

**Transportation Network Company (“TNC”)
Drivers Advisory Committee (“DAC”), City of Portland, Oregon
16th Quarterly Ombudsperson Report
Prepared on May 30, 2023
TNC Drivers Advisory Committee Meeting June 12, 2023**

Executive Summary

New Complaints. Three new complaints were 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. No new recommendations are made in this report.

Two new complaints were filed by drivers deactivated due to rider complaints.

19117-00. Uber. Driver’s account was placed on hold and then deactivated after a rider accused them of assault. The complaint occurred after the driver told rider they did not want to wait for a fast-food drive through of what was estimated 30 minutes, and the situation escalated rapidly. The driver also filed a complaint with the Washington Drivers’ Union. Uber agreed to conduct a secondary review. Due to cell phone footage the driver took when the event escalated, driver was able to prove they had no physical contact with rider. Driver was reinstated on the platform.

Because driver was deactivated from the Uber platform for approximately two and a half weeks, the Ombuds team is in contact with the Washington Driver’s Union (driver’s home state) regarding reimbursement from Uber of lost wages. Complaint is open pending a response from the Washington Driver’s Union.

19119-00. Uber. Driver, active with Uber for 5 years, was deactivated after a disagreement with a rider stemming from a disagreement about whether the rider was vaping in the rental automobile. The rider reportedly told the driver he would complain and make him lose his job. Shortly after that ride, the driver was deactivated and told by Uber a rider had reported he was driving while impaired. Complaint open and pending additional details from driver.

One new complaint was filed by a driver due to fraud / wage theft.

19118-00. Uber. Driver reported being contacted via telephone by an individual posing as an Uber customer service agent and having one weeks’ worth of earnings, approximately \$350, deposited

into a fraudulent account in his Uber profile. At Ombuds' request, Uber agreed to reimburse driver for the stolen funds. Driver confirmed funds were received. Complaint closed.

Status of Prior Open Complaints

- **One prior driver deactivation complaint was closed:**
 - 19116-00. Lyft. Driver was deactivated after a rider report of allegedly making derogatory/discriminatory comments during a trip. Due to prior rider complaints similar in nature, driver's account was deactivated by Lyft¹. Driver reports never being given details related to any of the rider complaints and denies ever making derogatory or racist comments to anyone. Ombuds requested information related to the prior rider complaints and requested that driver be reinstated. After a secondary review, Lyft determined their decision would remain final. Ombuds sent driver arbitration and small claims court materials. If the DAC's recommendation for Ombuds cooperation is approved and implemented, and the driver wishes to pursue the complaint, it will be reopened.

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¹ In some cases, the driver's report/complaint has not been validated by documentation, or the TNC, and some statements by complainants in this report are disputed by the TNC.

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.