

A National Public Safety Campaign Asks: Do You Know Who's Driving You?

Wendy Glavin, Founder & CEO, [Wendy Glavin Agency](#)

Every day there are articles written about Uber. Most of us know about the deaths, sexual assaults, rapes and other crimes, but we still don't believe something will happen to us.

Within the past month, there have been articles written about an Uber driver livestreaming his passengers, [USA Today](#), the need for tighter regulations, [Time](#), usage dips for mass transit coinciding with taxis and ride-hailing apps, [The Wall Street Journal](#), CEO Dara Khosrowshahi's problems with brand image and controversy over comments to women and minorities, [CNN Tech](#), a toxic culture, [Slate](#), how New York could cap drivers, [The New York Times](#), and why the New York taxi industry should take a look in the mirror, [Bloomberg](#). – June/July 2018.

Obviously, convenience and cost are why most people choose Uber or Lyft campuses. But the real problem is not the consumer, it's the ride-hailing companies. Instead of Uber's CEO focusing on "making the company succeed" and grow to become the, "Amazon for transportation," the goal should be to focus on the customer, employees and contractors. And, not just talk about safety in advertisements, but show it.

Adding a [911 button](#) to the company's app proves the opposite; that there are problems with passenger safety. We call 911 if we're experiencing a life-threatening emergency or are in immediate danger for access to the police, emergency medical technicians (EMTs), the fire department, and other emergency service providers.

Taxis and the Gig Economy



Uber and Lyft have capitalized on the large number of people who want to supplement their incomes. But, these and other companies “challenge the American law system for classifying workers as “independent contractors.” Also, ride-hailing companies are replacing yellow and green taxi drivers, livery, and black car drivers with underpaid gigs with no guarantees of being paid minimum wage, or receiving benefits, including worker’s compensation and unemployment.

We’re living in a ‘gig economy’ where working remotely from anywhere in the world is commonplace. The digital economy has created opportunities for consumers, businesses and independent contractors. Pew Research Center reports: Nearly 1 in 4 Americans now earn money from the digital “platform economy.” Most of that work is for domestic tasks, such as housecleaning and repairs, or driving for companies such as Uber.

As one U.S., federal judge described, “online platform workers ‘don’t seem much like employees,’ but also ‘don’t seem much like independent contractors either.’ Choosing a legal status is like being “handed a square peg and asked to choose between two round holes... Some factors point in one direction, some point in the other, and some are ambiguous.” [on Labor](#), July

2018.

The issues of contractors versus employees, safety, insurance, background checks, fingerprinting, government licensing, and more should create the demand for new business models.

Safety: Women and Children

If you're allowing your children to use app-based companies, you're taking a huge risk. Also, a class action lawsuit filed in November, 2017 claimed Uber systematically created an unsafe environment for female passengers who were "subject to rape, sexual assault or gender-motivated violence or harassment by their Uber driver in the last four years."

Here's an excerpt from the Open Letter to the Board of Directors, Uber Technologies Inc. Date: April 26, 2018 RE: Women's Safety at Uber Technologies, Inc.

*Dear Board of Directors: We write this open letter to request that Uber Technologies, Inc. ("Uber") voluntarily release us from the arbitration provision contained in the consumer agreement to the Uber app so that we are able to pursue our claims of sexual assault, rape, sexual harassment and gender-motivated violence through our court system, rather than in a confidential arbitration. The reason for our request is simple. Uber's messages to the public are: "We help improve access to transportation and **make streets safer**." "We do the right thing, period."*

Secret arbitration is the opposite of transparency. Forcing female riders, as a condition of using Uber's app, to pursue claims of sexual assault and rape in secret arbitration proceedings does not "make streets safer." In fact, it does the opposite. Silencing our stories deprives customers and potential investors from the knowledge that our horrific experiences are part of a widespread problem at Uber.

This is not doing the “right thing.” Secret arbitration takes away a woman’s right to a trial by a jury of her peers and provides a dark alley for Uber to hide from the justice system, the media and public scrutiny. We are not alone in holding this position. Since the dawn of the #MeToo movement, companies and legislatures across the country have recognized that forcing women into confidential arbitration proceedings is both tremendously harmful and contrary to all notions of justice.

When Microsoft decided to do away with forced arbitration for victims of sexual harassment, it issued the following statement: “The silencing of people’s voices has clearly had an impact in perpetuating sexual harassment. The United States Congress and New York State Senate have passed legislation that would, if enacted, prohibit employers from requiring victims of sexual harassment or assault to proceed in arbitration.

The New York City Council recently passed legislation calling on the federal government to enact legislation that would prohibit employers from requiring victims of sexual harassment or assault to proceed in arbitration. The call for elimination of forced arbitration is even more compelling for female consumers like us. When we created Uber accounts, we believed Uber’s promise to provide a “safe ride.” We trusted a company operating in the space of transportation for hire to mean what it says, and we never thought that Uber would perpetuate physical violence against women.

Uber claims that it is positioning itself for an epic IPO, but does Uber really believe that shareholders will stand by when they learn that sexual assaults and rapes as we experience do occur on a near weekly basis? Investors deserve to know the ugly truth that Uber is desperately trying to hide.

Consumers are beginning to learn that Uber and Lyft and taxis aren't as safe as they thought they were.

Chauffeured Transportation

Chauffeured transportation is associated with proms, special events, weddings, and rides to the airport. However, if you're concerned with Uber, Lyft and taxis, livery services are safer. Typically, expense is the main reason consumers don't take limousines or black cars. But, you get what you pay for.

The exact requirements needed to become a professional chauffeur vary based on the city and state:

- Meet your state's minimum age requirements
- Pass a state background check and department of transportation (DOT) drug and alcohol screening
- No criminal record
- A clean driving history
- No major incidents
- Obtain a chauffeur's license
- Pass specific tests
- Apply for a commercial driver's license (CDL), if necessary
- Paid classroom and on-the-job training
- Benefits package after 90-days
- All vehicle expenses paid by employer
- \$1.5 million liability insurance paid by employer

A Level Playing Field

Howard Gogel, CEO of My Limousine Service ([My Limo](#)) and Board Member of Limousine Association of New Jersey ([LANJ](#)) was interviewed on [Blog Talk Radio](#) July 24, 2018. Mr. Gogel said, "Why do Uber and Lyft get a pass? What company would still be in business that's accused of rape, death, sexual assault, kidnapping, felonies, video-streaming passengers' and other serious incidents? The articles are horrific."

Whether Uber drivers are employees is being debated worldwide. Uber states that the company is a technology platform that connects riders to drivers which replaces the responsibilities of an employee to transmit a passenger request for a ride. However, The Unemployment Insurance Appeal Board of New York State ruled that Uber is liable for unemployment benefits for three drivers, along with others who are “similarly situated.” Uber says it disagrees with the ruling and seems likely to appeal it. – [Fortune](#) 2018. This case sets a precedent for future cases.

Uber Vice President of Safety and Insurance Gus Fuldner said the company deployed continuous background checks in early July to a “meaningful percentage” of its U.S. drivers and has removed 25 drivers so far as a result. In June 2018, [Expanded Ramblings](#) reported that there were 3 million drivers in the U.S. in 600 cities and an average of 15 million trips per day. Read more in the article, “*97 Amazing Uber Statistics, Demographics and Facts.*” Removing 25 drivers is not meaningful but rather, meaningless.

A public safety campaign, “[Who’s Driving You?](#)” lists reported incidents involving Uber and Lyft. “Uber’s process for onboarding drivers is dangerously negligent. Neither Uber nor Lyft use fingerprints or law enforcement to background-check their drivers. And, Uber doesn’t even bother to meet with drivers in person before allowing them to ferry passengers. The result is a series of incidents involving “ridesharing” passengers being harmed and criminal offenders behind the wheel.”

As far as the public is concerned, it’s like people knowing smoking can cause cancer but they still smoke. Addictions are hard to cure. But with Uber, Lyft and taxis you have a choice. If you don’t have other options available to you, just make sure you know who’s driving you.



About the Author: Wendy Glavin is Founder and CEO of Wendy Glavin, a NYC full-service agency. Wendy is a 30-year veteran of corporate, agency, consulting and small business ownership. She specializes in B2B2C marketing communications, PR, social and digital media. Her website is: <https://wendyglavin.com/>. Contact her at: wendy@wendyglavin.com.

(LANJ is a client of Wendy Glavin Agency.)