

December 18, 2018

MEMORANDUM

To: Governance, Equity, and Technology Committee
From: Brian Goodnight, Council Central Staff
Subject: Council Bill 119427: Exclusive Driver Representative Amendments

At its December 18 meeting, the Governance, Equity, and Technology Committee will consider [Council Bill 119427](#) relating to the regulation of the for-hire industry and revising the subjects that may be negotiated by exclusive driver representatives.

Background

In December 2015, the City Council passed [Ordinance 124968](#) relating to the regulation of the transportation for-hire industry under which for-hire drivers could determine whether or not to engage in collective negotiations over various terms with companies who contract with those drivers (e.g., Uber, Lyft, taxi companies, etc.). Among other things, the ordinance listed certain subjects to be collectively negotiated, including best practices regarding vehicle equipment standards; safe driving practices; criminal background checks; the nature and amount of payments made to, or withheld from, drivers; and hours and conditions of work.

Proposed Amendments

Council Bill 119427 would amend the current Seattle Municipal Code (SMC) in several ways. First, it amends [SMC 6.310.735.H](#) to (1) remove as a subject of bargaining the nature and amount of payments received by or withheld from drivers; and (2) prohibit the Director of Finance and Administrative Services from including the same in any rule or regulation as a subject of negotiation; and (3) to the extent interest arbitration is necessary, remove from consideration by the arbitrator a comparison of payments to similarly-situated drivers in Seattle and elsewhere. Second, the bill makes several technical corrections. And, third, the bill, through Section 2, expressly provides that any City rule or regulation that is inconsistent with the ordinance is superseded.

cc: Kirstan Arestad, Central Staff Director
Dan Eder, Central Staff Deputy Director