

**Transportation Network Company (“TNC”)
Drivers Advisory Committee (“DAC”), City of Portland, Oregon
23rd Ombudsperson Report
Prepared on March 28, 2024
TNC Drivers Advisory Committee Meeting April 8, 2024**

Executive Summary

New Complaints. One new complaint was filed and presented to the Ombuds this Quarter.

Open /Pending Complaints. Seven complaints are classified by Ombuds’ as “inactive” in the event the City implements the DAC’s recommended Administrative Rule -- and additional materials and mediation opportunities are available to the Ombuds.

Recommendations. The Ombuds team recommends the City finalize and implement the administrative rule that was first recommended and approved by the DAC in April 2021, and which, if implemented, would provide drivers with guaranteed, strengthened due process and allow the Ombuds additional tools to resolve disputes.

One new complaint was filed by a driver deactivated due to off-boarding.

19122-00. Uber. Driver’s account was deactivated after an accusation of sexual assault in April 2023. Driver filed a complaint with the Ombuds in March 2024. Driver reportedly did not respond to Uber’s requests for information and was deactivated on April 19, 2023. Driver alleges Uber did not comply with information requested by driver. Uber and the Ombuds have been in contact regarding this complaint and additional information and details are needed. This investigation is open and pending.

Status of complaints for all reporting periods, Reports 1 through 23 (October 2019 through March 2024):

Total Complaints by Category:

- Compensation: 28 (18%)
- Covid-19 PPE / Safety: 5 (3%)
- Damage to Personal Vehicle: 4 (2%)
- Deactivation / Suspension: 93 (58%)
- Fraudulent Account Activity: 4 (3%)
- Insurance: 3 (2%)
- “Other” Complaints: 16 (10%)
- Technology Issues: 5 (3%)
- Violation of User Service Agreement: 1 (1%)

TOTAL: 159

Total Complaint Resolutions:

- Complaints resolved as driver requested / in favor of driver & TNC: 55
- Complaints open / pending: 1
- Complaints unresolved / neutral / closed: 47
- Complaints referred to outside source: 49
- Complaints closed and classified as “inactive”: 7

TOTAL: 159

TNC Ombuds Team:

Sally LaJoie, LaJoie Mediation, Arbitration and Consulting, LLC
sally@lajoiemediation.com
971-361-9875

Richard Myers, Attorney at Bennett Hartman, LLP
richard@bennetthartman.com
503-227-4600

Mary-Margaret Jenkins, Paralegal at Bennett Hartman, LLP
mary-margaret@bennetthartman.com
503-227-4600

Appendix 1

Ombuds Recommendations by Quarter

Quarter 1: January 13, 2019 Recommendations

Recommendation 1:

Timeline for Compensation Review by TNCs

Recommendation 2:

Uber Compensation made by TNC in Responses to Complaint treated as Settled

Recommendation 3:

Procedural Due Process in Suspension and Deactivation of Drivers

Quarter 2: June 30, 2020 Recommendations

Recommendation 1:

Procedural Due Process in Suspension and Deactivation of Drivers

Recommendation 2:

Service Animal Policy Protections for Drivers and Riders Under the ADA

Quarter 3: September 14, 2020 Recommendations

Recommendation 1:

Procedural Due Process in Suspension and Deactivation of Drivers

Recommendation 2:

Transparency of Lyft Platform and Service Fees

Recommendation 3:

Dash Cameras Available to Drivers at Reduced or No-Cost

Recommendation 4:

24 Hour TNC Customer Service Line for Drivers Experiencing Fraud and Other Urgent Matters

Quarter 4: November 30, 2020 Recommendations

Recommendations were the same as prior months.

Quarter 5: February 8, 2021 Recommendations

No additional recommendations.

Quarter 6: June 14, 2021 Recommendations

No additional recommendations.

Quarter 7: October 11, 2021 Recommendations

No additional recommendations.

Quarter 8: February 14, 2022 Recommendations

No additional recommendations.

Quarter 9: April 11, 2022 Recommendations

No additional recommendations.

Quarter 10: June 13, 2022 Recommendations

No additional recommendations.

Quarter 11: August 8, 2022 Recommendations

No additional recommendations.

Quarter 12: October 10, 2022 Recommendations

No additional recommendations.

Quarter 13: December 12, 2022 Recommendations

Ombuds recommends drivers be reminded in PBOT Communications of the importance of obtaining and maintaining in-automobile cameras (dashcams).

Quarter 14: February 13, 2023 Recommendations – MEETING POSTPONED

No additional recommendations.

Quarter 15: April 10, 2023 Recommendations

No additional recommendations.

Quarter 16: June 12, 2023 Recommendations

No additional recommendations.

Quarter 17: August 14, 2023 Recommendations

No additional recommendations.

Quarter 18: October 9, 2023 Recommendations

No additional recommendations.

Quarter 19: November 27, 2023 Recommendations

No additional recommendations.

Quarter 20: February 12, 2024 Recommendations

No additional recommendations.

Quarter 21: March 11, 2024 Recommendations

No additional recommendations.

Quarter 22: April 8, 2024 Recommendations

No additional recommendations.