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EXEMPTS APP-BASED TRANSPORTATION AND DELIVERY COMPANIES FROM PROVIDING EMPLOYEE BENEFITS TO CERTAIN DRIVERS. INITIATIVE STATUTE

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★ ARGUMENT IN FAVOR OF PROPOSITION 22 ★

PROBLEM: DRASTIC NEW LEGISLATION THREATENS TO MAKE IT ILLEGAL FOR APP-BASED DRIVERS TO WORK AS INDEPENDENT CONTRACTORS

Sacramento politicians recently passed legislation that threatens to eliminate the ability of Californians to choose work as independent contractors providing app-based rideshare, food and grocery delivery services.

By a 4:1 margin, independent surveys show app-based drivers overwhelmingly prefer to work as independent contractors, not employees. These drivers have other jobs, family obligations or health issues and need flexibility to continue this work and supplemental income to support their families.

PROHIBITING INDEPENDENT CONTRACT WORK FOR APP-BASED DRIVERS WOULD ELIMINATE HUNDREDS OF THOUSANDS OF JOBS

“Eliminating drivers’ ability to work as independent contractors will end the flexibility the vast majority of drivers need, severely damaging the proven on-demand model that quickly matches customers with drivers. The result will be much longer wait times, significantly higher consumer prices, and the permanent shutdown of services in many areas—eliminating hundreds of thousands of jobs.”—William Hamm, former nonpartisan State Legislative Analyst

SOLUTION: YES ON PROP. 22 PROTECTS THE ABILITY OF DRIVERS TO WORK AS INDEPENDENT CONTRACTORS & PROVIDES NEW BENEFITS

YES ON 22:

1. PROTECTS the choice of app-based drivers to work as independent contractors—SAVING CALIFORNIA JOBS when millions are struggling financially.
2. IMPROVES app-based work by requiring companies to provide new benefits, including: guaranteed minimum earnings • funding for health benefits • medical and disability coverage for on-the-job injuries • additional protections against harassment and discrimination.
3. CREATES EXPANDED PUBLIC SAFETY PROTECTIONS, including: requiring ongoing background checks and safety courses • zero tolerance for drug and alcohol offenses • criminal penalty for impersonating a driver.

YES ON 22: BY A 4:1 MARGIN APP-BASED DRIVERS WANT TO BE INDEPENDENT

More than 80% of drivers work less than 20 hours a week, have other jobs or responsibilities and can’t work set shifts as employees: • Parents who work while kids are in school; • Family members who work odd hours so they can care for aging parents or other loved ones; • Working families, retirees and students who need supplemental income.

“I’m a disabled veteran and am going back to school to prepare for a new career. I strongly support Prop. 22 because it protects the flexibility I need to work around my medical appointments and my education.”—Matthew Emerson, Navy Veteran & Food Delivery Driver

“I’m a mother of five with a full-time job. I need flexible, independent work a few hours a week to supplement my income. Otherwise my family wouldn’t survive financially.”—Brenda Vela, Mother & Rideshare Driver

YES ON PROP. 22 KEEPS RIDESHARE & FOOD DELIVERY SERVICES AVAILABLE, AFFORDABLE & SAFE

Prop. 22 preserves delivery services that millions now rely on to bring groceries, medications and warm meals to homes, and rideshare that improves mobility and keeps drunk drivers off our roads.

YES ON 22: SUPPORTED BY DRIVERS, SMALL BUSINESSES, SOCIAL JUSTICE ADVOCATES, PUBLIC SAFETY LEADERS & OTHERS

Supported by an overwhelming majority of app-based drivers • California Small Business Association • California State NAACP • California Peace Officers’ Association • National Hispanic Council on Aging • California Senior Advocates League • 100+ other organizations.

www.VoteYesProp22.com

BETTY JO TOCCOLI, President
California Small Business Association

JIM PYATT, President
Independent Drivers Alliance of California

MINNIE HADLEY-HEMPSTEAD, President
NAACP Los Angeles

★ REBUTTAL TO ARGUMENT IN FAVOR OF PROPOSITION 22 ★

My name is Jerome Gage. I’ve been a Lyft driver for five years. I like the flexibility. Before COVID-19, I drove 40 hours a week. I drive less now but understand why.

What I don’t understand is why Uber and Lyft refuse to treat me as an employee since that’s California law.

Right now, they don’t pay minimum wage or overtime. They don’t give us paid sick time. They shift the cost of doing business onto us. That’s wrong.

Vote NO on 22.

They also don’t think I deserve healthcare or protections of an “essential” employee. When COVID-19 hit, they wouldn’t even cover my unemployment benefits.

But they paid \$5,000,000 to put 22 on the ballot. And they say they’ll spend another ONE HUNDRED MILLION to pass it.

Drivers like me would’ve used that money for PPE or more sanitation stations to protect us and keep our customers safe. If we got sick, we’d even have healthcare.

Uber and Lyft claim I want to be “independent.” What I really want is to be safe and paid a living wage. That would give me independence.

Recent studies show 70% of Uber and Lyft drivers work 30 or more hours a week—just like me—and our wages would be WORSE under Prop. 22. How’s that fair?

Billion-dollar companies shouldn’t get to pick and choose the laws they follow or write their own, like Prop. 22.

Please join me and driver groups representing over 50,000 drivers: VOTE NO on Prop. 22.

JEROME GAGE, Lyft Driver

★ ARGUMENT AGAINST PROPOSITION 22 ★

Uber, Lyft, and DoorDash paid to put Proposition 22 on the November ballot. They hired lawyers to write this misleading initiative and paid political operatives millions to collect the voter signatures needed.

Why?

To create a special exemption for themselves that will legally deny their driver's basic rights and protections at work like paid sick leave; workers' compensation, or unemployment benefits.

Prop. 22 ONLY applies to Uber, Lyft, DoorDash, and other app-based delivery and transportation companies. Their goal is PROFIT. Only THESE companies would profit from this special exemption.

Current law requires Uber, Lyft, and DoorDash to provide their drivers with a minimum wage, healthcare, paid sick leave, unemployment, and workers' compensation coverage, just like every other California business.

The Attorney General recently sued them for breaking the law and for relentlessly avoiding responsibility to their drivers for years. With your vote, you can help make them stop! Vote NO on Prop. 22.

Why vote NO on Proposition 22?

- Prop. 22 creates a special exemption that eliminates basic workplace benefits and replaces them with a new LOWER "earnings guarantee" and "healthcare subsidy" payments designed to save the companies money.
- Prop. 22 contains deceptive wording to cynically try to convince us they are strengthening driver protections. The truth is, Uber and Lyft are ALREADY required to perform background checks, and the new provisions would ELIMINATE required sexual harassment training and the obligations on Uber and Lyft to investigate customers' and drivers' sexual harassment claims.
- The bottom line: Prop. 22 is all about money. It's not about helping the drivers you meet if you use these apps.

The outbreak of COVID-19 further exposed these companies' refusal to treat their drivers fairly.

The New York Times editorial board recently wrote that these companies "have failed to enforce consistent safety measures during the pandemic, including providing sufficient numbers of masks or guidance on social distancing, while pushing workers to fulfill an ever greater number of orders to keep up with the rising demand for food deliveries."

These drivers, 78% of whom are people of color, are ESSENTIAL. They've helped California through the pandemic, and they deserve better.

We believe app drivers, many Latino, Black, or from other communities of color, SHOULD have sick leave, healthcare, unemployment benefits, AND flexibility in their scheduling. So don't let Uber, Lyft, and DoorDash confuse the issue. They claim this is about "flexibility" for "part-time" drivers. However, current law in no way limits driver flexibility.

In fact, a University of California study found that a majority of drivers are not part-time, and over 70 percent of drivers for Uber and Lyft work 30 or more hours per week.

Don't take our word. Read for yourself at transform.ucsc.edu/on-demand-and-on-the-edge.

Prop. 22 was written by Uber, Lyft, and DoorDash for Uber, Lyft, and DoorDash, NOT their drivers. That's why tens of thousands of drivers have joined us to urge a NO vote.

Don't let Uber, Lyft, and DoorDash write their own special law. Vote No on Proposition 22.

NOonCAProp22.com

ALVARO BOLAINIZ, Uber Driver

NOURBESE FLINT, Executive Director
Black Women for Wellness Action Project

ART PULASKI, Executive Secretary-Treasurer
California Labor Federation

★ REBUTTAL TO ARGUMENT AGAINST PROPOSITION 22 ★

APP-BASED DRIVERS OVERWHELMINGLY SUPPORT PROPOSITION 22

By a 4:1 margin, surveys show app-based drivers want to work as independent contractors. Eighty percent work under 20 hours per week, and a majority work under 10 hours per week. Parents who need flexible work around kids' schedules, people in need of extra income, families caring for sick or aging loved ones, and students earning around classes.

But the politicians and special interests behind the opposition to Prop. 22 cynically claim they know what's best for drivers. They passed state legislation that threatens to *make it illegal* for drivers to work as independent contractors.

That's why drivers support Prop. 22—to protect their flexible earning opportunities and *save hundreds of thousands of jobs*.

PROP. 22 SAVES APP-BASED JOBS & SERVICES

Prop. 22 protects drivers' choice to work as independent contractors. Prop. 22 preserves delivery services that millions rely on for safe access to food and groceries and rideshare that improves mobility and keeps drunk drivers off our roads.

PROP. 22 REQUIRES COMPANIES TO PROVIDE DRIVERS HISTORIC NEW BENEFITS

- Earnings guarantee of at least \$21 per hour.
- Health care benefits at 15 hours per week.
- Insurance for injuries on the job.
- Strengthening protections against discrimination and harassment.

PROP. 22 ADDS STRICT NEW CONSUMER SAFETY PROTECTIONS

Prop. 22 provides for: strict ongoing driver background checks • zero tolerance for drug and alcohol offenses • making it a crime to impersonate a driver.

JOIN APP-BASED DRIVERS, SOCIAL JUSTICE, SMALL BUSINESS & PUBLIC SAFETY LEADERS: YES ON 22!

VoteYesProp22.com

JIM PYATT, President
Independent Drivers Alliance of California

FREDDYE DAVIS, President
Hayward South Alameda County NAACP

JULIAN CANETE, President
California Hispanic Chambers of Commerce