

Submission by a Worker – Inquiry Into the On-Demand Workforce in Victoria

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The prevalence and nature of on-demand work in Victoria

The Inquiry wants to understand the extent of and issues for the on-demand workforce. We welcome examples or case studies that illustrate the experience of individuals and the perspective of workers in the on-demand economy. The following questions are prompts for people working in the on-demand economy – you do not need to answer all of them or, if you prefer, you can say whatever you like at the end under ‘additional information’.

1. How frequently are you offered on-demand work in Victoria?

I deliver food for UberEats on my bicycle. During peak times (evenings Friday, Saturday, Sunday) I am offered enough work through the UberEats app to make about \$18 dollars an hour before tax and expenses. Outside of these times I am only offered enough work to receive average earnings of \$10 an hour or less.

2. How much on-demand work do you do each week?

Over the last year I would estimate I do between 5-10 hours of UberEats deliveries per week.

3. In what industries or regions do you work, when working for an on-demand business or platform?

I do deliveries throughout the inner Melbourne suburbs, extending about 40-50 km from the CBD in all directions.

4. Do you have another job and what kind of other job(s) do you have?

I use UberEats to supplement whatever other jobs or study I happen to be doing at the time. For example, this year I was a casual tertiary demonstrator, research assistant, then admin staff member, while completing my masters degree.

The legal status of on-demand workers

The status of workers in the on-demand economy is a fundamental issue that determines how regulatory frameworks apply to workers. The answer to this question impacts on the rights and obligations of workers, platforms, businesses, consumers and the community. It dictates where a person might go for help or advice if something goes wrong and what remedies might be available.

A fundamental question that the Inquiry must consider is whether and how regulators are able to resolve the question of whether the laws they are invested with enforcing on behalf of the community apply to these arrangements and the extent to which users and workers are able to understand their rights and obligations and seek assistance if something goes wrong. The Inquiry therefore seeks submissions about the following:

5. How were you recruited and engaged to perform work?

I applied online after searching for the UberEats website. After passing initial background checks I was invited to visit Uber's "Greenlight Hub" in Collingwood to provide ID documents.

6. Please outline how your work arrangements were put in place?

See above.

7. Did you discuss or negotiate the details of your work arrangement with the platform and/or the end user?

No.

8. Do you decide how and where you work?

I can choose when and where I sign into the UberEats app, but after doing so I can receive jobs from up to 10 km away. If no jobs are available I can be waiting without pay for up to an hour during peaktimes, and even longer during off-peak times. I cannot screen jobs before accepting them, and delivery riders/drivers only have around 4 seconds to accept jobs offered on the app (Uber claims its 10 seconds, but in practice I find its 4 seconds or less). This can present hazards while riding, as when you hear the phone ping you hurriedly try to press it to accept the job (new jobs can be offered whilst still cycling to deliver current job.) I find I am restricted in "how" I work by restaurant owners, some of whom take a "sniffy" attitude towards delivery people – asking them to wait outside, or to access the restaurant from a difficult to reach alley way back entrance. Some restaurant owners also misunderstand how UberEats works – when they realise I'm on a bike some

will insist that I cancel the job so that someone in a car can collect the order instead. This costs me both my rating on the app, the time it took to ride to the restaurant (often around 15 minutes) and the lost time that I wasn't able to collect an order that I could actually deliver!

9. Are you free to provide the same services to more than one on-demand platform and/or client at the same time?

Some delivery riders/drivers do this, and to my knowledge it is not policed by Uber. However, because we cannot choose which deliveries to accept without losing rating and eventually being banned from the app, this makes running two different apps at once difficult. For instance if the delivery order is 10 km south, then an uber order comes in that turns out to be 10 km north, it is difficult to meet both at once!

10. What do you do if you have a dispute or concern about your work? Where and from whom can you seek help in resolving disputes?

This is one of the most frustrating things about dealing with UberEats. Help is supposedly available through the app, but clicking the "help" button takes you through a labyrinth of FAQ's and menus, before you finally locate an online form you can complete. Response to this form often take days, and have a copy-pasted response feel to them, where the issue has been brushed over or ignored. There is a phone number you can call during deliveries if, for example, the customer does not answer the door, but this number is not provided to new delivery people and is not available anywhere on Uber's website or the app! I was given the number by another UberEats delivery person! Moreover, the call centre staff who answer calls from this number will not deal with issues other than those related to current deliveries. There is no way to get telephone help from Uber when, for instance, they arbitrarily suspend your app access, without notice, until you resubmit a particular form. Extremely frustrating when you're relying on income from UberEats on a particular week.

11. How is the quality of your work assessed? In what situations if any might you lose the right to obtain work via the platform?

Again, an extremely frustrating aspect of UberEats. There is absolutely no managerial assessment of work performance. Assessment comes from the restaurants you collect from, and the customers you deliver too. This feedback can be unfair – for instance customers can give you a "thumbs down" on the app for being late, even if the address they provided was incorrect, and you've ridden to the opposite end of Melbourne! Restaurant owners may complain about lateness, even if you've had to ride 10 km to the restaurant because there was no one closer to do the pickup! If you cancel or decline more than 20% of jobs you are offered you will lose access to the app – and hence the right to obtain work through the platform. If you receive too many negative assessments from restaurants/customers you will lose the right to work – despite the fact this is not assessed by an actual human manager at any point, it relies on feedback from customers/restaurants. As above, Uber will also arbitrarily revoke access without warning if this or that document needs to be resubmitted.

The impact of on-demand work for workers, including vulnerable workers

The impact of on-demand work on workers is multi-dimensional and complex. In considering the question of 'impact' the Inquiry wants to hear about the experience of individual on-demand workers, but also seeks to understand the broader impact of the emergence of on-demand work on both the on-demand cohort, but also workers in 'traditional' arrangements.

12. What and how are you paid?

I'm paid about \$4 per pickup and then about \$1 per km whilst doing the delivery. I'm not paid for riding to the restaurant, waiting at the restaurant if the food is not ready, waiting at the customer's house/apartment if they do not answer the door, climbing stairs/waiting for lifts at big apartment complexes etc, etc, etc. During peak hours (evenings Friday/Saturday/Sunday) I would typically do 2-3 deliveries per hour, averaging about \$18 before tax and expenses. Expenses are substantial – bike chains need to be replaced every 100 km and these cost at least \$40 – doing so much riding means the bike needs to be serviced regularly and this costs minimum of \$300. I have no occupational insurance as I cannot afford it!

13. Why do you engage in on-demand work?

I do a lot of mental work at Uni and I enjoy the simple physicality of riding my bike around the city – I used to rely on the pay to supplement my income, but now I do UberEats primarily for enjoyment and don't stress too much about the pay. I also enjoy dropping the food off to customers, who are always grateful, happy to see me, and impressed I've ridden! I have also had some rewarding experiences dropping high quality restaurant meals off to disabled customers, who said they hadn't been able to access high quality restaurant food before due to mobility issues.

14. How often do you participate in on-demand work? Is on-demand work some, most or all of the paid work that you do? Do you also work outside of the on-demand economy?

Previously it was the only work I did, and I'd do between 10-20 hours per week while studying a masters degree full time. Now I have other part time work (about 16 hours a week), am spending most of my free time on research in preparation for a PhD, and only do UberEats around 10 hours a week.

15. Do you experience any differences when you work under on-demand arrangements or 'traditional' arrangements?

Absolutely – see the above. In particular, not having a manager, or really anyone at all to discuss issues with is a problem. Not having any kind of occupational or bike insurance is a huge problem – if I were to pay for insurance myself my pay would drop below minimum wage even during peak times.

16. Are there any training or development opportunities made available to you when you work with an on-demand business or platform?

Uber provides occasion "bike safety" or "road rules" videos through the app – but that's it.

17. How do you raise issues or concerns about your workplace arrangements? Do you feel confident to do this?

There is absolutely no way to do this with UberEats. When I complained about an issue via the app that I believed violated Australian Law (from memory I believed something violated the relevant courier award) I received a response to the effect of "Uber does not recognise any agreements or awards other than the Partner Agreement." I found this kind of disturbing, as they were happily asserting to employees that they do not follow Australian Law!

18. What happens when you are unable to work due to a physical or psychological injury, illness?

I would just not log into the app.

19. How are workplace injuries addressed if you are injured?

Uber views it as my responsibility to manage such things entirely myself through my own insurance for instance. There is absolutely no way to report injuries through the app/website/delivery issues number.

20. Are you paid superannuation?

Of course not!

21. What tax do you pay and how do you ensure your tax liabilities are met?

I pay income tax on my earnings which is calculated each tax year. I use the ATO's etax/mytax service which determines my earnings through my TFN and ABN. I claim relevant deductions for bike maintenance, new chains etc, but last tax year this had no effect because I earned below the tax free threshold!

Additional Feedback

I love the cycling and customer service in my job with UberEats, but would rest far easier at night if Uber was obliged to pay for occupational insurance for its delivery riders/drivers while working – this can easily be assessed as riders must be logged into the app to work. If an injury/damage occurs while logged in riders should be insured by Uber (given that we generally make less than minimum wage). Note if riders are logged in but not accepting jobs they are quickly logged out, and if this occurs repeatedly, they are banned from the app, so there is no risk of riders not actually working trying to get free occupational insurance.

Also, Uber is constantly reducing the rate of pay for delivery riders/drivers. Previously, if we picked up multiple orders from the same restaurant at once, we'd be paid our \$4 "flagfall" for each order – now we're only paid this once and Uber keeps the "flagfall" costs from the remaining customers! Also basic rates have fallen steadily since I began delivering in Nov 2016.