



SB 747 - Transportation Network Companies - Deactivation of Operators - Policy and Appeal Procedure

Favorable
Senate Finance Committee
March 5th, 2025

ATU Local 689 represents over 15,000 transit workers and retirees throughout the Washington DC Metro Area performing many skilled transportation crafts for the Washington Metropolitan Area Transit Authority (WMATA), MetroAccess, MTA Commuter Bus, DASH, and DC Streetcar among others. Our union helped turn low-wage, exploitative transit jobs into transit careers. We became an engine for the middle-class of this region.

Over the last two decades, tech companies have been able to undermine many of the commonsense protections that workers enjoyed under federal or state law. This is because these companies have rebranded from being considered employers to being “platforms.” Transportation Network Companies (TNCs) might argue that deactivation is more akin to moderating content on a social network, but the reality is that deactivation is a form of being fired by the app. In the same way that federal and state law sets some reasonable guardrails around firing workers, these app drivers need protections as well.

Deactivation is not just being removed from an app. It is a loss of livelihood for some workers that have no other options. Many of the worst employer practices from TNCs have been ignored because there is a carefully crafted public perception that rideshare driving is primarily a “side hustle.” This leads people to believe that if someone were removed from the app they could still rely on their primary source of income. A recent survey found that deactivated drivers with Uber worked an average of 44.5 hours per week. At Lyft it was 37.5 hours per week. 18% of deactivated drivers lost their car from the loss of income. Another 12% lost their houses from the loss of income from deactivation. Importantly, these workers will also not be able to draw from unemployment insurance.

Part of the issue is that deactivation can be driven by algorithms. Per Uber’s website, “A driver or delivery person can lose access to part or all of the Uber platform for ratings that are below the minimum average rating in their city.” But to be clear, customers can rate workers poorly for discriminatory reasons. Customers can submit claims against workers just to get a free ride. Someone’s ability to earn a livelihood and feed their family should not be taken away without a clear process, with protections from discrimination, and the right to hear evidence against them.

We are not asking for bad, dangerous, or reckless drivers to stay on the platform. SB 747 only requires that TNCs have fair, clearly outlined, and accountable processes for deactivation.