

Jasmine Marwaha  
Full Council  
May 28, 2024  
D3c

**Amendment A Version 1 to CB 120775 - App-based Worker Minimum Payment Revisions  
Ordinance**

**Sponsor:** Councilmember Kettle

Affirmative production of records

**Effect:** This amendment would add some additional affirmative data production requirements for network companies, by requiring network companies to report the amount of time app-based workers are eligible to receive offers, the zip codes of offers facilitated by a network company, and the production of a limited sample set of disaggregated data in order to verify data quality and/or accuracy.

This amendment also clarifies that OLS may request records related to the amount of time logged into the worker platform for on-demand network companies only.

These additions are intended to further the purpose of affirmative records collection described in subsection 8.37.070.G, to “administer, enforce, or evaluate the impact of the provisions of this Chapter 8.37 on app-based worker earnings.”

This amendment also adds that a network company shall not transmit to OLS any personally identifiable information of customers, in addition to app-based workers.

Finally, this amendment also prohibits the Director from publishing records pursuant to SMC 8.37.070.G that could be attributed to specific network companies, except as required by law.

**Note:** a double underline indicates material that this amendment would add to CB 120775; a ~~double strikethrough~~ indicates material that is in the current version of CB 120775, but this amendment would remove from CB 120775.

Amend Section 4 of CB 120775 as follows:

**8.37.070 Network company transparency**

\* \* \*

G. A network company shall affirmatively transmit to the Agency such records as required by this subsection 8.37.070.G, no more than once per quarter. The Director shall have the authority to require such aggregated records deemed necessary to administer, enforce, or

evaluate the impact of the provisions of this Chapter 8.37 on app-based worker earnings. The Director may issue rules requiring that aggregated records be produced as a distribution at defined percentiles. The Director may issue data production rules of general applicability as well as rules specific to on-demand network companies. The Director may require limited sample sets of disaggregated records to verify the quality and/or accuracy of the aggregated records, provided that the requested sample sets do not amount to more than four weeks' worth of records in a calendar year.

1. Records for production may only include those related to:

- a. The number, type, and origin and destination~~cities~~ ZIP codes of offers facilitated by a network company;
- b. Amount of engaged time and engaged miles completed by app-based workers, amount of time app-based workers are eligible to receive offers, and for on-demand network companies the amount of time app-based workers are logged into the worker platform app as compared to amount of engaged time;
- c. Net earnings of app-based workers, including but not limited to records related to app-based workers' network company payments, bonuses, incentives, tips, and deductions; and
- d. The amount and description of network company fees charged to paying customers‡.

2. A network company shall not transmit to the Agency any personally identifiable customer or app-based worker information, including name, date of birth, home address, social security number, vehicle license plate number, driver's license number, or other similar records, except when related to an enforcement action. The Director shall issue rules

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governing the submission format, security, and privacy protocols relating to the submission of network company records, to the extent permitted by law. The Director shall not, in documents made available to the public, attribute network company records produced pursuant to this subsection 8.37.070.G to specific network companies, except as required by law.