



THE CANADIAN PRESS 

Uber Canada signs deal with union offering workers dispute representation

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TORONTO — Uber Technologies Inc. has signed an agreement with a private sector union that will provide representation to Canadian drivers and couriers, but does not unionize workers.



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The San Francisco, Calif.-based tech giant said Thursday it is partnering with United Food and Commercial Workers Canada, a union representing at least 250,000 workers at companies including Maple Leaf Foods Inc., Loblaw Companies Ltd. and Molson Coors Beverage Co.

The partnership allows UFCW Canada to provide representation to about 100,000 Canadian drivers and couriers, if requested by the workers, when they are facing account deactivations and other disputes with Uber.

Workers will not be charged for the representation, which will be jointly covered by U

 "We've come together to find common ground for the future for app-based workers," said Andrew Ma

global rides and platform, in a release.



"Through this agreement, we're prioritizing what drivers and delivery people tell us they want: enhancing their flexibility to work if, when, and where they want with a strong voice and new benefits and protections."

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Uber drivers and couriers are considered to be independent contractors because they can choose when, where and how often they work, but in exchange, they have no job security, vacation pay or other benefits.

Gig Workers United, a delivery workers advocacy group, was disappointed couriers had not been consulted.

"This is the illusion of a union. This is the illusion of workers representation, but it is not," said Brice Sopher, a Toronto UberEats courier representing the group.

"It is more so to give Uber the protection, the veneer of being progressive, while they will continue probably to push for the regressive rolling back of worker's rights."

His comments come as Uber faces increasing global pressure to recognize couriers and drivers as employees and to, at least, better compensate and give them more rights.

Samfiru Tumarkin lawyer Samara Belitzky, for example, is representing Uber Eats courier David Heller in a class action arguing those working for Uber should be entitled to minimum wage, vacation pay and other protections because they meet the definition of employees under Ontario's Employment Standards Act.

Belitzky doesn't think the agreement Thursday will impact workers much.

Video: Returning Champions: Ted-Jan Bloemen (cbc.ca)



"On paper, it looks like it may be giving some very limited additional rights or benefits, but it doesn't give them very much," she said.

The agreement also raises conflict-of-interest concerns because Uber will be paying for the company.

"If I was a driver for Uber... I'd be a bit worried about where their interests may lie," she said.



Belitzky also noted UFCW previously outlined several issues it had with Uber on its website, but has since replaced that content with details of the agreement.



"This may be Uber's way of trying to quell the concerns of the union," she said.

UFCW Canada's page previously said drivers often spent more than 100 hours logged onto the Uber app awaiting work weekly, leaving them paid well below minimum wage.

It has also complained drivers are subject to deactivation if their ratings — scores offered as feedback by consumers — drop below a certain threshold. UFCW Canada has said this practice can force a driver out of work, if they refuse customer demands to ignore traffic rules or city bylaws.

The union has also raised concerns about what little recourse Uber workers have when they face harassment and abuse on the job because they are not eligible for workers' compensation and other protections.

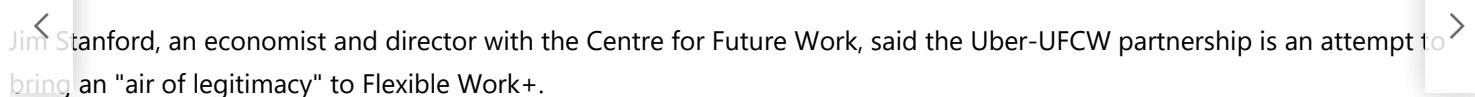
As part of UFCW Canada's agreement with Uber, both groups will work to encourage provinces to mandate policies providing gig workers with new benefits and other rights.

"This is just a starting point for the many issues we need to address," said Paul Meinema, UFCW Canada's national president, in a video announcing the agreement.

"Uber Canada and UFCW Canada will jointly advocate for industry-wide legislative standards like minimum wage guarantees, a benefits fund, a path to organizing, and other rights for workers in the app-based sector."

Uber has been pitching Canadians on a model it calls Flexible Work+. The model asks provinces and territories to force app-based companies to create a self-directed benefit fund to disperse to workers for prescriptions, dental and vision care, RRSPs or tuition.

Workers have said the model still won't offer all the protections they desire and accused Uber of using the pitch to avoid treating drivers and couriers as employees.

 Jim Stanford, an economist and director with the Centre for Future Work, said the Uber-UFCW partnership is an attempt to bring an "air of legitimacy" to Flexible Work+.

"Uber is looking for allies in its strong lobbying effort to create a customized labour law that fits its business model," he said.

"Uber is worried that courts and labour boards are going to find that their workers are entitled to the regular things, including minimum wage... and for Uber, it's a huge coup to have a union supporting its effort."

This report by The Canadian Press was first published Jan. 27, 2022.

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Tara Deschamps, The Canadian Press

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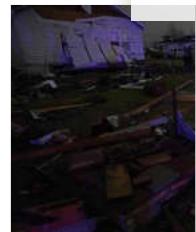
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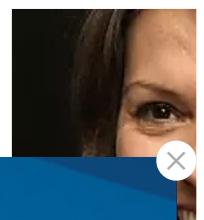


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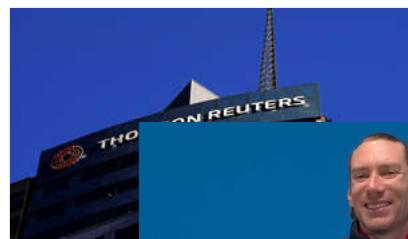
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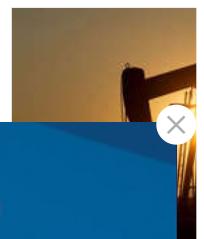
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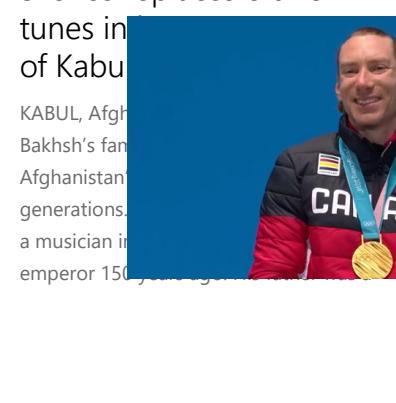


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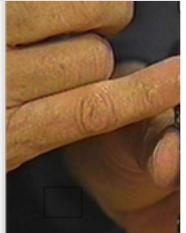
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