

Address:
Room 1
St Margaret's House
15 Old Ford Road
Bethnal Green
E2 9PJ
Email:
office@iwgb.org.uk

Independent Workers Union of Great Britain



Dear Fred Jones,

I am writing in my capacity as General Secretary of the Independent Workers' Union of Great Britain (IWGB), the United Private Hire Drivers' branch of which represents Uber drivers in the UK. I am writing to demand greater health and safety measures be put in place for the protection of Uber drivers as well as the wider public they service.

Safety equipment

Uber should be offering drivers appropriate equipment to ensure their safety during the COVID-19 pandemic. You should provide to all drivers:

- Hand sanitizer that can be refilled when empty
- Vehicle sanitizing/cleaning products

This is a small cost to pay for drivers continuing to work and keep the business going in the most adverse conditions. Cleaning and disinfecting the vehicle properly also takes time, time which could be used working. Therefore, measures to compensate drivers for thorough cleaning should also be met.

Full pay for self isolation and/or illness

Uber has stated that "any driver or delivery person who is diagnosed with COVID-19 or is individually asked to self-isolate by a public health authority will receive financial assistance for up to 14 days while their account is on hold." At the moment, it is not clear what level of financial assistance is on offer from Uber and whether that will be enough to compensate a driver for having to self isolate so that they can get by. A lack of sufficient pay for drivers could accelerate the spread of the virus. Uber should guarantee that these payments will be equivalent to the drivers' average weekly earnings, based on the previous 12 weeks worked by the driver.

Uber has also stated that entitlement to this sick pay is dependent on a sick note. This is despite the fact that it is unlawful for employers paying statutory sick pay (SSP) to demand a sick note during the first seven days of absence. Further, current Government guidance

states that people with suspected cases of coronavirus should avoid visiting doctors and hospitals or even contacting 111 unless necessary. The Government guidance also states:

“We strongly suggest that employers use their discretion around the need for medical evidence for a period of absence where an employee is advised to stay at home either as they are unwell themselves, or live with someone who is, in accordance with the public health advice issued by the government.”

Uber should immediately announce that drivers will be entitled to the coronavirus sick pay provisions on the basis of self-certification alone.

Full pay for time off to look after dependants

As is well-known by now, certain groups of people are more susceptible to the devastating effects of Covid-19 than others, namely the elderly and those with pre-existing medical conditions. Some drivers will have caring responsibilities towards these people. Others will have caring responsibilities for children when schools and nurseries inevitably shut down. Thus far Government financial provisions for workers who have to take time off work to undertake these caring responsibilities are woefully inadequate. Uber should implement a guarantee of payment for drivers who have to take time off from work in these circumstances.

Enhanced pay during reduced workforce/potential lockdown, and support negotiating vehicle rent and vehicle finance payment freezes

As the virus spreads and more people self isolate, the workload is likely to be erratic and for some drivers, for example those accustomed to working at airports, the workload may decrease dramatically. As Uber only pays for jobs completed this would mean a dramatic reduction in income for some drivers. This is not acceptable and Uber has a moral responsibility to do everything possible to prevent this. Uber should therefore introduce minimum income payments for those drivers who are ready, willing and able to work but for whom there are not enough customers to maintain earnings.

Many drivers will also have to continue to pay vehicle rents and car finance, as well as MOT, insurance costs, etc. despite not working or working less. These maintenance fees are tied to the job, and so we also demand that Uber provide additional compensation to drivers to help support them through this period and that Uber reaches out to partners and vehicle finance and rental companies to help negotiate payment freezes.

Service to passengers with suspected cases of Coronavirus

There is a significant risk, as the rate of infections and pressure on NHS services and ambulances rise, that people with suspected cases of coronavirus turn to Uber for necessary transportation. If Uber drivers are going to be providing this most essential of services to society at this time, it is not right that they be exposed to people who have been instructed to self-isolate, without the necessary protection.

Uber should therefore immediately install a feature in the app which requires passengers, before booking a ride, to indicate whether or not they, or anyone they live with or have been exposed to, has had a new or persistent cough or a fever within the past 14 days. If they cannot certify that they have not been exposed to any of these potential sources of COVID-19 then only especially-equipped cars should be booked to pick them up. These specially-equipped cars should have barriers installed between the front and rear seats to prevent transmission by air, passengers should only be allowed to travel in the rear seats, drivers should receive an enhanced rate of pay, and the passenger area of the vehicle should be thoroughly cleaned after each ride, at Uber's expense. It should be completely optional whether or not drivers want to do this work, with refusal not being punished by Uber. These drivers should additionally be provided with masks and gloves. The honest use of this feature by customers should be strictly enforced with serious consequences for anyone having been found to be in breach, e.g. banning the customer from further use of the app.

Guidance and meetings

Uber must undertake thorough risk assessments to assess the risks of using the service for drivers and passengers and provide best practice health and safety guidance for drivers. This guidance should be comprehensive, and include concerns drivers have in continuing to operate, or choosing to self isolate and/or maintain social distancing. Uber should also hold an emergency meeting with the IWGB union to discuss driver concerns, rights and interests during this time in order that drivers can have a voice in this process and we can work together to ensure that issues are avoided.

Implement worker status

Uber drivers have been held to be Limb B Workers by the London Central Employment Tribunal and this decision has since been upheld by the Employment Appeal Tribunal and the Court of Appeal of England and Wales. There is a pending appeal of these rulings by Uber before the Supreme Court. Worker status provides a basic level of protections and security to drivers, including on such things as setting a minimum earnings floor through a right to a minimum wage, pensions, and paid holidays. Despite losing at every step of the way, Uber has still not implemented these tribunal and court decisions. Now more than ever drivers need economic security. We therefore demand that Uber take immediate steps to implement worker status for drivers and provide them with the workers' rights to which they are legally entitled.

Drivers understand the important role they will play in the coming months and we expect the companies they work for to acknowledge that by complying to these basic demands.

I look forward to hearing from you,

Jason Moyer-Lee
General Secretary
Independent Workers Union of Great Britain