

## Amendment 7 Version 2 to CB 120294 – App-Based Worker Minimum Payment

**Sponsor:** Councilmembers Herbold and Lewis

*Adjustments to the associated mileage factor*

**Effect:** This amendment would give the OLS Director authority to adjust the associated mileage factor and provide guidance for that adjustment.

The introduced legislation would not explicitly give the OLS Director authority to adjust the associated mileage factor in the future if conditions change. This authority would be provided for both the associated cost factor and associated time factor.

This amendment assumes passage of Amendment 5, which would lower the associated mileage factor from 1.25 to 1.10. If Amendment 5 does not pass, this amendment will need to be revised to state that the associated mileage factor can be adjusted “provided, that this adjustment shall not result in reduction of the associated mileage factor below 1.25.”

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, ~~((and))~~ 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 annually; 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 annually; 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; 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

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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 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.