



March 17, 2021

Hon. Anastasia P. Williams
Chairwoman, House Labor Committee
Rhode Island State House
Providence, RI 02903

RE: H-5854

To Chairwoman Williams and members of the House Labor Committee:

On behalf of Uber Technologies, Inc., we appreciate the opportunity to provide public testimony in opposition to H-5854, which would broaden the definition of "employee" for purposes of fair employment practices, to include individuals under any appointment or contract, including gig workers like rideshare drivers and delivery workers.

The intent of this legislation is commendable, and all individuals should be afforded equal opportunity and protection from discrimination when engaging in work. At Uber we have developed extensive [Community Guidelines](#), and everyone who signs up for an Uber account is required to follow them. This includes drivers and delivery workers, but also riders and restaurants or merchant partners. These principles include our positions on respect, safety, assault and harassment, discrimination and more. Any individuals who violate any of these guidelines could lose access to their account. Additionally, in Section 505 of [Title 815](#), which is the Rhode Island Law that created the regulations for Transportation Network Companies, TNCs are required to have a non-discrimination policy in order to operate, and we have developed an anti-discrimination policy in accordance with Rhode Island State Law.

Our concern with H 5854 is that it broadens the definition of employee to include "gig workers," but all drivers and delivery workers who find work through the Uber or Uber Eats Apps are customers who sign a platform access agreement to use Uber's app, representing themselves as independent contractors looking to engage riders to grow their businesses. Broadening the definition of employees to include independent contractors will be extremely confusing. The definitional expansion purports to impose obligations on companies like Uber to control, manage, and engage with its customers in a way that the contractual relationship is simply not set up to do. Indeed, there is a wide spectrum of legal requirements that only apply to actual employers and we are concerned that defining a contracting entity as an employer does not account for the reality of the relationship between companies like Uber and "gig workers," will increase frivolous litigation, and will hurt the innovation economy that we are trying to grow.

We appreciate the opportunity to provide feedback on this important piece of legislation, and look forward to answering any questions.

Regards,

Hayley Prim
Public Affairs Manager for Uber