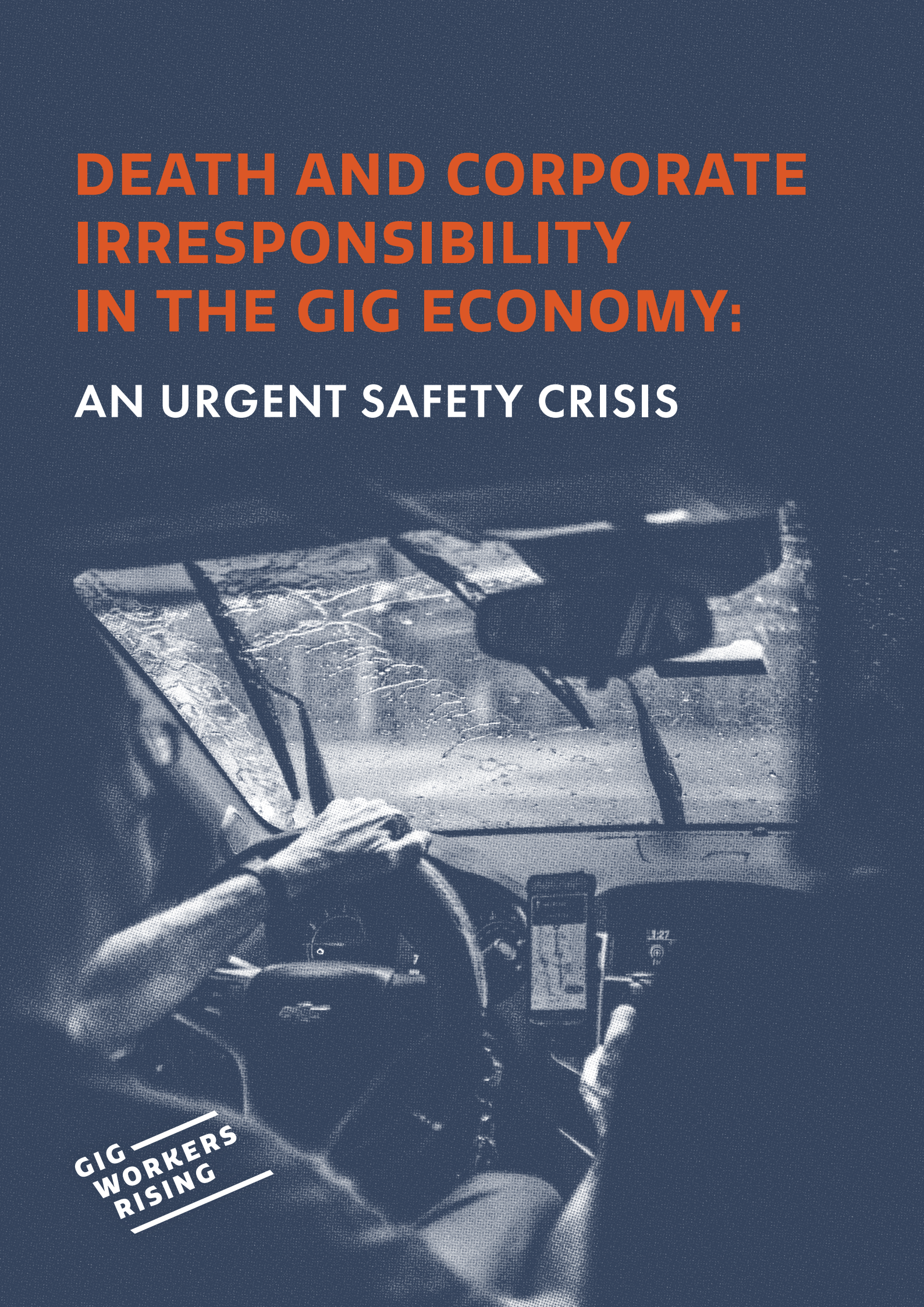


# DEATH AND CORPORATE IRRESPONSIBILITY IN THE GIG ECONOMY: AN URGENT SAFETY CRISIS

GIG  
WORKERS  
RISING



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# DEDICATION

We honor and stand in solidarity with all app-based workers who work tirelessly with little to no protections or benefits to transport and feed us. We pay tribute to gig workers who have lost their lives while working, including many who have been murdered on the job while working for a gig corporation. We offer our condolences to their families and loved ones.

For each case in the list below of gig workers who have lost their lives since 2017, a connection between the worker and the listed gig corporation has been reported by news sources and, in some cases, police records, legal filings and family members' accounts.<sup>1</sup> In memoriam:

Ahmad Fawad Usufi	Uber	San Francisco, California
Ahmed Badal	Lyft	Minneapolis, Minnesota
Beaudovin Tchakounte	Uber	Oxon Hill, Maryland
Brandon Cooper	Lyft	Dayton, Ohio
Ceyonne Riley	Uber Eats	New Orleans, Louisiana
Cherno "Che" Ceesay	Uber	King County, Washington
Cheryl McCormack	Doordash	Baltimore, Maryland
Christina Raymond	Doordash	Milpitas, California
David Rosenthal	Uber	Denver, Colorado
Dhulfiqar Kareem Mseer	Uber	Portland, Oregon
Elijah Newman	Lyft	St. Louis, Missouri

Filip Kirilov	Uber	Okaloosa Island, Florida
Francisco Villalva Vitinio	DoorDash	Harlem, New York
Franklin Farrens	Lyft	Chester County, Virginia
Ganiou Gandonou	Uber	Bronx, New York
Glynon Nelson	Lyft	Crown Point, Indiana
Grant Nelson	Uber	Skokie, Illinois
Hamzah Farah	DoorDash	Fort Worth, Texas
Harold Treadwell	Lyft	Phoenix, Arizona
Hurts Presendieu	Lyft	Indianapolis, Indiana
Isabella Lewis	Lyft	Fort Worth, Texas
Javier Ramos	Uber	Chicago, Illinois
Joseph Schelstraete	Uber	Cicero, Illinois
Joshua Miller	Uber	Dallas, Texas
Kelley Marie Smith	Uber Eats	Portland, Oregon
Kristian Philpotts	Lyft	Chicago, Illinois
Kristina Howato	Lyft	Tempe, Arizona
Kristofer Metzger	Uber	Pittsburgh, Pennsylvania
Kristopher Roukey	Lyft	Akron, Ohio
Kuldip Singh	Uber	Manhattan, New York
Lamar French	Lyft	Hampton, Virginia
Lynn Murray	Instacart	Boulder, Colorado
Marlo Medina Chevez	Uber	Charlotte, North Carolina
Mike Mecklenburg	Uber	Greenville, South Carolina
Mingzhi Zhu	Uber	Los Angeles, California
Modou Diagne	Uber	Detroit, Michigan
Mohammad Anwar	Uber Eats	Washington, DC
Mourice Foster	Lyft	Cleveland, Ohio
Noel Njoku	DoorDash	Mitchellville, Maryland
Petra Rhoden	DoorDash	Paterson, New Jersey
Randolph Tolk	Uber	Manhattan, New York
Raquel Spohn Wehber	Uber	National City, California
Robert Douglas Berry	Lyft	Mesquite, Texas
Roderick Thomas	Postmates	Los Angeles, California
Rossana Delgado	Lyft	Cherry Log, Georgia
Ryan Munsie Graham	Uber Eats	Haltom City, Texas
Salauddin Bablu	Grubhub	Manhattan, New York
Stacy Corley	DoorDash	Walnut Creek, California
Terrell Harris	Lyft	Philadelphia, Pennsylvania
Timothy Perkins	Uber	Detroit, Michigan
Yousef Al-Gabr	Uber	Detroit, Michigan
Yusuf Ozgur	DoorDash	Manassas, Virginia

# EXECUTIVE SUMMARY

Corporations like Uber, Lyft, DoorDash and Instacart have transformed transportation and meal delivery, but have done so by exploiting their workers on the job. Their growth-at-all-costs model has repeatedly failed to address the most tragic human cost of their business: loss of life.

Despite years of breathless press coverage on the pros and cons of the gig economy, less focus has been given to the question of whether app-based corporations do enough to protect workers' lives. But our research found news reports, legal filings, police records and family accounts indicating that over 50 gig workers have been killed on the job since 2017 in just the United States. The true number is likely to be much greater as gig corporations don't regularly disclose the number of homicides that occur for people working using their app. Based on our research, including the cases described in detail below, fatal assaults on drivers persist despite evidence of gig corporation awareness of the safety crisis. Multiple gig companies have indicated awareness through their public comments, reports, and announced safety measures.<sup>2</sup> For example, Uber committed to keep drivers safe following the murder of 16 Uber drivers in Brazil in 2016.<sup>3</sup> Yet, based on our research, Uber drivers continue to be murdered on the job.

Gig Workers Rising spoke to multiple families of killed gig workers, many of whom said they had received no compensation for the worker's death from a gig corporation.<sup>4</sup> Yet, in many cases, gig workers were reportedly killed by the people they serve - their passengers - who are introduced to them by apps provided by gig corporations.

After a worker's tragic death, the corporations for whom they worked too often send sympathy through news reporters but do not consistently support workers or their families with basic protections like workers' compensation.<sup>5</sup> This behavior is consistent with too many corporations' core business model: minimizing compensation and inadequately protecting their workers by, among other things, classifying them as independent contractors. Gig corporation policies put workers at risk in order

to maximize profits for investors, but take insufficient responsibility for the workers who bring in their revenue. Meanwhile, gig platform corporation senior executives take home millions of dollars a year.

According to a recent Pew Research Center report, gig workers of color are more likely than those who are white to say they have at least sometimes felt unsafe or been sexually harassed on the job.<sup>6</sup> Similarly in our database we found that the over 63% of the app-based workers killed in the last five years were people of color, though workers of color comprise less than 39% of the overall workforce in the U.S. economy.

Crucially, the numerous worker deaths detailed in this report represent the worst possible outcome from dangerous gig work, in other words, the extreme. Reports indicate that incidents of carjacking<sup>7</sup> and bike theft,<sup>8</sup> verbal abuse, physical harassment and assault,<sup>9</sup> and sexual harassment<sup>10</sup> and assault<sup>11</sup> of drivers are commonplace and, in some cases, growing.<sup>12</sup> Unsurprisingly, one study showed 41 percent of gig workers report feeling unsafe at work.<sup>13</sup> Gig corporations forcing workers to assume unjust risks is a feature, not a bug, of the business model.

In its early years, Uber claimed that its jobs would be safer than traditional taxi jobs.<sup>14</sup> Yet, our research finds that some app-based corporations are not safe for workers, by any measure of the word.

Unlike the traditional taxi and delivery industries they sought to "disrupt", some app-based corporations squeeze as much margin as possible from each job by:

- Pressuring workers to complete more jobs more quickly and downgrading workers who call off rides after meeting their passenger;<sup>15</sup> and
- Denying workers critical benefits, protections, and pay that all workers deserve, even in the face of injury or death.

This report presents an in depth look at the urgent gig worker safety crisis and the corporate moral irresponsibility that has not only permitted it, but also produced it.

It also highlights workers and families who are organizing to fight back.

***Please note this report includes descriptions of physical violence and death. Take care while reading.***



# INTRODUCTION

## Born from Crisis

Labor platforms with a frontline workforce that performs on-demand work, like Uber, Lyft, Instacart, and DoorDash (called “gig corporations” or “app companies” in this report) were born from economic instability. The burden of the 2008 global financial crisis left many workers desperate and willing to accept any work, such as jobs that skirted traditional employer obligations including those related to worker safety.<sup>16</sup> Even now, workers who enter the gig economy tend to be among the more economically vulnerable workers.<sup>17</sup>

Uber, the world’s largest app-based company, emerged from the 2008 financial crisis.<sup>18</sup> In 2008, what started as a subprime mortgage crisis, sparked by decades of deregulation in the U.S. financial industry, eventually erupted into one of the most destructive global financial disasters of our time. The crisis caused a deep recession that devastated communities of color in particular, causing almost 9 million people to lose their jobs and at least 10 million to lose their homes. The crisis pushed nearly 47 million Americans into poverty—widening existing

racial income inequality.<sup>19</sup> This crisis was especially disastrous for Black Americans, who during the crucial recovery period of 2009 to 2011, still saw declining wealth losses while white households started to recover their wealth.<sup>20</sup> The ACLU estimates that Black families’ median wealth in 2031 will be almost \$98,000 lower than it would have been had the 2008 financial crisis never occurred.<sup>21</sup>

The global financial crisis was particularly calamitous in California, the state that housed the largest source of widespread mortgage lending, inflating home values, and troubled subprime loans.<sup>22</sup> As the crisis flared in 2009, Uber surfaced—first in devastated California.<sup>23</sup>

As Uber entered cities across the country, according to one industry observer, “governments effectively endorsed the [app-based companies’ employment] practice[s] by declining to get involved in the app-based labor markets taking shape.”<sup>24</sup> When Uber launched in the wake of the crisis from 2009-2013 (in San Francisco, Seattle, New York, Chicago), cities did little to prevent Uber’s operation.

In this way, Uber was able to take advantage of the financial crisis and the jobs it purported to bring to cities to skirt government regulation and scrutiny.<sup>25</sup> Uber benefited from the fact that its workers faced growing financial distress and dwindling quality job opportunities.

## Beginnings of a Safety Crisis

Platform-based companies that exploit workers performing on-demand work (e.g., Uber, Lyft, Instacart, DoorDash) rely on two important avenues to generate profit: they make revenue by expanding their network of workers and consumers, and lower costs by classifying workers as independent contractors. By classifying workers this way, these companies lock workers out of traditional benefits and protections that most workers have access to like medical leave, workers compensation, paid time off, overtime, healthcare, and unemployment insurance.<sup>26</sup>

In 2020, app-based corporations wrote a measure called Proposition 22 and used their extensive financial resources to place it on the ballot in California.<sup>27</sup> The measure's proponents used misinformation<sup>28</sup> and a budget of over \$220 million for lobbying and advertising to win its passage.<sup>29</sup> The new law promises benefits for workers. However, Proposition 22 denies workers access to California's workers' compensation system, which provides no-fault, unlimited coverage of medical expenses due to injuries, permanent disability benefits for life, and defined death benefits for family members of workers who are killed. The new law instead offers a vastly inferior system of private insurance in which benefits offered to most California employees are limited or nonexistent, and claims may be denied on the basis of fault determinations or because a worker was not adequately engaged with the app.<sup>30</sup>

App-based corporations have created a health and safety crisis. Workers are getting into accidents, dying, and even being murdered while working. But, by classifying workers as independent contractors, gig companies shut workers out of important health and safety protections most workers in the U.S. have access to, such as workers' compensation. The concern is particularly acute for people of color and immigrants, who make up the majority of the gig workforce in cities such as San Francisco.<sup>31</sup> Uber, Lyft, and other app-based corporations have helped to draft and lobbied for legislation that classifies gig workers as independent contractors, and thus allows the companies to avoid requirements to publicly report worker injuries and deaths.<sup>32</sup> In 2020,

Uber opposed, in press and in the courts, California regulators' requests for more information about reports of sexual assault and harassment by drivers and passengers.<sup>33</sup>

## Expansion into an International Safety Crisis

Uber is now available in more than 80 countries and 10,000 cities across the world.<sup>34</sup> As the company entered cities in countries dramatically different from the U.S., it used the same model: Uber amassed billions of dollars in venture capital financing,<sup>35</sup> entering new markets irrespective of rules, regulation, and local context.<sup>36</sup> This served not only Uber, but also the venture capital machine that backed it.<sup>37</sup> A report by Sum of Us, a non-profit advocacy organization, described how this works:

*Venture capital financing give[s] Uber the power to use unrealistic pricing to build dependence among customers and drivers...[The demand to grow at any cost] has led the company to engage in behavior ranging from the questionable to the outrageous,<sup>38</sup> and repeat its exploits in city after city and country after country.<sup>39</sup>*

Uber entered the Brazilian market in 2014—the same year that the country slipped into its worst-ever recession. This move mirrored the corporation's decisions to expand in the U.S. during the 2008 global financial crisis.<sup>40</sup> In 2016, Uber entered São Paulo, and in just one year, grew its operations in the city by 15 times.<sup>41</sup> As demand in São Paulo soared and Uber allowed customers to pay with cash, so did the rates of violence against drivers. A Reuters news story published in 2017 described the widespread violence:

*Robberies involving Uber drivers rose ten-fold. Attacks rose from an average of **13 per month** in the first seven months of 2016, reflecting some degree of danger even before a cash [payment] option took effect, to **141 per month** in the rest of the year.<sup>42</sup>*

Drivers were not only being robbed and being car-jacked; they were also being murdered. **In fact, just in 2016, 16 Uber drivers in Brazil were murdered.**<sup>43</sup> Even as workers were getting killed on the job, reports say Uber stuck with a sign up system that lacked passenger verification.<sup>44</sup> Meanwhile, drivers across Brazil reportedly staged protests and threatened to quit if the



company did not take measures to increase safety.<sup>45</sup> As the events in Brazil unfolded, according to one observer, it was clear that Uber executives “had major blind spots because of their fixation on growth, their belief in technological solutions, and a casual application of financial incentives that often inflamed existing... problems.”<sup>46</sup>

Uber executives initially dismissed the impact of the sustained violence on drivers. “If they’re worried, it’s a bit emotional,” said the Uber business head of the region at the time.<sup>47</sup> It is clear that while executives were well aware of the threat posed to driver safety, they still failed to adequately address the issue. One source involved in the product roll out at Uber at the time was reported to say, “With the numbers that cash was bringing in, no one wanted to see that there might be a problem.”<sup>48</sup>

The driver safety crisis is not limited to Brazil; workers in other countries also experience rampant physical assault, injury, and death on gig platforms. In March, the United Private Hire Drivers (UPHD), a branch of the Independent Workers’ Union of Great Britain (IWGB), found that 71 percent of members in the UK who responded had experienced physical assault on the job.<sup>49</sup> Additionally, through desk research, Gig Workers Rising found news reports of workers murdered through physical assault while reportedly doing gig work in other countries including:

- Argentina, while working for Uber in 2021,<sup>50</sup>
- Chile, while working for Uber in 2017,<sup>51</sup>
- Ghana, while working for Uber in 2021,<sup>52</sup>
- India, while working for Ola in 2018;<sup>53</sup> while working for Zomato in 2020;<sup>54</sup> while also working for Zomato in 2022;<sup>55</sup> and an additional 2 workers for Uber in 2022<sup>56</sup>
- Mexico, while working for Uber in 2017,<sup>57</sup>
- Nigeria, while working for Uber in 2021,<sup>58</sup>
- Russia, while working for BlaBlaCar in 2019,<sup>59</sup>
- and the UK, while working for Bolt in 2021.<sup>60</sup>

# WHEN GIG WORK KILLS

**50** GIG WORKERS  
KILLED SINCE  
2017

**63%** PEOPLE OF  
COLOR

## Methodology

Through publicly available information, **Gig Workers Rising** identified over 50 accounts of app-based workers in the United States being murdered or killed on the job in the last five years. Over 63% of the app-based workers murdered or killed in the last five years were people of color, though workers of color comprise less than 39% of the overall workforce in the U.S. economy overall.<sup>61</sup> (Note: gig corporations typically do not disclose the racial, ethnic or gender demographics of the people who work on their platforms.)

Workers were identified through publicly available information, including news reports, police documents, legal filings and family accounts obtained through searches of GoFundMe fundraisers, Google, Reddit, LexisNexis, and The Markup's database of carjackings of ride-hail drivers around the country.<sup>62</sup> Gig Workers Rising also found examples of workers murdered on the job by searching the press statements provided by gig company spokespeople following the death of a worker. The corporations use similar phrasing in public statements after each death, making it easy to find additional examples. We found evidence of workers working for Uber, DoorDash, Lyft, Instacart, Postmates, and Grubhub killed on the job.

We began our search in 2017 because 16 Uber drivers were murdered in Brazil in 2016, causing executives in the industry to become aware (or more aware) of the deadly danger they were putting their workers in. Yet the leading gig corporations have yet to take adequate steps to keep drivers safe and stop these killings, as we continue to see them occur.

Our database of murdered workers may or may not include the 19 people Uber listed in its safety report as

having been killed through physical assault in 2017-2018<sup>63</sup> or the 10 people Lyft listed as killed through physical assault in its safety report covering the years 2017-2019.<sup>64</sup> We found no evidence of safety reports published by any of the other gig corporations operating in the United States.

Our database also does not include fatal traffic accidents or other causes of injury or death of app-based workers. Still, data on fatal traffic accidents can give a sense of the magnitude of danger and additional injury and death not represented in this report:

- There were 43 fatalities in 2019 among taxi and limousine service workers, which includes ride-share drivers, and another 25 fatalities that year among couriers and express delivery services workers, which includes food deliverers, all according to the U.S. Bureau of Labor Statistics' Census of Fatal Occupational Injuries.<sup>65</sup>
- There were 65 fatalities in 2019 in the category of 'Fatal crashes involving taxis and electronic ride-hailing vehicles', according to the Fatality Analysis Reporting System (FARS) by the National Highway Traffic Safety Administration (NHTSA).<sup>66</sup>

There is also evidence that gig workers face even more danger than taxi and limousine workers, or regular drivers, in part because of the unique pressure gig workers feel to accept passengers and lack of information about those customers.<sup>67</sup> A report on carjackings by The Markup quotes an expert who says, "Lyft and Uber drivers are much more vulnerable than other carjacking victims."<sup>68</sup> Again, sometimes these carjackings result in death.

The list is not comprehensive and likely excludes many workers, particularly immigrants and people of color.

Recent immigrants are less likely to have family and community members nearby to report them as missing or deceased. For example, according to news reports, one gig worker in Australia named Chow Khai Shien was killed in an accident while working for DoorDash. Chow was only identified after his family, who live in Malaysia, filed a police report: they had not heard from Chow in over a day and became concerned.<sup>69</sup>

More recently in New York City, Salauddin Bablu<sup>70</sup> (also called Abu Sala Miah in news reports), an immigrant from Bangladesh, was reportedly delivering for Grubhub when he was brutally assaulted and killed. His wife and two children remain in Bangladesh, where Bablu sent his earnings from work. According to news and police reports, “Miah’s death was discovered by his four roommates after they grew worried when he didn’t come home at the end of his shift, and used a ‘find my phone’ app to track him down.”<sup>71</sup> While his family appears to have received sympathy in the press from Grubhub,<sup>72</sup> it is not clear whether they received anything more. Indeed they have turned to GoFundMe.<sup>73</sup>

Gig Workers Rising also found evidence suggesting that DoorDash may have requested that local police delete a tweet saying that a driver who had been shot in the face worked for the company. The local news story about the shooting originally reported that the driver was working for DoorDash, but later removed any references to DoorDash and added: “Editor’s note: This story has been updated to reflect that police deleted a tweet saying the driver worked for a specific company. FOX 5 is working to confirm more details.”<sup>74</sup> Gig Workers Rising believes more work should be done to interrogate whether corporations have attempted or succeeded in the removal, or limiting their association with, events that have led to driver injuries or death.

Finally, as noted in the Executive Summary, while this report focuses on the tragic worker deaths associated with gig work, Gig Workers Rising recognizes that death is the extreme; but exploitation is the norm. Anxiety, harassment, theft, and assault are all too common in gig work. Moreover, not only do gig corporations put workers’ lives at risk each time they connect them to a passenger or delivery customer, too many also actively deny workers a living wage, health benefits, paid sick leave, and other basic benefits other workers receive from their employers. Workers are taking extreme risks putting their lives on the line on a daily basis, and receiving inadequate protections and benefits in return.<sup>75</sup> This is unacceptable.

## Apps Introducing Workers to their Murderers

There are too many stories of app-based workers who have been injured or killed on the job. The statistics in this report do not fully capture their stories or convey the grief of their families and loved ones. In this section, we share the stories of just a few app-based workers who have been traumatized, injured, or killed while working on the job. If not otherwise cited, accounts of worker stories come from conversations Gig Workers Rising has had with their families. We include these stories to provide examples of how some corporations seem to treat survivors and their family members following a violent attack.

**Trigger Warning: this section contains accounts of physical assault and death.**

### Lyft Driver, Isabella, Was Murdered<sup>76</sup>

Isabella “Bella” Lewis, age 26, set out to pick up her first passenger of the day around noon on an August Sunday in Plano, Texas. During the trip, Isabella was shot in the side of the head and dragged out of her car. Her assailant then drove away in her vehicle, running over Isabella’s foot.<sup>77</sup> According to Isabella’s sister, Allyssa, just ten minutes earlier, Lyft had matched Isabella with the passenger that would kill her.

**“MY SISTER LOST HER LIFE OVER A LYFT TRIP THAT TOTALED TO BE 15 DOLLARS.”**

Months have passed since Isabella’s murder, yet her family reports they have not heard from Lyft, who she reportedly drove with for three years. The family also reports that Lyft’s insurance company, Liberty Mutual,<sup>78</sup> has been trying to access her car, which was kept in police possession for many months after the killing. According to the family, Liberty Mutual insisted it needed to conduct an assessment to determine whether or not it should pay to fix the windshield and clean up Isabella’s blood. Allyssa shared this with us in a written statement:

*Since losing my sister, the only thing we have heard or seen on Lyft’s part is in an article that was published by Dallas Morning News. In that article it states that Lyft said in a statement they are ready to help law enforcement, I believe and hope pertaining to safety of not only the riders, but the drivers as well. In the article it reads “We are heartbroken by this incident, and our hearts are with the driver’s loved ones during this incredibly difficult time”. Those are the only words I can say that my family has received from Lyft.*

*We appreciate the kind words, but it would have been more heartfelt to receive those words directly as a family from losing our loved one that was in the hands of a company who was supposed to do what they could to protect all their drivers. My sister lost her life over a Lyft trip that totaled to be 15 dollars and really only totaled that because it wasn’t stopped at the time of arrival but more so after her death. Fifteen dollars that she couldn’t even take with her when losing her life for it.*

*I think that’s the most heartbreaking part for me. She was just trying to make extra money to cover bills or to just have something extra after paying her bills*

Isabella’s family set up a GoFundMe fundraiser. Their community came together to raise \$8,940. All the while, according to Bella’s family, Lyft’s insurance company, months after her murder, has not provided any compensation—not even for cleaning the 26-year-old’s blood from her car.<sup>79</sup>

### **Uber Driver, Chernov, Was Murdered<sup>80</sup>**

Chernov Ceesay, age 28, was reportedly working as an Uber driver when he was fatally stabbed.<sup>81</sup> Chernov was an immigrant from Gambia, and had been saving money to fly home to visit his parents and sister.

On December 13, 2020, Chernov picked up two passengers in Issaquah, Washington. The ride was supposed to be a two-mile drive. Unbeknownst to Chernov, according to prosecutors, his two passengers had created an Uber account with a fake name and email address. He had driven only 100 feet when the passengers stabbed him to death as they tried to steal his car. The car crashed, and the passengers stole his phone, leaving Chernov to die.

Since the incident, Chernov's parents and sister, whom he had planned to visit, have filed a lawsuit against the company. The family asserts that Uber failed to utilize common safety measures and further that Uber prevents "drivers from using their own best safety judgment by penalizing those who decline or cancel rides."<sup>82</sup>

### **Uber Driver, Beaudouin, Was Murdered<sup>83</sup>**

46-year-old Beaudouin Tchakounte, an immigrant from Cameroon, had been an Uber driver for three years and often drove for the company seven days a week, according to news reports.<sup>84</sup> He was a father of four children, aged 3 to 15. He worked to help pay for his children's Catholic school education.

On August 27, 2019, Uber assigned Beaudouin a set of passengers to pick up using UberPool, an Uber product that matches disparate riders heading in the same direction, enabling them to carpool to get a cheaper fare. Beaudouin had one passenger in his car, 32-year-old Casey Xavier Robinson, when he went on to pick up another. The second passenger killed both Beaudouin and Casey. Beaudouin's family sued Uber for wrongful death.<sup>85</sup> Local news reported that the passenger who murdered Beaudouin pled guilty and received a 50 year prison sentence.

### **Uber Driver, Adebayo Was Shot**

Adebayo Adeyemo, or Bayo, is a Black Chicago-based driver who was shot while driving for Uber.<sup>86</sup> According to Bayo, he felt pressured not to cancel his ride after he picked up his passenger, even after they made comments about his race.<sup>87</sup> According to Bayo, he knew Uber penalizes drivers who cancel rides,<sup>88</sup> so continued driving his passenger despite the racist remarks.

Later during the ride, the passenger shot Bayo in the back. Bayo had to drive himself to the nearest hospital. According to the law firm representing him in a lawsuit against Uber:

*Adeyemo sustained serious injuries, including internal bleeding, a ruptured spleen, fractured ribs, and more. He required surgery and was in-patient for several days. Adeyemo has incurred thousands of dollars in medical bills and lost wages to date, not to mention long-term pain, suffering, disability, and emotional distress. He requires continued medical care.<sup>89</sup>*

Yet, Uber has not offered Bayo any relief. Instead, when asked for comment about whether Uber offers assistance to drivers injured on the job, an Uber spokesperson said:

*Optional Injury Protection insurance is designed to help provide people driving or delivering with Uber with peace of mind in case the unexpected happens. We believe that drivers deserve the opportunity to be protected if they're in an accident and are unable to drive or deliver—and are therefore unable to make money—or have to pay for medical expenses.<sup>90</sup>*

Later in this report, we describe what this optional insurance provides, and explore whether it benefits workers who are hurt or killed while on the job.

## Gig Corporations Avoid Liability and Leave Families Behind

When workers in other industries are injured or killed on the job, employers have a legal responsibility to their workers and/or their families. Part of that responsibility is typically to maintain workers' compensation insurance and to pay into the disability insurance system to cover income shortages in the case of illness, disability, and/or death. Traditional taxi drivers, for instance, usually have access to workers' compensation and/or occupational hazard policies.

But app-based companies typically classify workers as independent contractors, and too often contend that they bear no responsibility for their workforce.<sup>91</sup> According to one report, Uber has regularly argued in lawsuits that it owes no "duty of care" to any driver that has been injured.<sup>92</sup> According to a column in the New York Times, Uber actively avoids calling the police to evade responsibility.<sup>93</sup>

Furthermore, when workers and/or their families file claims against gig companies, the companies reportedly often seek to remove the cases from the public courts to private arbitration. Within multiple app-based companies' terms of service are strict arbitration clauses,<sup>94</sup> requiring that certain claims brought against them be settled behind closed doors.<sup>95</sup> Such clauses can create several advantages in the legal and public spheres:

First, arbitration proceedings are typically private. Unlike in a court proceeding, where filings and testimony are public, app-based companies using arbitration are able to keep data, documents, and testimony from ever seeing the light of day. By avoiding the courtroom, companies may evade publicity and accountability.

Second, the process of discovery in private arbitration is relaxed and limited. In federal and state courts, the parties are required to share documents and information. Sworn depositions of witnesses and corporate representatives are commonplace. Any information that could reasonably lead to admissible evidence is typically required to be disclosed. In private arbitration, however, parties may be relatively limited in their ability to engage in discovery. Corporate data, documents, policies, reports and testimony may be less likely to be produced, and more likely to remain secret.<sup>96</sup>

Third, arbitration clauses typically require aggrieved parties to file claims individually. App companies' terms of service usually preclude class action lawsuits.<sup>97</sup> This limits workers' ability to collaborate, share costs, and put financial pressure on the companies to reconsider their policies and procedures. Such limitations allow app-based companies that employ them to keep legal costs low and portray each claim as a "one off" incident, as opposed to a systemic issue. Furthermore, low income workers may not have the knowledge, means, or ability to challenge this system.

Instead of extending injury protection coverage, in 2017, Uber began offering occupational accident insurance for purchase to its drivers through insurance giants OneBeacon and Aon.<sup>98</sup> The explanation of coverage and payment per trip indicates Uber's policy would not cover driver "deadhead" time, or time spent waiting to be hailed or for a delivery.<sup>99</sup>

As shown by Table 1 below, the insurance plans offered by Uber and DoorDash are also inadequate,

offering less coverage than workers' compensation.<sup>100</sup> In our conversations with gig workers, they report that the insurance and benefits advertised by some gig corporations are generally impossible to access.

**Table 1 below shows how Uber's Optional Injury Protection Insurance, which is only available to Uber drivers outside California through purchase, and DoorDash's Occupational Accident Policy are inferior to those of taxi workers under New York workers' compensation.<sup>101</sup>**

As gig companies avoid liability for their workers' deaths, families are too often left to not only grapple with the emotional turmoil of losing a loved one but also to contend with little to no financial support.<sup>102</sup> **Several families Gig Workers Rising spoke with of workers killed on the job told us that they have yet to receive any financial support from the app-based companies or their insurance partners.**

**Table 1. Insurance plan offerings available to Uber, DoorDash, And NYC taxi workers**

Offeror of insurance plan	Uber <sup>103</sup>	DoorDash <sup>104</sup>	NYC Taxi <sup>105</sup>
Cost to Driver	\$0.03/mile (at 50,000 miles/yr, <sup>106</sup> this is \$1500/year)	\$0	\$0
Disability Payments	Earnings replacement up to \$500 per week	50% of average weekly wage up to \$500 per week	Weekly earnings replacement up to \$1,063.05 <sup>107</sup>
Medical Expenses	Accident medical expenses up to \$1,000,000	Up to \$1,000,000	All medical expenses, no maximum <sup>108</sup>
Survivor Expenses	Up to \$150,000 for family	Up to \$150,000 for eligible dependents	Weekly earnings up to \$1,063.05 <sup>109</sup> + Funeral or memorial expenses up to \$12,500

**“Our family received no compensation from Lyft,” says Allyssa Lewis, Isabella’s sister**

**Isabella Lewis** was killed while driving for Lyft in August 2021, according to her family. At the time of this report’s release, nearly nine months later, Isabella’s family reports that they have not heard from Lyft, who they say introduced Isabella to her murderer. The family further reports that Lyft’s insurance company conducted an assessment—not to determine the scope of their support to them, but instead to decide whether or not the insurance company will pay for the broken windshield and blood stains to the car.

**Siaka Konneh** is a Lyft driver in Milwaukee. On Christmas Day 2018, a passenger assaulted Siaka and stole his car.<sup>110</sup> According to news reports, Siaka tried to file a claim with Lyft, but Lyft said its insurance would not cover the loss and advised Siaka to file a claim through his personal insurance carrier.<sup>111</sup> However, this insurance company also refused to cover him. Siaka reached out to his local news outlet for support,

and a reporter contacted Lyft for comment. That same day, according to news reports, Lyft returned Siaka's call and said in a statement that it offered him assistance. Still, it remains unclear if Siaka received any financial assistance from Lyft.

### **DoorDash Denies Francisco Was Covered<sup>112</sup>**

**Francisco Villalva Vitinio**, a DoorDash delivery worker in New York, was, according to news reports, murdered on the job.<sup>113</sup> An hour before Francisco's murder, the company reportedly sent him a breach of contract notice for missing a delivery.<sup>114</sup> DoorDash claimed that Francisco was not working when he was killed, but suggested it would offer unspecified support to his family.<sup>115</sup> Francisco's community came together and raised \$25,040 for funeral expenses and family support.<sup>116</sup> This is an all too common trend in the worker stories Gig Workers Rising reviewed: personal and community networks are often left to support workers' families after gig workers are injured or killed on the job.

App-based companies are not just avoiding liability in the U.S. A 43-year-old delivery worker surnamed **Han** was working in Beijing for Ele.me, the second-largest delivery company in China, when he was murdered on the job.<sup>117</sup> After his death, the company announced that it would only provide Han's family with 2,000 yuan, the equivalent of USD \$309.<sup>118</sup> The company faced strong backlash on social media. In response to the public pressure, the delivery company stated it would provide Han's family with 600,000 yuan, the equivalent of USD \$93,000.<sup>119</sup>

In New South Wales, Australia, 30-year-old Turkish student **Burak Dogan** was killed while delivering for Uber Eats. Although Burak was logged into the Uber Eats app when he was killed, according to news reports, the company refuses to recognize the death as a workplace fatality.<sup>120</sup> Subsequently, according to news reports, the company's insurer rejected a death benefits claim worth hundreds of thousands of dollars. A year after Burak's death, according to news reports, Uber Eats still had yet to contact his family.<sup>121</sup>



## Gig Corporations Demand Secrecy

This report has already described the arbitration agreements that gig corporations have reportedly used to keep disputes out of public venues. Below we discuss steps Uber and Lyft took to keep safety data out of the public eye. Even when offering a worker or their family members the financial support they deserve, a gig company has, according to one worker, required them to waive their rights in exchange.<sup>122</sup> Requiring a worker to sign nondisclosure agreements as a precursor to receiving needed financial support is an egregious corporate practice that at least one gig corporation appears to be willing to utilize.

### David Morrow Says He Was Offered \$1,000 to Stay Quiet About Carjacking

**David Morrow**, a 71-year-old part-time Uber driver based in Atlanta, Georgia, had to wait five months after being carjacked to receive a support offer from Uber. David was carjacked by two passengers who also took other valuables, resulting in thousands of dollars in damages. According to David, Uber approached him and offered \$1,000 in exchange for signing a nondisclosure agreement committing him to staying silent and not filing a lawsuit against Uber.<sup>123</sup> He refused.

An offer like the one allegedly presented to David could come at a highly vulnerable moment for gig workers. In the unfortunate case of a robbery or carjacking, gig workers may have to pay for hospital bills and property damage.<sup>124</sup> In these moments, the promise of \$1,000 can be a powerful incentive to sign an NDA.

In 2018, Uber announced that the company would eliminate the practice of requiring mandatory arbitration and confidentiality agreements with drivers, riders, and employees for claims of sexual assault or harassment.<sup>125</sup> Lyft followed suit.<sup>126</sup> Yet, David's story indicates that Uber may still be willing to pursue such agreements in a case of driver physical assault.

This and other stories we've heard from the drivers in our network, suggest that too many gig companies are fundamentally concerned with their reputation and guarding themselves against liability.

## Executives Get Rich, While Workers Are Left in the Cold

**\$413.7M**

**DOOR DASH CEO**

**\$12.3M**

**UBER CEO**

**\$8.3M**

**GRUBHUB CEO**

The top executives at any corporation hold decision making power over and responsibility for actions of the corporation. As this report reveals, gig corporations have adopted policies and made decisions that limit or deny compensation when a worker is killed on the job. Based on public information, Gig Workers Rising has compiled the compensation that gig corporation executives took home last year:

Uber CEO, **Dara Khosrowshahi**, took home \$12.3 million last year.<sup>127</sup> **That's 553 times what an Uber driver makes in a year.**<sup>128</sup> Uber Chief Legal Counsel, **Tony West**, also took home \$12.3 million.<sup>129</sup> **Jill Hazelbaker**, who oversees policy and communications at Uber, took home a whopping \$12.6 million

dollars.<sup>130</sup>

Lyft CEO, **Logan Green**, took home \$1 million in 2020.<sup>131</sup> He owns approximately \$700 million worth of Lyft shares.<sup>132</sup> Lyft President, **John Zimmer**, took home \$2.5 million last year. Lyft Chief Legal Counsel, **Kristin Sverchek**, took home \$3.1 million in 2020.<sup>133</sup> **That's 129 times what a Lyft driver makes in a year.**<sup>134</sup>

DoorDash CEO, **Tony Xu**, took home \$413.7 million in 2020.<sup>135</sup> **That's 16,288 times what a DoorDash deliverer makes.**<sup>136</sup> DoorDash Chief Legal Counsel, **Keith Yandell**, took home \$3.1 million in 2020.<sup>137</sup>

Former Grubhub CEO and co-founder, **Matthew Maloney**, made \$8.3 million in 2020.<sup>138</sup> **That's 327 times what a Grubhub deliverer makes.**<sup>139</sup> Then Grubhub President and CFO and now current CEO, **Adam DeWitt**, made \$5.5 million last year. Grubhub Chief Legal Officer **Margo Drucker** made \$2 million in 2020.

Meanwhile, the companies these executives lead have not taken adequate steps to provide care and protection for workers.

## Gig Corporations Demand Loopholes

App-based companies are not only responding to this safety crisis by refusing to pay workers' compensation, they also appear to be looking to permanently legislate their way out of responsibility. Almost 10 years after it entered California, and amidst another crisis, the global COVID-19 pandemic, Uber and its counterparts like DoorDash funded the most expensive ballot initiative in California's history: Proposition 22.<sup>140</sup> The gig corporations that contributed to the No on Proposition 22 campaign spent over \$220 million to enact a law that would exempt them from laws requiring them to provide app-based drivers and delivery workers with employee benefits like paid sick time, health care, bargaining rights, and unemployment insurance and to deny them essential workplace safety standards.<sup>141</sup>

The companies have since continued to pour millions of dollars into ballot initiatives and legislative drives across the country meant to entrench the same exemptions. Across the country, app-based companies have established political action committees (PACs) to prepare for their efforts to legislate exclusion. They have established PACs in New York, Illinois, New Jersey, Colorado, and Connecticut, and have successfully collected enough signatures in Massachusetts to put a Proposition 22 copycat on the ballot for the 2022 election.<sup>142</sup>

A Reuters calculation based on Cornell research found that in California alone, Uber and Lyft save \$392 million each in annual costs like payroll taxes and worker compensation by not formally employing their drivers.<sup>143</sup> Uber and Lyft have yearly operating budgets of about \$16 billion<sup>144</sup> and \$4 billion,<sup>145</sup> respectively. According to one analysis, correctly classifying its workers as employees would cost Uber 2 percent of its operating expenses and would cost Lyft 10 percent of its operating expenses.<sup>146</sup>

Not only are app-based companies fighting to legislate exclusion of workers from protections, they have also managed to pressure at least one government agency to keep safety report filings confidential. The California Public Utilities Commission requires every ride-hailing company to submit an annual report that includes "each accident or other incident" reported to the company, with the cause, date, time, location, whether the driver was found guilty in a criminal prosecution or liable in a civil lawsuit, and the amount paid to any party.<sup>147</sup> After intense lobbying by Uber and Lyft in 2013,<sup>148</sup> the commission inserted into its regulations a one-sentence footnote declaring the annual reports confidential.<sup>149</sup> According to news accounts, the agency has since refused to release the records to anyone.<sup>150</sup>

## Gig Corporations Introduce Fake “Safety Features”

In response to growing worker organizing, investigative reporting, and public scrutiny around the dangers of gig work, some corporations have propped up new ‘safety features’ that attempt to corroborate their claims that they are trying to make the job safe.

Yet, some of these features are nothing but half-measures that at best, would not have prevented any of the tragic incidents detailed in this report, and at worst, appear designed to prevent riders and workers from reaching out to law enforcement directly, instead directing incidents to the corporation so it can settle the situation behind closed doors. Below are some examples:

- In November 2021, DoorDash announced it had added a direct line to security company ADT within its app, for workers to access when they feel unsafe.<sup>151</sup> Yet, it is unclear how calling through this feature would be faster or more effective than a worker dialing 911 themselves. Furthermore, this feature only allows workers to engage once they are already in an unsafe situation; it is far from the real solutions needed from DoorDash that would actually *prevent* workers from entering unsafe situations.
- Just 10 days later, Instacart announced it had added its own ‘safety feature’: an alert for workers about nearby incidents like violence, dangerous weather events, and fires.<sup>152</sup> Instacart also added its own hotline to a private security company—but similarly does not address how or whether this feature is more beneficial for workers than directly calling 911.<sup>153</sup>
- In December 2021, Uber joined Instacart and DoorDash in announcing its own safety update: the ability for riders or drivers to record audio during rides. Uber claims this will help in reporting safety incidents. Gig Workers Rising’s assessment is that this is another surveillance tool that fails to keep workers safe.<sup>154</sup>

Driving a taxi was historically a dangerous job. Gig corporations had an opportunity to make these jobs safer for workers. Uber used to even tout its driver jobs as safer than traditional taxi jobs because trips were cashless, and therefore drivers were less likely to be robbed.<sup>155</sup>

Some gig corporations appear to take their responsibility to keep workers safe very differently from the one to keep passengers safe. To help keep passengers safe, Uber requires workers to verify their identities.<sup>156</sup> However, riders and customers only undergo this level of identity verification when signing-up with prepaid cards, gift cards, and Venmo payments.<sup>157</sup>



Photo by Brooke Anderson | @movementphotographer

# CONCLUSION

For as long as gig corporations have been withholding protections and suppressing wages, gig workers have been organizing to build power and keep their communities safe. Delivery workers in New York City form safety patrols and occupy garages where they can charge their bikes, eat, and rest.<sup>158</sup> In 2020, gig workers in California organized a broad coalition to oppose Proposition 22, a ballot initiative that allows gig corporations to be exempt from laws requiring that they offer certain essential workplace benefits and protections.<sup>159</sup> Across the country, in July 2021, gig workers came together to protest over wages.<sup>160</sup>

Gig worker organizing is not limited to the U.S. Around the world, gig workers are standing up to exploitation by coming together. A global survey of 5,000 gig workers found that 48 percent of respondents reported that they are now part of a formal group or union; 49 percent said they had participated in strikes or other industrial actions. The figure was even higher amongst delivery workers: 59 percent had participated in strikes

or other action.<sup>161</sup> In Indonesia, app-based workers are coming together to develop models of mutual aid.<sup>162</sup> In Nairobi, Kenya, rideshare drivers have conducted strikes and direct actions to stop taking passengers simultaneously, an organizing tactic they call “going karura”.<sup>163</sup>

Gig Workers Rising continues to support workers who are organizing for safer conditions for gig workers everywhere. Workers are demanding accountability from gig corporations for unsafe conditions; not only this, workers are also demanding that gig corporations proactively create safe conditions for their workers. Gig Workers Rising wants to emphasize, however, that the solution lies not in more surveillance or policing. Increased surveillance and policing will not keep workers safe; increased accountability from corporations will.

# WORKER DEMANDS

**App-based workers are taking action and demanding an end to exploitation, as well as protection of their safety. Their demands are simple:**

## **1. Compensation**

Workers demand policymakers force corporations to ensure that injured or murdered workers and families receive workers' compensation to make them whole. Policymakers should also push app corporations to compensate all impacted workers and families retroactively.

## **2. No forced arbitration**

App corporations require workers to sign arbitration agreements, leaving individual workers and their families to fight on their own against billion dollar corporations when something happens - all in secret. Workers are demanding policy makers prevent corporations from requiring workers to sign these arbitration clauses and ensure that platform workers have the right to access the full protection of our court system.

## **3. Transparency**

Every app corporation with operations in the US must publicly report data about injuries and deaths on the job each year. Workers are demanding policy makers force corporations to share data that includes information about the worker's race, ethnicity, and gender, for each of the following incidents:

- Motor vehicle fatalities
- Motor vehicle injuries
- Fatal physical assault
- Non-fatal physical assault
- Sexual assault
- Verbal assault
- Information on the injury or death compensation paid out to workers, or their families

## **4. A union**

App workers know that corporations can do more to keep workers safe. App workers also know best what they need in order to be and to feel safe at work. Workers should have the freedom to organize, and to form independent worker organizations like a union, which would give workers the power to collectively bargain with corporations and establish policies that make this work safer.

# ACKNOWLEDGEMENTS

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## **Action Center for Race and the Economy**

The Action Center on Race and the Economy (ACRE) is a campaign hub for organizations working at the intersection of racial justice and corporate accountability.

## **Gig Workers Rising**

Gig Workers Rising is a campaign of Working Partnerships USA that supports app-based workers who are organizing to win better wages, working conditions, and respect on the job.

## **PowerSwitch Action**

PowerSwitch Action is a national network of 20 local organizations building people's power and institutions to realize our collective freedom and liberation. Our affiliates forge strategic alignments amongst labor, neighborhood, housing, racial justice, faith, ethnic-based, and environmental organizations to shape a vibrant multi-racial feminist economy and democracy.

## **Working Partnerships USA**

Working Partnerships USA is a community organization bringing together the power of grassroots organizing and public policy innovation to drive the movement for a just economy. We build the capacity of workers, low-income neighborhoods and communities of color to lead and govern.

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## Endnotes

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