated time factor with the City Clerk.

3. Adjustment to the associated mileage factor. Beginning three years after the effective date of this Chapter 8.37, the Director by rule may adjust the associated mileage factor ~~((annually))~~every three years; provided, that this adjustment shall not result in reduction of the associated mileage factor below 1.10. In adjusting the associated mileage factor, the Director shall consider relevant and available sources of data, which may include but are not limited to: app-based worker surveys; data provided by network companies; data provided by app-based

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workers; data provided by customers; data from other jurisdictions; data available through academic, policy, or community-based organizations; public testimony provided; and stakeholder interviews. The Director may consider the non-exhaustive list of factors that comprise the “associated mileage factor” as defined in Section 8.37.020, as well as any other factor the Director determines is necessary to further the purposes of this Chapter 8.37. The Agency shall file a schedule of any adjustment(s) to the associated mileage factor with the City Clerk.