

April 10, 2020

Mr. Michael Feuer
City Attorney
City of Los Angeles
James K. Hahn City Hall East, Suite 800
Los Angeles, CA 90012

Re: Enforcement of Los Angeles Worker Protection Order for App-Based Rideshare and Delivery Drivers

City Attorney Feuer,

On behalf of the over 16,000 rideshare and delivery drivers in SEIU 721's Mobile Workers Alliance, we write today to urge your enforcement of Mayor Garcetti's Worker Protection Order, specifically with regard to app-based gig employers such as Uber, UberEats, Lyft, DoorDash, Postmates, and others.

As you are aware, these companies rely on a predatory business model that unfairly misclassifies employees as independent contractors in order to skirt their basic responsibilities as employers, and cheat us out of the rights and protections afforded to all workers under local, state, and federal law.

Even after the passage of Assembly Bill 5, which intends to properly classify rideshare, delivery, and other gig economy workers as employees, app-based gig companies have refused to comply with state law, even going so far as to dump \$110 million into a deceptive ballot measure aimed at overturning AB 5 in November.

It is with this in mind that we write to share our grave concerns over the health and safety of gig workers during the COVID-19 crisis. With the Safer at Home Order in place, Los Angeles residents are relying on app-based food delivery more than ever before. At the same time, rideshare drivers with Uber and Lyft are transporting essential workers to and from their jobs, including frontline healthcare workers, grocery workers, and those working for city and county governments. To say that gig workers are uniquely vulnerable to infection is an understatement.

For weeks, even in the midst of the worst public health crisis we've seen in decades, our employers have done nothing to help drivers, forcing us to supply our own personal protective equipment, cleaning supplies, and sanitizer.

In the hours since the Mayor's Worker Protection Order went into effect, gig economy employers have already signaled that they will not comply fully with the emergency order, with Uber communicating to drivers that masks are available by request, and that the company cannot guarantee masks for every driver.

Lyft, on the other hand, has set up a drive-through station where drivers can pick up a very limited amount of sanitizing materials, including one disposable mask and small bottles of disinfectant.

These half-measures on the part of the companies do not meet the guidelines outlined in the

Worker Protection Order, and show just how little these Silicon Valley giants care about the safety of their drivers, passengers, and the public at large.

We ask that you enforce the Worker Protection Order for gig economy workers in the City of Los Angeles:

1. Ensure that app-based gig employers provide cloth face coverings to all employees at no cost, as required by the order, and prosecute those companies who fail to do so to the fullest extent of the law.
2. Ensure that app-based gig employers provide access to clean, sanitary restrooms, and provide all necessary sanitizing agents, as required by the order, and prosecute those companies who fail to do so to the fullest extent of the law.

We also ask you to confirm that the City will take no legal action against gig economy workers who are unable to comply with the Worker Protection Order due to their employer's failure to provide them with the necessary protective and sanitizing equipment, as required by the order.

We are encouraged by the bold steps taken by the City of Los Angeles to combat the COVID-19 pandemic, and believe that with swift action, we can ensure that some of the city's biggest employers will do their part to help prevent the spread of disease.

Thank you,

Mike Robinson, Lyft driver, Mobile Workers Alliance
Armen Oganessian, Uber and Lyft driver, Mobile Workers Alliance
Leonardo Diaz, Lyft driver, Mobile Workers Alliance
Linda Valdivia, Uber driver, Mobile Workers Alliance

CC:

Eric Garcetti, Mayor of Los Angeles
Gilbert Cedillo, Los Angeles City Council Member, District 1
Paul Krekorian, Los Angeles City Council Member, District 2
Bob Blumenfield, Los Angeles City Council Member, District 3
David E. Ryu, Los Angeles City Council Member, District 4
Paul Koretz, Los Angeles City Council Member, District 5
Nury Martinez, Los Angeles City Council Member, District 6
Monica Rodriguez, Los Angeles City Council Member, District 7
Marqueece Harris-Dawson, Los Angeles City Council Member, District 8
Curren D. Price, Jr., Los Angeles City Council Member, District 9
Herb J. Wesson, Jr., Los Angeles City Council Member, District 10
Mike Bonin, Los Angeles City Council Member, District 11
John Lee, Los Angeles City Council Member, District 12
Mitch O'Farrell, Los Angeles City Council Member, District 13
Jose Huizar, Los Angeles City Council Member, District 14
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