

Drivers brake on supporting Proposition 22

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Body

Alan Franklin, who's been an Uber driver for five years, is concerned with the impending fate of Proposition 22. He said it wouldn't allow him to continue this work and make a livable income for the Bay Area.

"I find it very disingenuous of these companies to be looking out only for their shareholders, when we know that we drivers are the driving force behind those industries. Computer apps don't pick people up and get them from point A to point B - drivers do," Franklin said.

Proposition 22 is one of California's 12 statewide ballot measures that voters will have the opportunity to weigh in on this Election Day. The measure would exempt app-based transportation companies from Assembly Bill 5, which made these companies reclassify their independent contractors as employees last fall. Proposition 22 seeks to change the classification of app-based workers to independent contractors from employees.

A sign displayed at a San Francisco demonstration in opposition of Proposition 22 states 'Stop exploitation of gigworkers. Vote no on Prop 22.' (Sean Reyes / Golden Gate Xpress) (Sean Reyes)

For drivers like Franklin, Proposition 22 would disqualify workers from receiving certain employment protections under the law, such as guaranteed minimum wages or health care benefits. Edelman Intelligence surveyed that 20% of drivers, including Franklin, are urging voters to say "no" to Proposition 22. Rideshare apps like Uber, Lyft and Postmates have publicly announced and put in over \$200 million into the "yes" campaign.

"There's no benefit, as far as I'm concerned. Because nothing really has to change," Michael Gumora said. Gumora is the owner of Rideshare Report, a site designed to offer resources for drivers regarding the upcoming proposition, which has now generated over \$2 million since its launch in 2017. He said having Mothers Against Drunk Driving endorse the yes side indicates that elements of riders getting picked up will change but it won't.

"The only thing that's changing is the language and Uber is manipulating the language. They're misinforming everyone," he said.

A big factor that rideshare companies are pushing is the idea of flexibility, when according to Ramos who explains that the reality is, bills like AB5 do not determine the logistics of how companies run, but rather sets rules in place that companies must adhere to.

Proponents of Proposition 22 argue that if passed, it would allow drivers flexibility by allowing drivers to pick routes and shorter hours. Carlos Ramos, a Bay Area Lyft driver for nearly four years, said nothing will change except rules will be enforced.

"When you hear people say, 'Oh, I'm pro-22 because of the flexibility,' it's almost a complete lie. I mean like, there's nothing in AB5 or Prop 22 for that matter that dictates how businesses run; They just gave you rules on things you have to follow," Ramos said.

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Ramos is a member of Gig Workers Rising, a campaign group designed to support and educate app based workers. The group argues that Proposition 22 won't ever have to pay for overtime, work expenses or even meet the state's minimum wage.

Charles Minister protests against Proposition 22 at a demonstration. (Sean Reyes / Golden Gate Xpress)

For drivers like April Stephens, she is casting her vote to the yes side because Proposition 22 is a way for drivers to pick their own delivery routes when driving through Doordash. Stephens said this would allow her to know the revenue she will make before accepting a gig, but once the new proposition takes effect that will no longer be the case.

Stephens said she needs the flexibility of being an app-based driver due to her disabilities that restrict her from other work.

"I have scoliosis. I have a 56 degree curvature in the spine, and so it's hard for me to work a regular job. It's hard just getting hired for a regular job, so the flexibility of Doordash is really important to me because I can log on and start working anytime I want," Stephens said.

A UC Berkeley study found that in taking waiting times, unreimbursed expenses, and underpayment all into account, drivers would average as little as \$5.64 an hour.

"That might be a good job for the neighbor kid mowing the lawn, but it's not a good job for someone trying to maintain rent - which is very high in the Bay Area - mainly feeding their family," Franklin said.

Franklin said that rideshare companies like to come across as if a livable wage is achievable solely through part-time hours, when that is not the case for him or other drivers.

"Flexibility pretends to be an idea that we drivers kind of just do this where you tend to my son's homework then I'll just go out and drive for 30 minutes or an hour before I cook dinner. And that's really not the truth. Most drivers are full time. We have to work 40 to 60 hours a week just to bring home a livable wage."

Gumora, Ramos and Franklin have felt undervalued by app-based work as a result of the lack of protection over them, even when they may not be at fault. Gumora said that if a driver were to get into an accident that was not their fault today, the rider would be allowed to sue him or her.

"Performing a service for a billion dollar corporation should not be that way, and so there's a great deal of liability," Gumora said.

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