

**City of Portland, Oregon, TNC Drivers Advisory Committee (“DAC”)
Quarterly Ombudsperson Report: July 28, 2022
Prepared for TNC Drivers Committee Meeting August 8, 2022**

Executive Summary

Seven New Complaints Filed by Six Drivers.

Status of Open Complaints. Four prior complaints remain open and in pending status; all relate to deactivations or suspensions. The Ombuds Team has placed these four complaints in pending status in the event the Committee’s recommendation is adopted, after which time they will be reopened.

Recommendations. The Ombuds has no recommendations this Quarter.

Introduction

Between the 10th and 11th Quarters, seven new complaints were filed due to deactivation/suspension.

Status of all complaints in current reporting period (QR11):

- Complaints resolved as driver requested / in favor of driver & TNC: 0
- Complaints open / pending: 10
- Complaints unresolved / neutral / closed: 1
- Complaints referred to outside source¹: 0

Update on Closure of Pending/Open Complaints in the 11th Quarterly Report (July 2022).

Four prior complaints remain open and in pending status; all relate to deactivations or suspensions.

Deactivation / Offboarding / Suspension – Seven Complaints

- **Five complaints were filed by drivers deactivated due to rider complaints:**
 - 19106-00. Lyft. Driver joined Lyft in 2015 when the company first entered the Portland market. After approximately one month, driver's account was permanently deactivated due to rider complaints. Driver was never given any details about the complaints. Complaint is open and pending Lyft's reinvestigation.

¹ Outside sources include the American Arbitration Association, Oregon State Bar Lawyer Referral Service, and Multnomah County small claims court.

- 19107-00. Lyft. Lyft deactivated driver's account in 2019 after a rider complaint of alleged inappropriate conversation. Driver was not provided with additional information about the ride in question and believes this was a false accusation for the purpose of a discounted ride. Lyft reviewed driver's account per the Ombuds' request and determined driver would remain deactivated based on three similar reports of inappropriate conduct. Complaint will remain in open / pending status until the information needed for Ombuds review is provided.
- 19108-00. Lyft. Driver's vehicle is turquoise but the closest option in Lyft's app is "light blue." Driver contacted customer service multiple times to ask for a more accurate color option as many riders were confused. One rider was suspicious that driver was not legitimate and argued with him. Although driver completed the ride, he believes this encounter was the reason his account was deactivated. Per Ombuds' request, Lyft reinvestigated this matter and determined that driver was deactivated due to inappropriate conduct involving physical contact with a rider. Complaint will remain in open / pending status until the information needed for Ombuds review is provided.
- 19108-01. Uber. Driver's Uber account was permanently deactivated in 2020 after driving for one year. At the time his account was deactivated, driver believed he was deactivated because his car (turquoise), did not correspond with the color of the car as identified in the app (light blue). This had caused confusion with riders in the past. Approximately one and a half years after deactivation, driver messaged Uber requesting reactivation of his account and was told the account had been closed for customer complaints not related to the color of his car, as he originally believed. Driver asked for more detail about the complaints but was given no information. Complaint is open and pending.
- 19110-00. Lyft. Driver was accused of canceling a ride over the phone due to a passenger's race. Any dash cam footage of the call from the driver to rider was lost when the camera was unplugged. Driver denies ever speaking with rider and canceled after the call rang twice without an answer. Complaint open and pending additional information from driver.
- **One complaint was filed by a driver after multiple account suspensions and notice of potential for deactivation:**
 - 19111-00. Lyft. Driver's account has been suspended and reactivated three times within a four-month period due to rider complaints. Driver provided camera footage contradicting two of the complaints. The third complaint accused driver of operating his vehicle while intoxicated, which driver vehemently denies. Lyft has warned driver if he receives any additional complaints his account will be permanently deactivated. Driver is disabled and stated a concern that the company's conduct is discriminatory. Complaint open and pending receipt of additional information from driver.

○ **One complaint was filed by a driver after deactivation due to low ratings:**

- 19109-00. Uber. Driver's account was deactivated in 2018 due to low ratings. Driver does not recall any negative rider interactions and believes he received low ratings because he is not a native English speaker. Uber suggested driver take the 7x7 Experience course. Driver completed the course and was reactivated. Less than one month later, driver's account was deactivated again due to low ratings. After reinvestigation, Uber confirmed driver will remain deactivated as the "reactivation process" is only available to drivers once per company policy. Driver was notified and sent arbitration referral materials. File closed.

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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.