

Commissioner's Corner June 2019

High-Volume For-Hire Service Driver Pay Protections

This February TLC's new minimum driver pay standard went into effect for drivers working for high-volume for-hire services (i.e., Uber, Lyft, Via and Juno). We are excited to announce that in the first three months of the program, drivers were paid \$152 million more than they would have been paid before the standard was in place.

Under this standard, drivers must be paid a minimum amount per mile and minute they transport passengers. A City-commissioned analysis of conditions before these drivers had income protection found that, after covering their significant expenses, most of the 80,000 plus drivers working for a high-volume service were making below the equivalent of the New York State minimum wage.

The additional earnings from the new pay standard are resources drivers can take home to their families and spend in their communities, which may already be having a positive ripple effect on neighborhoods in New York City. When paid more, some drivers also have the opportunity to spend less time working and can prioritize more time with families, resting, school, or other hobbies.

The TLC has identified a small share of trips were underpaid by the companies during this time period and is requiring companies to (1) pay restitution to drivers who provided these trips, and (2) prove to TLC that they have done so. If you believe you were not correctly paid for a ride, do not hesitate to get in touch with our Driver Protection Unit (DPU) at driverprotection@tlc.nyc.gov or 718-391-5539.

TLC Driver Protection Unit

An essential component of enforcing driver protections in TLC rules, ranging from the new driver pay standard to lease caps, is the critical work of TLC's Driver Protection Unit (DPU). The DPU investigates and takes appropriate action on complaints filed by drivers against other licensees, such as medallion owners, for-hire vehicle owners, leasing companies, garages, base owners, and technology service providers.

Staff in the DPU interview the driver, review our data, and request documents from the responding licensee. The TLC may prosecute the respondent by issuing a summons, or they may work to resolve the conflict by requiring them licensee to right the wrong and make the complainant whole, with proof of compliance.

These complaints can be very serious, and run the gamut from pay to lease overcharges, identity theft, fraud, and retaliation. Some important cases the TLC has taken on include prosecuting a former licensee who stole other drivers' identities to lease and operate taxis, as well as restitution to a driver from a garage that did not pay a driver several months of pay. We also prosecuted a leasing company that had fraudulently used a driver's signature to extend a lease. Since 2012, the unit has helped drivers get back more than \$3.2 million in restitution from garages or others who have overcharged them. The unit also regularly provides drivers' rights trainings throughout the city and works closely with other agencies, such as the

Department of Consumer Affairs' Office of Financial Empowerment, to meet the needs of drivers.

Professional drivers contribute so much to our city by taking New Yorkers where they need to go safely and efficiently-- but they can be wronged by bad actors. We hope that by sharing information about what the TLC and other City agencies do, we can help drivers get the support they need.

Driver Income Hearing

Thank you to all members of the public and the industry who participated TLC's public hearing about driver income on April 25. The Members of the Board of Commissioners, TLC staff, and members of the public watching in-person or on our Livestream appreciated your taking the time to share your experiences. We heard from many drivers that they have felt a positive impact from the new minimum pay standard for high-volume for-hire service drivers; however, we also heard about the continued challenges being faced in many corners of the industries we regulate. TLC is reviewing the feedback, ideas and concerns shared at the hearing so we can determine whether there are new policies we could develop to promote a healthy industry and safe, quality service for everyone in New York City.