

A New Year resolution for Uber



Stop wasting time and give workers their rights

Uber drivers in the UK have scored a hat-trick in the legal fight to be treated as workers by the multi-billion pound ride-sharing company as the Court of Appeal in London rejected Uber's appeal against two previous court rulings that their drivers work for them and are not self-employed, contractors or 'business partners'.

Not satisfied with being told they're in the wrong for a third time, Uber now intends to take their lost cause to the Supreme Court.

Worker status for drivers is something Uber has fought tooth and nail to avoid granting in order to save money through denying drivers basic rights to holiday pay, a guaranteed minimum wage and an entitlement to breaks.



GMB organises and represents private hire drivers across the UK who deserve a level playing field, which means being paid a decent wage and making sure passengers are safe – it doesn't mean working excessive hours or allowing exploitation to continue unchecked.

In 2016 we took successful legal action when our Uber driver members told us of the long hours they were working to make up for being paid far below the legal minimum wage, once the costs of doing the job were taken into account. With no right to paid breaks and holiday pay these drivers are completely dependent on the hours in the car. Add the ability for Uber to fix the cut of the money drivers make from their labour and it's clear that far from running their own businesses, they are being taken for a ride.

When the evidence had been heard, the conclusions of the employment tribunal, as it ruled in GMB's favour could not have been clearer: "The notion that Uber in London is a mosaic of 30,000 small businesses linked by a common 'platform' is to our minds faintly ridiculous". Its judgment surmised the firm's argument that drivers are "self-employed" as based on "fictions, twisted language and even brand new terminology".



Instead of accepting the ruling and changing its ways, Uber showed itself to be unapologetic and set about challenging the verdict. Their arguments heard at the Employment Appeal Tribunal the following year. Another defeat did not dissuade it from seeking to flog its dead horse a third time.

The lengths this multinational, multi-billion dollar transport company has gone to avoid abiding by the ruling of the courts have become embarrassing. From the masquerade of claiming to be a 'technology company' to the waste of money on PR and legal fees fighting now three court rulings in the workers' favour – it's time for Uber to set an example to other 'gig' employers by giving up the game and facing up to its responsibilities.



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Our landmark case against Uber shifted the landscape in favour of workers who are being exploited in the so-called 'gig economy', but this isn't a fight against a new technology or industry. Our union was founded over 100 years ago by workers fighting against the scourge of long hours and casualisation of work that entrepreneur capitalists, as today, use to put profits for shareholders and investors over the workers who make them. If any employer in the so-called 'gig economy' thinks new technology will hide this same old-style exploitation they can think again.

That's why Uber is just one example in our legal campaign against employers who refuse to play by the rules, including other private hire firms like Addison Lee, as well as online retail couriers such as DPD and DX.

So, in case Uber HQ has not made a New Year's resolution yet, here's one from us: stop wasting time and money on lawyers bills in the courts while refusing to engage with GMB and our members. Workers have fought for a hundred years to be entitled to these basic rights, and we'll fight for a hundred more to keep them.

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