

March 17, 2021



The Honorable Anastasia Williams
Chair, House Committee on Labor
Rhode Island State House
Providence, RI 02903

RE: Opposition to HB 5854, *An Act Relating To Labor And Labor Relations - Fair Employment Practices*

Dear Chairwoman Williams and Members of the Committee:

My name is David London and I am Head of Government Relations, U.S. East at DoorDash, a third party that many restaurants throughout Rhode Island choose to partner with to offer online ordering, takeout, and delivery. We offer the following comments in respectful opposition to House Bill 5854, "*An Act Relating To Labor and Labor Relations - Fair Employment Practices*".

As cities and states have issued guidance restricting the operations of restaurants and other businesses during the pandemic, delivery and pickup services have become critical to reducing person-to-person contact while ensuring that residents have access to food and the other essentials they need.

Here in Rhode Island, since the start of the pandemic, we have expanded our Project DASH initiative to fuel deliveries of meals, groceries, household goods, and school supplies to communities in need. Created in 2018, Project DASH provides local organizations access to the DoorDash logistics platform to tackle community issues. In Rhode Island, DoorDash supported food recovery organizations such as MEANS Database and Copia which focus primarily on connecting donated excess food from businesses to hunger relief agencies in the state. These organizations integrated with DoorDash's logistics platform in order to expand their capacity to reduce more food waste and deliver food to more people in need. DoorDash has helped connect an estimated 5,000 meals to people in need in Rhode Island through Project DASH. In addition, DoorDash collaborated as a proud partner with the Rhode Island Hospitality Association to donate \$250,000 in grants for over 50 small restaurants across the state to help these businesses continue to serve customers during the winter months, when restaurants were hardest hit by pandemic-related closures.

Regarding our courier partners, it is important to note that most Rhode Island couriers (Dashers) average only 5 hours a week working on our platform. We recognize that the ability to earn any income, particularly at this time, is important to these parents, retirees, students, and other Americans from all walks of life. Addressing safety and providing our Dashers who have been directly impacted by COVID-19 are among our top priorities. To date, we have taken the following steps to assist our Dashers through this trying time:

- First, we changed the default delivery method to a no-contact option to minimize personal contact between Dashers and customers.
- Provided Dashers access to personal protective equipment (PPE), including free hand sanitizer, gloves, and masks.
- Provided financial assistance to eligible Dashers who are diagnosed with COVID-19 or advised to quarantine by a medical or public health professional.
- And, to protect the health and welfare of Dashers and reduce barriers to accessing financial assistance, we have partnered with Doctor On Demand, one of the nation's leading healthcare platforms. All U.S.-based Dashers are able to take an online risk assessment for COVID-19, and eligible couriers can access a virtual urgent care visit for just \$4.

Unfortunately, House Bill 5854 would indirectly reorganize an entire sector of the state economy in an unprecedented way. DoorDash would like to comment on the following concerns relative to the bill:

- The reclassification of “gig workers” as employees, even just for the purpose of subjecting this sector to the state’s employment discrimination protections, would call to question the employment status of Dashers in the Commonwealth.
 - Defining a class of workers, like Rhode Island Dashers, as employees in one law, **could result in the opening of the floodgates to codify “gig workers” as employees in other labor laws.**
 - Dashers remain reliant on the flexibility to choose when to work and which jobs to take, with many in the state working only 5 hours a week.
 - Reclassifying “gig workers” as employees in Rhode Island **would frustrate this valued opportunity for flexibility.**
- House Bill 5854 does not take into consideration fair employment practices in existing law that currently apply to divisions of the gig economy (**§ 39-14.2-21. Anti-discrimination**).

March 17, 2021

As independent contractors, Dashers and other gig workers in Rhode Island currently enjoy the flexibility to easily earn supplemental income by working a handful of hours whenever and wherever they want, in a way that accommodates their existing work, family, school, and other obligations. Overall, more than 80% of Dashers say that flexibility to decide when to work and what jobs to take is extremely important to them.

We respectfully urge the Committee against taking swift action on any statutory change that would reclassify “gig workers” as employees. **We ask the Committee to continue to study the issue and utilize DoorDash as a resource as you navigate through the intricacies of gig workers and their place in the Rhode Island workforce.** In the event the Committee chooses to create a task-force to further study the issue, DoorDash would welcome the opportunity to work with the Legislature in finding ways to enact anti-discrimination policy recommendations.

Platforms like DoorDash serve as a vital source of supplemental income for millions of workers across the country who choose gig economy work because of the flexibility and independence it provides. The Dashers who use our platform are stay at home parents, students, retirees, small businesses owners, and others who need supplemental income from time to time. They choose to “Dash” because the platform allows them to work when, where, and how they want.

Thank you for the opportunity to provide this written testimony and we welcome the opportunity to work with the Bill Sponsors and Committee moving forward.

Sincerely,

David London
Head of Government Relations, U.S East