

Former Uber driver wins payout of £20,000 owed for more than seven years

Publication Date: 2023-07-12

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Section: Technology

Tags: Uber, Gig economy, news

Article URL: <https://www.theguardian.com/technology/2023/jul/12/former-uber-driver-wins-payout-of-20000-owed-for-more-than-seven-years>



A former Uber driver has won a payout of more than £20,000 owed to him for more than seven years after a tribunal ruled the gig economy firm failed to respect minimum wage and holiday entitlement laws. James Farrar, who brought the landmark supreme court case that forced Uber to recognise drivers as having more extensive employment rights than it would previously admit, is one of more than 70,000 drivers with whom the firm has recently agreed settlements. While Uber has not said how much it has had to pay out so far, it set aside about £465m. "It is a moral victory, but a small and personal one," Farrar said after the judgment at London Central employment tribunal. "There are no morals in the market and Uber is a beast of the market." He pursued Uber for money he was owed for paid holiday time, and to top his earnings up to at least the minimum wage once waiting time was factored in – in line with the supreme court's 2021 ruling. After negotiations with Uber's lawyers, the firm eventually agreed to pay £22,960.85, and the employment judge AM Snelson agreed to enter a judgment in Farrar's favour. Asked about the case, Uber acknowledged it was only one of tens of thousands it has settled recently, with many tied up with gagging clauses. The same does not apply to Farrar's case, after he refused any settlement that included a non-disclosure agreement. It is the second legal victory he has won over Uber in the UK. In February 2021, the supreme court dismissed Uber's appeal against a landmark employment tribunal ruling that its drivers should be classed as workers with access to the minimum wage and paid holidays. That decision paved the way for compensation payouts and, potentially, enhanced terms for drivers. Crucially, so campaigners thought, the ruling said drivers' working time should be calculated from the moment they logged on to Uber's app, until the moment they logged off. Many drivers have been able to secure payouts on that basis. But Uber has latterly defined the start time as when a driver accepts a job. It said this was because it had changed its terms in 2018 to allow drivers to use other platforms as well as its own. Therefore, it said, it should not be liable for any period of time after 2018 when a driver was free to accept work on a competitor's app if they chose to. Farrar said he brought the latest case because, "while the supreme court ruling confirmed we were workers entitled to protection, we still lacked a judgment to finally determine Uber had broken the law in our individual cases and an order for them to pay back the wages we had been denied". He added: "Over the years, Uber has privately settled with thousands of drivers to prevent these judgments being entered on the public record. Many drivers settled with Uber during the pandemic in 2020 when incomes had dried up and many desperately needed the money." An Uber spokesperson said: "This resolved claim relates to one driver's experience over seven years ago and has no bearing on Uber's current operations in the UK. "From 2021, all UK drivers have been guaranteed to earn at least the national living wage, although most can and do

earn more, as well as receiving holiday pay and a pension plan. Uber will continue to engage closely with GMB union in their role of representing drivers on the app today.” Recent financial filings showed the firm had set aside \$600m (£465m) to settle similar cases.