

A. Introduction

The Drivers Union serves thousands of workers - primarily immigrants and refugees - who earn a living driving for Uber, Lyft, and similar companies, known as Transportation Network Companies, or TNCs. The disconnected nature of gig work means that TNC drivers are forced to operate, in effect, as small business owners, setting schedules, managing permits and insurance, and maintaining their vehicles. The Drivers Union helps TNC drivers by providing culturally competent and language-appropriate representation services, outreach, and education. As an independent nonprofit, the Drivers Union's purpose is to eliminate systemic barriers to economic opportunity so that TNC drivers and all gig workers can thrive.

Together with our collaborative partner, Teamsters Local 117, we have been providing education, outreach, training, support, and legal representation to drivers facing deactivation or other challenges and ensuring that the first-in-the-nation protections established by the City of Seattle are realized.

This report summarizes our first six months of work, which have been full of successes, challenges, and responsive innovations.

B. Comprehensive service strategies implemented during the calendar year, including service innovations developed as a result of the work carried out under this contract.

The insecurity of gig work creates profound anxiety for TNC drivers. Drivers are essential workers with dangerous jobs. They spend long hours on roads and highways; if they get into an accident on the job, they are forced to navigate confusing bureaucracies with no outside support, often including multiple insurance companies trying to avoid liability. Not only are TNC drivers not eligible for state workers' compensation, but they bear their own expenses for the cost, maintenance, and repair of their vehicles.

A major repair puts drivers temporarily out of work; this insecurity can have severe implications for those who experience precarious incomes and their families. According to Parrott and Reich, half of all drivers' household incomes are below 200% of the federal poverty line. Even drivers with perfectly functioning vehicles and no accidents can be terminated at any time by the TNC apps with little recourse and a car payment they likely can no longer afford. These uncertain working conditions are difficult for anyone, more so for people who speak limited English, may come from a different cultural background or lack experience navigating the overlapping bureaucracies that can become involved. These conditions favor the large institutions - TNC companies, insurance companies, and public permitting agencies - that drivers are forced to navigate over drivers themselves.

The Driver Resolution Center, established by Seattle's TNC ordinances, has begun to address this challenge. Deactivation protections, paid sick and safe time, and minimum compensation protections are major steps toward security for TNC drivers. But rights alone have little impact without a support system that enables drivers to realize these rights. The Drivers Union, a one-stop resource center where drivers see themselves reflected and feel welcomed, has begun to fulfill this role. This support includes culturally and language-specific services, outreach and education, direct representation, consultation, training, and worker rights advocacy.

Our approach to service provision is designed to meet the challenges of a diverse and precarious workforce. Multilingual staff work with drivers in 14 languages that are common in the driver community and have access to additional resources – including round-the-clock interpretation in 240 languages via LanguageLine. As drivers themselves, staff and leadership team members have experienced most of the challenges other drivers face. Minimizing cultural and linguistic barriers is at the core of our methodological approach. This has helped make Drivers Union staff and leaders the most trusted resource for Seattle drivers seeking to understand and enforce their rights.

Reaching a diverse workforce has required a multimodal approach. We have utilized social media - primarily WhatsApp, Facebook, and Telegram - to share information with drivers about their rights. Communications through these tools reach thousands of drivers in the languages that are used in those online spaces. With drivers on their phones for work, text messaging is a highly effective outreach tool. Mass emails have been useful for sharing complex information. All of these electronic communication messages link to our intake services via our office phone number and our website, which includes intake forms, guides, and contact information.

Beyond these tools, meeting drivers one-on-one wherever they feel most comfortable is our first priority. We have conducted in-person outreach, with proper PPE and social distancing, at dedicated airport lots, gas stations, waiting areas, places of worship such as mosques and churches, and other driver-friendly locations around the city.

As our contact lists have grown, we have been conducting more outreach on the phone. Drivers Union staff have proactively called hundreds of drivers every week to educate them about their rights and provide needed support. Video conferencing tools such as Zoom and Facebook Messenger have enabled remote one-on-one consultation on complex technical issues, such as unemployment insurance applications and access to PSST and other rights. Increasingly, word-of-mouth leads many drivers to reach out to us for assistance. We strive to remain flexible so drivers can receive linguistically and culturally appropriate support in the most accessible manner.

Many issues are ultimately resolved with assistance from our legal staff. Drivers Union's legal department includes two full-time attorneys, two part-time attorneys, and two paralegals. These staff, along with driver representatives, provide direct representation to drivers who seek to challenge unwarranted deactivations. Like the rest of our team, the legal department is supported by a multilingual staff as well as paid translation and simultaneous interpretation services.

C. Challenges/lessons learned, barriers, and revised comprehensive service strategies.

Challenges, barriers, and strategies for supporting drivers have evolved during the reporting period, largely due to external factors that impact drivers' ability to earn a living. This section will focus on deactivation rights; the following section on driver impacts will include a range of other services and supports.

Deactivation Rights: Drivers Union anticipated a high volume of requests for support in Q3 of 2021, just after the Deactivation Rights Ordinance (DRO) came into effect, because of the long backlog of deactivated drivers prior to July 1. While this was certainly true in Q3, Q4 saw a continued high volume

of TNC drivers seeking representation and support regarding their deactivation rights. As expected, in the beginning the most common cause of unwarranted deactivation was related to background checks. (A common example is a no-fault accident that nonetheless shows up on a motor vehicle record, resulting in an unfair termination.)

Other causes of unwarranted deactivation were harder to anticipate and were directly related to the pandemic. One unexpected cause of a large number of deactivations has been documentation issues. Many drivers who suspended their work during the pandemic (for safety reasons or for lack of work) were deactivated once they tried to start working again – often after the expiration of their unemployment insurance benefit. These deactivations were caused by bureaucratic and technical challenges in the County for-hire permitting process, within TNCs’ automated systems, and other issues for which drivers needed support.

Through intensive investigations, one-on-one support, and advocacy, Drivers Union representatives worked with drivers and agencies to identify barriers to app access. Through education and hands-on technical support, we helped many drivers resolve issues. We also realized that for four months, King County’s for-hire permitting process was effectively on hold due to pandemic linked delays and shortages. We helped secure a temporary moratorium on permit enforcement at the airport, and advocated for reforms in the permitting system to enable drivers to get back to work. This challenge demonstrates the need for the DRO and a driver resource center that can not only support individual drivers but also investigate trends, compile evidence, and raise issues to TNCs and public agencies for systemic resolution.

Despite the clear language in the ordinance, another unexpected challenge relates to decreasing information being provided by TNCs to drivers or the Drivers Union representative about the causes for deactivation. Often the reason cited is merely “violation of community guidelines” without specific dates or details about incidents or issues. We have had to push harder to get additional information from TNC companies than we anticipated, which has added time and work to the representation process. This challenge has been made more acute as customer complaints have increased as a proportion of deactivation concerns. The increase in customer complaints corresponds with a national pandemic-related trend of tense interactions between essential workers and customers. Essential workers, who should not bear the brunt of enforcing public health guidelines, have often been faced with a choice between safety protocols and a potential customer complaint. The result of these related challenges has been more time required on individual cases and a greater length of time between intake and resolution.

Table 1: Deactivation Issues Summary 2021

Represented Drivers (2021)	479
Deactivation Issue	
Background Check	27.4%
Customer Complaint	27.4%
Documentation issue	18.2%

Duplicate Account	0.2%
Fraudulent Activity allegation	0.6%
Other	9.0%
Safety violation allegation	0.4%
Sexual assault allegation	0.2%
Star rating	5.6%
Violated Terms of Service/Community Guidelines	11.1%
Total	100.0%
Alleged Egregious Misconduct	
Allegation of egregious misconduct of a sexual or violent nature	3.2%
Allegation of other egregious misconduct	11.1%
No egregious misconduct alleged	85.9%

D. Summary of how services improved outcomes for drivers.

This annual report covers the first six months of the Driver Resolution Center’s existence. In just half a year, the Drivers Union has had 6,935 individual contacts with drivers to provide education about their rights and services and resources available to them. We conducted 143 outreach events to connect drivers to vaccines, PPE, permitting assistance, benefits, and trainings. We conducted 968 “Know Your Rights” trainings for drivers, most of which happened one-on-one between a driver representative and a driver in their language. In total, 2,962 drivers have accessed the Driver Resource Center for services, and of those, 560 unwarranted deactivations were identified.

Finally, in just six months of 2021, **140 driver accounts were reactivated** with Drivers Union representation and support, restoring income and financial stability to workers and their families. Drivers Union was also able to provide thousands of drivers with additional critical work and economic support, outlined below.

Unemployment Insurance: Language and technology barriers have limited access for many immigrants and workers of color to unemployment insurance; this is particularly true for TNC drivers who were often misinformed about their eligibility. Nonetheless, Drivers Union assisted more than 5,000 drivers with their unemployment insurance applications during the pandemic, and many of those drivers have needed ongoing support. For example, work search requirements – suspended during the beginning of the pandemic, came into effect in July of 2021, and many drivers began to see their benefits expire during this period. Drivers Union educated thousands of drivers about the new requirements and the expiration of unemployment benefits. More intensive support has included helping drivers resolve overpayment issues. Language and communication barriers contributed to many allegations of overpayments, and Drivers Union staff have devoted extended work periods with individual drivers to resolve these issues.

Paid Sick and Safe Time: Drivers Union has provided easy-to-read Know Your Rights information to thousands of drivers and trained drivers on how to apply through the different TNC apps. We have also identified barriers to access and worked with drivers to elevate compliance issues to the Office of Labor Standards in cases of suspected rights violations. This policy has allowed many drivers to take time off work to care for themselves and their loved ones and to safely isolate in the case of Covid exposure without putting their livelihoods at risk.

[TNC] Minimum Compensation Ordinance: Since the passage of Seattle’s groundbreaking [TNC] minimum compensation law, we have provided clear technical information to inform and correct misinformation about its details and implementation. We have provided our own analysis and education materials and shared the City’s online pay calculator with thousands of drivers via social media, text, email, and phone. Since the law went into effect, we have consulted with dozens of drivers who have had questions about their pay. This consultation has included helping drivers audit their pay records to determine if they were paid correctly under the law, and, when appropriate, training and supporting drivers on how to file complaints with OLS.

For-Hire Licensing: Training and education programs are designed to respond to drivers’ greatest needs; recently this has included securing for-hire licenses. King County moved its license renewal program online after the Governor’s declaration of emergency orders. This created challenges for for-hire license renewal, particularly due to language and technology barriers. Through a broad training effort we are helping drivers navigate the new process. We have also worked in partnership with King County Records and Licensing Services (RALS) to improve systems and help drivers get through the process.

We have provided information to thousands of drivers about changes in the for-hire licensing and renewal process. We have worked with King County RALS to identify and resolve specific problems for over 100 drivers whose license renewal issues were preventing them from working. We have also identified system changes at the Department that will remove barriers to access for workers with limited English proficiency and limited computer fluency or access.

Safe Driving During the Pandemic: During the pandemic, our efforts to support drivers have emphasized driver safety. Drivers Union distributed over 20,000 masks, along with hand sanitizer and disinfectant supplies, to working drivers in places where drivers congregate. We also followed up on our successful vaccine clinics by providing ongoing information about vaccination opportunities.

Insurance Dispute Resolution: Drivers face a range of challenges related to insurance, from disputes over responsibility between carriers to long delays in resolution that impact drivers’ ability to work. We have provided language interpretation and translation support to help drivers engage with insurance agents, direct representation or referrals for legal action, and engagement with the Washington State Office of the Insurance Commissioner’s formal complaint process. Through these means, our representatives and legal team have helped dozens of drivers resolve insurance issues.

Other issues: Lastly, Drivers Union is a place where drivers come together across diverse language, cultural, and employment backgrounds to share ideas. Education happens in general meetings and leadership committee meetings, via online fora, in one-on-one conversations, and during meetings in parking lots and community locations. Drivers share best practices on how to de-escalate tense situations, handle challenging customers, engage with customers across race and language barriers, and optimize working time to earn a living wage. Regular Drivers Union meetings include discussions about

the safety and security of the TNC job, maintaining high ratings, safe driving, changes in law or policy that may impact their work, and other emerging issues.

E. How the Consultant incorporated race equity and language access into client service and outreach work and how the Consultant addressed any racial disparities in delivery of services.

As this report's demographics section demonstrates, the vast majority of drivers are people of color, primarily immigrants and refugees. The Drivers Union's service and outreach work is designed to reach this diverse demographic. In terms of client service and outreach work, 9 out of 10 drivers served by Drivers Union in 2021 were people of color, and seven out of 10 are Black or African American. Most of those served are immigrants – our direct representation efforts have included drivers from 53 countries of origin and 41 primary languages spoken. This diversity includes drivers from all over the region, as drivers served by the Drivers Union in 2021 reside in 77 different zip codes.

Meeting our racial equity goals and the language access needs of the driver community requires our staff and Board to reflect the driver community. Most of our staff and Board are drivers or former drivers themselves. We have the internal capacity to speak with drivers in the following languages: English; Spanish; Somali; Punjabi; Hindi; Arabic; Amharic; Oromo; Kiswahili; Nuer; Twi; Hausa; and Tchamba. We also support drivers from other language communities, such as Mandarin, through our interpretation line.

We believe that supporting such a diverse community of drivers will require a culture of constant improvement. We consistently iterate our outreach materials to improve the translations of our know-your-rights other communications materials to enable effective outreach to diverse driver groups. We host trainings in-language whenever possible, including hosting multiple trainings on the same topic but in different languages. In 2022, our goals include expanding the reach of translated know-your-rights information and materials through community outreach, in-language communications and advertising, and recruitment of driver leaders and staff from new language communities.

We are also attuned to the racial inequities inherent in the work experience of drivers, and work to combat them. Deactivation issues exemplify layers of institutional racism that negatively impacts the driver community. Most TNC trips in Seattle are given by drivers who are immigrants or people of color, yet most passengers are White. Individual passenger complaints that may result from implicit or explicit bias aggregate within corporate institutions and algorithms, which leads to the systematic discipline and termination of workers of color. These workers then have little institutional support – whether through private, public, or legal systems - to challenge deactivation decisions. The impact of this job precarity is the destabilization of families and communities of color.

We are committed to eliminating institutional racism for low-wage drivers wherever it exists and to supporting the elimination of institutional racism within the TNC industry and beyond. We document driver experiences, conduct research and investigations, and do the necessary education and advocacy work to illuminate systemic inequities and identify system-wide solutions. This work has already led to systems changes and access improvements within state agencies.

F. Summary of community partnerships or collaborations and how those partnerships improve outcomes for drivers and/or service delivery.

Several partners and collaborators have been instrumental in improving outcomes for drivers. Teamsters Local 117 is our collaborative partner; they have [provided] invaluable legal assistance including both paralegal and attorney support, administrative support, hands-on communications and outreach expertise, and other assistance to help Drivers Union represent drivers in deactivation proceedings. We have worked on service provision efforts in partnership with Serve Ethiopians Washington (to educate drivers about rental assistance options) and the Somali Health Board (to help drivers access Covid-19 vaccinations and related health information and services). Dozens of community and faith-based organizations have generously shared information about Drivers Union services with their clients, such as El Centro de la Raza, the Seattle Indian Health Board, Oromo Cultural Center, Mother Africa, Coalition of Immigrants, Refugees, and Communities of Color, and many others.

Lastly, our work with minority community media outlets has helped us provide information and education to specific immigrant communities. Runta News, Salaxley TV, Maleda Media, Washington African Media Association, and Somali National Media have all recently covered technical issues such as know-your-rights for TNC drivers, unemployment access, pandemic safety issues, and vaccination clinics for TNC drivers, and helped Drivers Union provide information to driver communities.

G. Representative cases for which services were provided during the reporting period.

Representative Case #1: A driver and her husband – both are immigrant drivers from Gambia in West Africa – purchased a brand new 2022 car for \$50,000. The family planned to take shifts, each driving full-time for a TNC to support their family. They went through the process of uploading all of their documentation – registration, insurance, vehicle inspection – to the TNC app.

Then, they were shocked to receive a devastating email from the TNC – “your account has been deactivated for fraudulent documents.” They didn’t know why they were being accused of fraud, but they scoured all of the documents they had compiled. They discovered that the vehicle safety inspection mechanic – approved by the City of Seattle and the TNC – had made a small error on their inspection form, listing the vehicle year as 2021 instead of 2022. They went back to the mechanic, who apologized for the mistake and issued a new inspection report. They uploaded the new inspection report to the TNC app, and explained the situation using the TNC’s internal appeal process.

The result of the internal TNC appeal came back: “After careful review of your account, we maintain our position. Fraudulent behavior is not tolerated. We have rejected your account. Our decision is final.” The news was catastrophic for the family – \$50,000 in debt and having lost their sole source of income through no fault of their own.

Thankfully, her husband had heard about Drivers Union through the Seattle area Gambian community, where Drivers Union outreach staff had developed relationships and partnerships. He contacted us on Facebook and quickly received a response from a Drivers Union Field Representative. The Drivers Union Field Representative worked with him to document the issue, working together to develop a plan of action.

With evidence in hand, Drivers Union representation staff escalated the issue to the TNC for informal resolution. Based on the information provided by Drivers Union through the informal process, the TNC reversed their decision and reactivated his account with an apology.

Representative Case #2: This driver is an Aghani father and Farsi speaker who migrated from Afghanistan to the United States to escape the tragedies of war. In 2015, he started driving for both TNCs to support his family both here in the US and back home in Afghanistan. When the economic shutdown happened due to the pandemic, he started to experience food insecurity. As the driver said, “when I came to the US, I thought the days of food insecurity and hunger were behind us. I never thought I would be rationing food in the U.S.”

As the pandemic eased and life started to gradually reopen, he started driving again. But just as he was becoming stable, his account was deactivated without any notice or explanation. He reached out to the TNC repeatedly, without any response or clear answer. He was in complete darkness again.

Finally, someone at the TNC suggested that the driver go to the Drivers Union to seek help there. He came to Drivers Union’s office and was assigned to one of our representatives to investigate the case. As Drivers Union attorneys began to investigate, they realized that the decision to deactivate was made based on a specific driving-related incident flagged in the TNC’s system from a specific mid-week date. The driver knew that it was impossible that he had been involved in an incident that day, as he had only been driving on weekends. With help from a Drivers Union representative, he was able to produce evidence documenting that fact. Drivers Union attorneys challenged the deactivation successfully, and the driver is now back to work.

Representative Case #3: This driver is an immigrant from Somalia, who moved to Seattle in 2017 from Kansas City seeking flexible work compatible with the demands of raising children. He rented a car to drive as a TNC driver, but when the pandemic hit, he could no longer pay for the rental car and insurance. As his family struggled with Covid-19 illnesses, he felt both the psychological and economic impact of the pandemic.

As pandemic restrictions eased, the driver purchased a new car and was relieved to resume work. But soon after he started, the driver’s account was deactivated. He called the TNC customer service number but had the same disappointing experience as many other drivers, especially those who face language barriers. After countless attempts to get help from the company over the course of five months, the driver was eventually informed that his account was deactivated because of customer complaints, with no more specific reason or incident provided.

The driver found out about Drivers Union from a friend who had recently met a Drivers Union staff person at an outreach event. He came to the office, filled out an online form and asked for assistance. Soon after, Drivers’ Union outreach staff and attorneys requested information from the TNC and discovered that the driver’s account deactivation was, in fact, due to a documentation issue. Drivers Union representatives submitted this information and helped the driver get his job back. His economic condition has improved, and now he is active in his community educating other drivers on their rights under the law.