



FOR IMMEDIATE RELEASE
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Historic Victory for Drivers as Mayor Signs Into Law Uber Cap and Other Bills Championed by New York Taxi Workers Alliance

NYTWA Statement: "This legislation creates a blueprint for the rest of the world and is a direct result of NYTWA's groundbreaking organizing to unite yellow cab and Uber drivers..."

NYTWA members including yellow taxi, green cab, black car, livery, Uber and Lyft drivers will join Mayor Bill de Blasio when he signs the bills into law at 1PM today.

(New York, NY) Today, Mayor Bill de Blasio is expected to sign landmark legislation into law to regulate app companies like Uber and Lyft for the first time. **The one-year for-hire-vehicle cap is will go into effect immediately.** The legislation also gives the Taxi and Limousine Commission the authority to initiate rulemaking

on minimum pay rates for app drivers and minimum rates of passenger fare in the for-hire sector. In response to NYTWA's policy proposals, **the City Council has also introduced legislation to stop predatory lending to Uber and Lyft drivers just as NYTWA previously won for yellow cab lease drivers**, to create an Office of Inclusion to address race-based refusals, to provide financial assistance for struggling owner-drivers, and to create a health and wellness fund for drivers in every sector.

NYTWA members have mobilized nonstop since last November to make this victory possible. Last week, family members of the six drivers who committed suicide joined us for actions leading up to the City Council vote. George Schifter, the brother of black car driver Doug Schifter, who shot himself outside City Hall, flew all the way from Florida to join us for the vote.

NYTWA Executive Director Bhairavi Desai released the follow statement:

"Today, New York City is hitting pause on the economic hemorrhaging that has left tens of thousands of immigrant families in chaos and despair. Driver incomes across all sectors have been in a downward spiral as Uber and Lyft flooded our streets. The immediate cap on new For-Hire-Vehicles puts a stop to that. Now, yellow taxi, green cab, black car, livery, Uber and Lyft drivers can finally hope for stability.

"This legislation creates a blueprint for the rest of the world and is a direct result of NYTWA's groundbreaking organizing to unite yellow cab and Uber drivers, as well as green cab, black car, and livery drivers. Through our shared struggle we created NYTWA's policy platform and the legislation being signed into law today stems from our proposals to solve this crisis.

"NYTWA members organized more than 25 actions since November 2017, including 12 demonstrations between February 2018 up to the August 8th City Council vote.

"This is a victory of worker power over Wall Street greed."

ABOUT THE LEGISLATION BEING SIGNED INTO LAW TODAY:

The package of bills expected to be signed into law today include a 12-month cap on new For-Hire-Vehicle licenses, with an exception for wheelchair accessible vehicles, which goes into effect immediately. Additionally, the bills include a minimum pay requirement for app drivers, and give authority to the Taxi and Limousine Commission to regulate minimum rates of fare in all sectors.

The council has also introduced another [package of bills](#) in response to NYTWA's demands, including the creation of a health and benefits fund for drivers in every sector, the creation of an Office of Inclusion to address race-based refusals, financial assistance for yellow cab owner-drivers and regulations on FHV car leasing expenses to stop predatory lending.

Highlight of recent NYTWA Actions:

- Last week, NYTWA Uber and Lyft driver members led a [rally](#) at Uber/Lyft headquarters along with NYTWA members who drive yellow, green, black, and livery cars.
- On the same day, [NYTWA member and Uber driver Tidiane Samassa published an OpEd in the New York Daily News in support of the cap: "I drive for Uber in New York City - and right now, the company that pays me pennies is spending millions of dollars to try to stop the City Council from passing a cap on new for-hire vehicles and other bills that would help me feed my family and keep our apartment."](#)
- **Last Tuesday, NYTWA held a vigil with the family members of the drivers who committed suicide**, including Richard Chow, brother of Kenny Chow, and [George Schifter](#), who traveled all the way from Florida to join the protest and be present for the City Council vote. George is the brother of black car driver Doug Schifter who shot himself outside of City Hall after posting on Facebook that the unchecked saturation of NYC streets by Uber-dispatched vehicles had destroyed his livelihood.

(See below for a complete list of actions NYTWA has organized since November 2017 to make today's victory possible)

IMAGES FOR MEDIA: [Click here for photos of yellow, green,](#)

ALLIES JOINED THE FIGHT

Our organizing was full of humanity for the six driver brothers lost to suicide and dignity to defend our right to a better life. And the City Council, media, fellow labor unions, social justice organizations, religious leaders, and the public saw us and heard us and they came to our side in the fight.

- The guerrilla projection collective the Illuminator [projected the names of the drivers who committed suicide](#) onto a wall in DUMBO and called for the City Council to vote yes on the cap.
- City Council Woman Adrienne Adams published an [OpEd in the New York Times](#) calling the FHV cap a step in the right direction for racial and economic justice.
- The National Employment Law Project published [an opinion piece in Crains](#) in support of the FHV cap and calling for Uber to stop interfering in our local democracy.
- [New York Taxis For All](#), a wheelchair accessibility and disability rights coalition put out a statement in support of the cap.
- [66 NYC faith leaders](#) came together to support the cap.
- New York's largest building services union, [32BJ](#), supported [NYTWA's fight](#) and helped to prevent Uber from isolating our members.

THE SIX NYC DRIVERS PUSHED TO SUICIDE BY FINANCIAL DESPAIR

[Abdul Saleh](#), a yellow cab lease driver, was the sixth NYC professional driver to commit suicide in recent months. He was a Yemeni immigrant who had been struggling financially for months, having difficulty covering his share of the medallion lease he shared with his driving partner.

[Yu Mein Kenny Chow](#) was a yellow cab owner-driver, who had been missing for eleven days before his body was identified after washing up under the Brooklyn Bridge (Kenny Chow's family has started a [GoFundMe](#) to help his wife, who is fighting stage 4 cancer).

[Nicanor Ochisor](#) was a yellow taxi owner-driver who drove with his wife (there is also a [GoFundMe](#) to help Nicanor's wife).

[Danilo Corporan Castillo](#) was a Bronx livery driver who wrote his suicide note on a Taxi and Limousine Summons.

[Alfredo Perez](#) was a Bronx livery driver who hung himself in November.

[Douglas Schifter](#) was a black car driver who shot himself in front of City Hall after posting a note on Facebook saying that the [city's failure to regulate Uber had destroyed his livelihood](#).

NYTWA DEMANDS AND WHAT WE WON IN LEGISLATIONS SIGNED INTO LAW TODAY

- CAP the number of for-hire-vehicles clogging New York City streets. **12-month cap with the exception of wheelchair accessible vehicles is being signed into law today.**
- Set the yellow and green cab meter as the minimum fare rate across the industry in order to establish a wage floor, so no company can lower rates on drivers' backs. **New law gives Taxi and Limousine Commission the authority to regulate minimum rates of fare.**
- Establish fair labor standards across the industry- including caps on driver expenses to end predatory lending in this new market which has been unregulated for five years. Cap App company commissions so that FHV drivers get at least 80 percent of whichever is higher - the fare quoted to passenger or the metered rate. **New law gives TLC authority to regulate minimum earnings for App drivers. We fought to ensure the final bill would not lock drivers in at minimum wage. Council set to introduce a bill to cap vehicle expenses.**
- Program for Yellow Cab Medallion Owner-Divers struggling with expenses as much as \$6,000/month with 80% of loans

underwater. The city can call on lenders to lower interest rates and extend payments, waive licensing fees and find emergency grants to avoid foreclosures and bankruptcies. The Council must also establish a commission to oversee predatory lending and stop inflated values. **Council introduced a bill to provide financial assistance to struggling yellow cab owner-drivers.**

- Raise fare rates so drivers have a chance at economic recovery after five years of straight loss. **Once the Taxi and Limousine Commission establish one rate of fare across all sectors, then we will fight for an increase so drivers can finally get a raise!**
- No Congestion Pricing on Drivers' backs! In the midst of this crisis, Albany passed a Congestion Pricing plan lobbied for by Wall Street. It's aimed at further destabilizing the taxi industry that has contributed over \$1 billion toward the MTA since 2009 and rewarding Uber, Lyft business model that takes aim directly at mass transit. **This fight is still to come!**
- Health and Benefits Fund, including retirement for all drivers and mental health resources. **Council introduced a bill to establish a health and wellness fund for drivers in all sectors.**
- Regulate App Companies. Don't scapegoat App Drivers. No fees on drivers' backs. No one-App restriction. **We got the fees on app drivers removed from the bills!**

NYTWA'S WORK ON MENTAL HEALTH RESOURCES:

As we we fight to stop the crisis that is pushing drivers to despair, [NYTWA is also working to create more mental health resources for struggling drivers](#) including, mobile health units, health and financial services fair at the airports, peer-to-peer mental health training program, training drivers to conduct outreach to coworkers. NYTWA previously won a health fund for drivers but it was held up in court by greedy bosses. Our health fund included a 24-hour, multilingual mental health hotline, disability insurance, and assistance for drivers navigating the Affordable Care Act. City Council has announced that they will be introducing legislation to reestablish a health fund.

NYTWA'S WORK ON RACIAL JUSTICE

NYTWA is committed to addressing race-based refusals head on while we continue our fight for economic justice. Last month, we introduced [our racial justice and civil rights initiative](#) to stop race-based refusals in the taxi and for-hire industry, a long-standing issue in our industry which we have worked to address throughout the years. We know our organizing has been a factor in complaints coming down through the years, and more so, we know much more still needs to be done. We look forward to continuing our work with the TLC through the newly established Office of Inclusion. Our proposals include racial justice mandatory training for all TLC professionally licensed drivers as part of license renewal, peer-to-peer driver outreach to address bias, improvements in taxi e-hail such as pre-payments and navigation, recruitment for new drivers in under represented communities and taxi stands in the central business district and at subway stops.

Drivers collectively serve over a million people every single day. We are the ambassadors of this city, and operate its iconic symbol. We don't want to be alienated from discussions of justice and fairness in our city. More importantly, we want to be contributors to move us forward as a community, never backwards.

THE ECONOMIC CRISIS DEVASTATING DRIVERS IN EVERY SECTOR

Professional drivers across the industry have been financially devastated - including yellow taxi, green cab, livery, black car, and app-dispatched drivers for Uber and Lyft - because of the unchecked growth of app-dispatch companies creating gridlock, flooding our streets with 130,000 vehicles, and lowering labor standards. Meanwhile, yellow taxis are capped by the city at under 13,650.

Uber claims to help outer borough residents but has decimated [the green cab sector, created specifically to serve the needs of outer boroughs](#). Green cab permits are all owned by drivers. The city planned to have 18,000 green cabs serving outer boroughs by 2016, but after reaching 6,300 in 2015, as of last year there were only 4,000 green cabs left on the road as green cab drivers gave up their permits, unable to earn a living because of the city's failure to cap app-dispatched vehicles.

Foreclosures and bankruptcies are on the rise as driver incomes

continue to plummet across the industry. An Economic Policy Institute study found that Uber drivers earn on average less than \$10 an hour after expenses. No driver wins this vicious race to the bottom.

Drivers call NYTWA in the middle of the night in crisis, needing referrals to homeless services and suicide prevention resources. And the devastation continues unabated.

NYTWA'S VICTORIES FOR UBER DRIVERS

When Uber first entered NYC many yellow cab drivers began working for the company because of Uber's sign on bonuses and promises of decent pay. Drivers who were already members of NYTWA were the first to come to us when Uber's sign-on bonuses dried up, Uber lowered the rates, flooded the streets, and drivers started sinking into poverty. Many found themselves stuck in [predatory car leasing agreements](#) with Uber taking leasing payments straight out of their checks.

NYTWA Forced Uber to Pay Drivers Millions back in Stolen Wages

[NYTWA forced Uber to pay out millions of dollars because of a federal wage theft lawsuit our members filed against the company](#) for wrongfully taking sales tax and an injured worker surcharge out of driver pay instead of passenger fares and for calculating commission on top of those unlawful deductions. On May 12, 2017 NYTWA members filed an amended complaint as part of the lawsuit, which explained exactly how Uber was unlawfully taking sales tax out of driver pay. One week later, Uber admitted to wrongly assessing commission and agreed to pay back millions to drivers. [Drivers are still owed millions more and the lawsuit is ongoing.](#)

NYTWA Won Employee Status for Three of Our Uber Driver Members & All Those Similarly situated

On Friday, July 13, the New York State Unemployment Insurance Appeal Board rejected Uber's 11th hour attempt to withdraw their appeal and issued a final ruling that [three NYTWA members and former Uber drivers and all those similarly situated are employees of the company for the purposes of Unemployment Insurance.](#)

It is now the official position of the State of New York that these three Uber drivers and all those similarly situated who quit because they can't make ends meet or are "deactivated" through no fault of their own are employees for the purposes of unemployment insurance benefits. The landmark decision sets a precedent for Uber drivers who apply for Unemployment Insurance in the future and could also be persuasive in other contexts where the employment status of Uber drivers is in question.

One NYTWA Uber driver member, [Jeffrey Shepherd](#), qualified for Unemployment Benefits after sometimes taking home a penny in income for a full week of work after Uber deducted his car lease and other fees from his paycheck.

The drivers and their attorneys had a long battle before triumphing. They first had to sue the Governor in federal court to have the claims investigated by the Department of Labor - a seemingly politically motivated hold on emergency benefits for workers that coincided with Uber's multi-million-dollar lobbying efforts in Albany for a state-wide deregulation bill.

UBER'S CAMPAIGN OF DISINFORMATION

While drivers are fighting to survive, Uber is running seven-figure [ad campaign](#) full of misinformation targeting outer-borough residents. The last time NYC proposed capping for-hire-vehicles in 2015, Uber spent millions on ads and lobbying against the cap. Now there are upwards of 80,000 app-dispatched vehicles on the road, the vast majority Uber-affiliated, with 2,000 more added every month. Uber and Lyft now have more lobbyists than Walmart, Amazon and Microsoft combined and borrow bullying tactics from the gun and tobacco lobby to stop cities from regulating.

Here is a complete list of actions NYTWA has organized since November 2017 to make today's victory possible:

November 2017	Surveyed 380 drivers on their economic conditions & demands
December 2017	General Meetings to finalize our demands
February 6, 2018	Vigil for Douglas Schifter at City Hall, following his suicide
March 28	Press Conference on City Hall Steps, following the suicide of Nicanor Ochisor

April 1	Collected 4,000 postcards demanding that the Mayor & Governor address the crisis
April 25	City Hall Action Day! Drivers met with Council Members during morning meetings then rallied for a press conference on City Hall Steps to submit the 40+ demands of our comprehensive Policy Platform and Rulemaking Petition to the Mayor, the Speaker, and the TLC
April 30	Testified at the City Council FHV Committee Public Hearing
May 22	Press Conference for Police Action to Find Kenny Chow
May 27	Vigil for Kenny Chow
May 29	Rally for Council Action covering Broadway from Murray to Warren
June 7	City Council Stated Meeting Outreach lead by Richard Chow, brother of Kenny Chow
June 18	Press Conference outside City Hall for Abdul Saleh, following his suicide
June 18 - June 29	Daily Protest line outside City Hall from 10am to 6pm
June 21	Funeral service for Brother Abdul Saleh
July 3	Response to TLC Proposal regarding App driver pay
July 10	Demonstration outside City Hall following TLC Proposal that would lock drivers into wage ceiling
July 19	Won our Uber Unemployment Insurance decision victory!
July 29	Released our 9-point Civil Rights Initiative
July 31	Demonstration outside City Hall to say Yes to the FHV Cap + All Drivers' General Meeting to strategize & mobilize
August 1	Bangla Media Press Conference
August 2 - 5	Social Media Campaign to tell City Council: Vote Yes on the Cap!
August 6	Demonstration outside Uber/Lyft HQ
August 7	Vigil for fallen driver brothers Alfredo, Danilo, Douglas, Nicanor, Kenny, and Abdul outside City Hall
August 8	Vote Day!!!

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Founded in 1998, the New York Taxi Workers Alliance (NYTWA) is the 21,000-member strong union of NYC taxicab drivers, representing yellow cab drivers, green car, and black car drivers, including drivers for Uber and Lyft. We fight for justice, rights, respect and dignity for the over 50,000 licensed men and women who often labor 12 hour shifts with little pay and few protections in the city's mobile sweatshop. Our members come from every community, garage, and neighborhood. To find out more visit NYTWA.org, follow us on twitter.com/nytwa, and like us on facebook.com/nytwa.

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www.nytwa.org

Union Office Hours:
Mon - Fri 12pm to 8pm

New Driver 24-hour TLC Course
Monday-Wednesday 10am - 6:30pm

Drivers Serve the World. We Serve the Drivers.

STAY CONNECTED:

