PRESENTATION BY UBER DRIVERS GUILD CT-21 SEPT 2016

GREETINGS,

Lawmakers, members of the committee,fellow South Africans & Africans. We are happy with this opportunity here to disclose the challenges we face on the Uber platform in our country. Many of you are not aware but below we will detail them and recommend what will be right and fair for everyone living in this country for the benefit of all and those who live in it and not a few elite. Our gatekeepers have allowed Uber to operate in the country in the name of employment creation and economic empowerment in our beloved South Africa. It is indeed our country, God-given land and this isn’t a debatable fact! We, however, are of the view that in our land in this work environment, we are being exploited and made slaves.This troubles us daily and should worry all of you too especially on the back of our fallen comrades, those in hospitals and the dark future of our lives tomorrow. We are slaves in Our land and its not acceptable any longer, we are calling for a full review. We are submitting on the Bill and also, wish to call on the law to make sure that the rich and the poor all benefit so we can reduce the massive financial differences amongst our people which in our view, creates deep hatred countrywide considering the regrettable history of this Land.

We are here to deal with the E-hailing section of the Bill. A part of the Bill which we strongly feel, we are better placed to contribute since we work in the structure. We will start by defining this slave-ship Uber. Uber is a European Company found by a very much controversial CEO Travis Kalanick and its financial management internationally is done by a Gupta. Yes, thats right! Gautam Gupta is the Chief Financial Officer at Uber with previous working records at Goldman Sachs. This company created a platform that allows partners, partners drivers and riders to meet each other and take rides together. Interestingly, this company’s influence doesnt just end there( on providing the platform), they exert a lot of influence over us, they make decisions unilaterally, we are not allowed to propose our ideas and vent our frustrations, they have 99% economic power over us and make policies that affects our life and continue to do so adversely; yet they claim they are a service provider and we are independent contractors. Under such circumstances, we are suffering and we believe we will continue to if our lawmakers doesn’t closely look at this monster called Uber. A lot of European Countries and other countries in the world have banned Uber and why do you think they have? Uber is dealing with a lot of court cases currently worldwide including in the USA where it comes from, the UK too. Why do you think so? There is no Uber in Germany, Spain, two main cities in India, Italy, Abu Dhabi to name a few. Because they have noticed and learnt that this company is….,"Wait for it"a Scam and a breakdown below sums it up:

PARTNERSHIP

Currently, on the structure we are called Partners. We have been fooled by this company into believing that we are in a partnership, yet we are not involved in decision-making process at all. We all know what a partner is,  Uber drivers aren’t.There is no such partnership on Uber, we have been fooled.Then one has to think of how this name came about, it say a lot. Read their email address…partnerscapetown@uber.com. Here we will give an example:-

PRESENTATION BY UBER TO GVT

On the 6th of June, we met Chief Lawmaker on Transport Mr Yasir Ahmed and we asked to know what was the presentation by UBER and whether they are fulfilling those. We asked him if Uber was doing what they agreed and if not, why aren’t they following up. Surge pricing and cash payments has since been implemented in the country, Mr Ahmed told us that government was clear to Uber on what they can do and not. Uber did what they are known to do best worldwide, they disregard rule of law and breaching agreements.This does not surprise us considering its run by a Gupta who has work experience with Goldman Sachs. So strangely, the provincial government is reluctant to intervene immediately citing sensitive talks and telling us Rome was not built in one day while our comrades on the road are being robbed and killed.We have approached so many government officials and everyone throws the towel. why? Have they been captured?In our unobscured view, we think government has failed us as our gatekeepers by allowing Uber to operate. Something need to be done and… Now! Comrade Webb-Law has died, comrade Charles was burnt and more than 10 hijackings has been reported in the country.

PREMIER LEAGUE

From the beginning we have been told getting a ride works with close proximity. Depending on where i am as a driver and where a trip emanates from, if i am closest than others i get the beep on my smartphone app for the ride. But now we say Uber representatives have cars on the system( they must prove us wrong). They have allowed their friends to own fleet of cars which they now give preference on trips if its a reasonable trip considering the fact that when one requests for a ride they put in their pick up location and destination. Algorithms of their app are manipulated to favour the Premie League. If you are not a member of the PL, you don’t get trips( you get scraps) that makes sense, only those that involves long dispatches and short trips,not making any money while a trip you should be getting is preferred to a car for the PL. Bear in mind, the agreement with the City was 5cars each person and Uber doesn’t comply and the City does nothing at all.(E.G)This is unethical business practice and must be stopped! Here we will give an example:

SAFETY

Our lives is in danger, Uber has broken its promise because of the introduction of cash trips. Their promise has been very clear and i will ask my deputy to quote their promise in an email dated 29 January 2015 and we can provide this to any of you at request. We as drivers are vetted, our criminal background checked through our fingerprints as drivers and partners, and our riders are not. We have since called on this giant multi-billion company to review this decision and they shut us out at their offices. We are now falling victims to riders because they now do not have to break houses to steal a car,  one simply have to create a bogus account for just 3mins as a rider... request an Uber driver. Not knowing where the poor man/woman is going, goes and pick up the rider. They take you to any place where you may get killed or robbed. Yet, they say its business as usual, We say NO...an injury to one is an injury to all. A case similar to what is being emphasised here is open in Fish Hoek where comrade Washington experienced such a tragic incident.Do you know why to Uber is business as usual? Because they can get another driver...we are now easily replaceable in this work environment.This is a company that has nothing except an app. The have been here for 3years yet they keep on recruiting drivers every two days in a week. Which company do you know that employs workers daily? Why is that happening after 3 years of establishing such a powerful app? Once you start asking these questions, you get deactivated and the word if you are not happy…”John” wants work. If you experience an accident as driver and you need medical and financial assistance, they tell you you were an independent contractor sorry Uber can’t help.Meanwhile, the partner who owns the car writes in to Uber to say insurance has replaced the car, he/she gets a new list from a pool of drivers from Uber. So what have become in this company?In our land?? We are called partners, we make them what they, they are in our land, we are replaceable and we don’t have a say in the company!! So question, What are We? To me, thats the definition of SLAVERY!! We are made slaves again under your watch.

UBER CONTRACT

According to the Uber contract, we are not allowed to unionise as workers while Uber is testing driverless cars in the States already. By the time we will finally manage to, there is already driverless cars-they do not need us anymore. Meantime,if you organise and unionise, you are victimised( don’t get trips for a long time) and even deactivated indefinitely.This is in breach of what is enshrined in our Constitution, we have a right of freedom of association as workers. Do you know why they don’t want us to unionise and happy to deal with us individually? Because they don’t want us to become powerful in our numbers and another qtn worth asking, whats wrong with Uber allowing drivers and partners to come together if they know their business practice is above board? Explain origin of the contract here: issue

REGULATIONS-RELATIONSHIP OF UBER WITH THE CITY

The City’s Brett Heron has come out in public and said Uber is in violation of its agreement by implementing cash trips and adding more illegal vehicles which has saturated the market making it difficult for us on the ground to make money. Question: What happens if someone has broken the law? Certainly there is consequences…The City is reluctant to deal decisively with Uber. One wonders if no City officials has cars on Uber because their reluctance raises eyebrows. We allege that there is collusion between Uber and the city at the expense of the suffering masses. Uber offices are right here in Capetown in GreenPoint at 74 Prestwich Street.We have already ubered Helen Zille and the General Manager of Uber Jonathan Ayache. We have known from a member of the PRE Mr Yasir Ahmed that Uber violated the agreement in the meeting held on 6th of June at the Athlone Offices but upto today prices surges, cars without permits continue to be uploaded.Isn’t this dereliction of duty by the City? While Helen Zille takes enjoyable rides with Uber GM..our question is  If the late Comrade Webb `Law had been related to her, certainly as a Premier of the City she should taken steps to remedy the situation but because its us, its fine Rome wasn’t built in one day. All partners and drivers on Uber has applied for permits to operate on the system, strangely the City is now mandating Uber to take over the applications. How does that happen without consulting us? Thats undemocratic! We started these and should be allowed to finish or at least consult us... because currently i think we are independent contractors. Uber is exactly doing what their CFO Gautam Gupta has been doing best at Goldman Sachs-lobbying officials but we trust strongly in our law thats why we are participating today.

Uber has been allowed a certain number of cars(1034) but they have added more cars without permits, they continue to disregard the Law of this country and still nothing happens to them. From 1034 to over 3000 is a big number, but the interesting question must be why is this company so stubborn and nothing happens?Clearly, they have a backing of an influential political head! Who is that person? Who compromises our law for Personal Gain? Only for her/himself in a country that has millions of people. Also, as a result of this conduct, the market is saturated. We cant make money at all and so is our taxi brothers and sisters, while Uber is shipping money out of the country. This Slave-Ship needs to be stopped as has been done in other countries. Even the UN refused to partner with Uber on their evil project. Someone has to stop this and serve the People. It is you our Lawmakers!!! ( Explain fines to them-almost 10k each time a car is impounded and Uber pays for the fine-tassit confession of breaking the law-we are being send to break the law for money)

PREDATORY PRICING & OUR RELATIONSHIP WITH OUR TAXI BROTHERS& SISTERS

Uber arrived in the country 3years ago. We have been told it operates strictly on EFT( i repeat we can show that email from them on 29 Jan 2015). Uber requires partners to have a car not older than 4 years, must be comprehensively insured, have a tracker and they take 20/25% on every ride you do. Bear in mind, you carry all expenses and theirs is to only take their percentage. We as partners incur data costs on the app, calling clients, the fines we rack on the road, insurances, fuel as it keeps on going up, maintenance, to name a few. Worthy to also mention that we do have our own racial issues in the country, as drivers we get racially abused by clients. All this for R7 a kilometre? Where is profit here? And how is this employment creation and yet we are partners? CEO Travis statement on TAXI:

We see this as unfair competition and creates a deadly taxi war which we all know how bad it can be, as is happening at the moment. The  law has to protect our traditional taxi brothers, we love them. We dont want to undercut them, because we are doing so at the moment and this is creating unnecessary tensions and requires state resources like police deployments when this noise erupts as it has happened recently in the country. Uber works on off shore accounts and we allege they don’t pay tax at all while they work exploiting us 7days and nights since we operate at all times. All partners and drivers are grown up man, we do have kids that must go to school and in this model we cant sustain this employment hence we call upon a full review. Uber drivers are doing long driving hours to at least make enough for petrol but then again the body gets tired and our comrades gets involved in fatal accidents because the R7 is unbearable. We feel this is to drive the competitors out and it’s unfair, it must be investigated. Competition has to be about service and not the tariffs. Our taxi brothers and sisters are angry with Uber, and we stand with them in solidarity. They are also in their country to work and be able to make money to feed their families.Lets make sure the law protects everyone who lives in country and in an event of a violation, as in a traffic fine if i have one, there is a day to pay or to appear in court. In this case, there seems to be no consequences to Uber in all violations of the law & agreements, WHY? We really need to be careful with European companies, they do not have us at heart.

DATA COLLECTION

This is an industry which we can strongly argue that it be owned and run by foreign companies without a proper regulation by Government. We call on Gvt to nationally regulate Uber or be banned from operating in the country. Government can make its own app which we can use, and we pay the 20/25% to the country.Uber have violated laws and agreements since day one. If they do not comply, they must leave. Its that simple!! Actually, we are of the view that a company that collects such an amount of data on where our people go on what day of the week must be strictly monitored. With the rise of terror worldwide, this is a concern. Also, we call upon the Department of Safety and Security to monitor the data collection done by Uber.

RESEARCH PUBLISHED BY THE HUFF POST

Recent research cites that Africa, the World’s poorest continent is being further impoverished or exploited by the rest of the World. It is found that $134 billion flows into the continent each year, mainly in the form of loans, foreign investments and aid. However, $192 billion is taken out, mainly in profits made by foreign companies and tax dodging. The result is that Africa suffers a net loss of $58 billion a year. We need to radically rethink the notion that Uber and other European companies are empowering African countries, if unchallenged and ungoverned we will have a massive problem in this country and continent.. that will be a failure on your part lawmakers on the people you serve. This is a company that does not create an employment and develops no one economically at all, except to benefit themselves and a few elite through this tax dodging business models.

AFFIRMATION

IS  UBER CREATING EMPLOYMENT, BLACK ECONOMIC EMPOWERMENT WHEN 90% OF THE VEHICLES ARE OWNED BY THE WHITE MINORITY WHILST THE BLACK ARE PREVENTED FROM OWNING A SINGLE CAR BECAUSE THEY DO NOT QUALIFY FOR LOANS FROM BANKING INSTITUTIONS TO PURCHASE A CAR WHICH IS NOT OLDER THAN 4 YEARS?

PRESENTING THEMSELVES TO GOVERNMENT AS FOR THE PREVIOUSLY-DISADVANTAGED PEOPLE KNOWING FULL WELL WHAT CAR THEY WILL REQUIRE TO OPERATE, UBER KNEW EXACTLY WHO THEY ARE EMPOWERING AND TARGETING. WHO FROM NYANGA, GUGULETHU OR KHAYELITSHA AFFORDS SUCH CAR???

COMPILED BY UBER DRIVERS GUILD CT

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