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A History of Uber Organizing in the UK

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This article details Yaseen Aslam's experience of organising at Uber. Yaseen is the National General Secretary of UPHD (United Private Hire Drivers), a branch of the IWGB (Independent Workers Union of Great Britain). He is a co-claimant, with James Farrar, in the employment rights court cases against Uber in the UK. The article is the outcome of co-writing with Jamie Woodcock, presenting Yaseen's first-person perspective. It builds on the method of workers' inquiry (Woodcock 2014) and writing between workers and academics (Waters and Woodcock 2017).

In February 2019, I stood on London Bridge in the cold, the wind whipping up from the Thames. With a small number of volunteers clutching red flags, we start to block the usually busy bridge as the early signs of the evening rush hour began to appear. The Mayor of London had recently announced a new congestion charge for private hire drivers. As the cars began to arrive in convoy for the protest, drivers began to gather. We talked about issues they were having with Uber, as well as some of the new platforms that had recently started operating in London. The police arrived to block off access to the bridge, taking a very different tone to their often-friendly interactions with the anti-Uber Black Cab protests that had been taking place in Parliament Square that week. Despite our agreement for the protest, they refuse to let many drivers join, leading to threats they will shut down our protest.

Despite the attempted intimidation, there are now hundreds of mostly migrant workers gathered on the bridge. Supporters from the Deliveroo campaign have arrived on bicycles and the University of London workers branch of the IWGB has brought a sound system to liven things up. James Farrar and I, as co-claimants in the workers' rights case against Uber, give speeches about the campaign. We both argue that we need to fight Uber – on the streets and in the courts – as well as taking the fight to the regulator. Following more speeches and as darkness falls, a decision is made to march off to protest outside the City Hall. Banners are unfurled, placards handed out, and red flares are lit – the thick smoke drifting between cars. Someone shouts: “driver power?” the crowd bellows in response “union power!”

Standing on this bridge was the result of starting work at Uber six years before. During this time, I have organised with many drivers and organisations, and used different tactics and strategies. We have been on strike against Uber, fought them in the courts, and protested outside their offices. This has been as associations, networks, and in different trade unions. The campaign has grown and developed into a fight against companies like Uber, as well as regulators and politicians. This article covers the history of my Uber organising in the UK, drawing out different lessons that we have learned along our journey.

The arrival of Uber in London

I first started worked in the taxi industry in 2006, before and after Uber arrived in the UK. As other jobs were disappearing, factory and manual labour was drying up, restaurants and cornershops closing, this was the next industry that migrants or so-called low skilled workers could turn to. I had been made redundant from my job in IT 2006 and decided to try working as a private hire minicab driver. This kind of work is different from the famous London Black Cab Taxis that can pick up passengers from the side of the road. Instead, minicab drivers work for a company and a radio dispatcher hands out the jobs. The industry has long been divided between the Black Cabs and private hire drivers, often along racial and class lines.

In the UK, Uber drivers need a private hire license to operate. In London, these are issued by TfL (Transport for London). When UberX first launched in July 2013 it was the private hire drivers like me that they tried to recruit. When Uber came to town offering high fares and bonuses, and best of all the freedom from corrupt minicab controllers and operators, many drivers were quick to sign up. I wanted to find out what it would be like to work as a driver through an app.

It was my first job working without a human managing me. Like many drivers, I too was lured in by the promise of making money and the working flexibility I needed – or the supposed freedom to be my own boss. Early on, it was possible to make good money working for Uber. For example, I was paid bonuses of £10 for each job I completed, on top of getting 85% of what the customer paid for the journey. I started working four days a week, averaging about ten hours a day. After all my expenses, I was taking home about £1000 a week. On top of that, if I referred a driver to the platform, I received another bonus of £200. I was telling all the drivers I knew to join, as well as my friends. However, I knew that it could not last. In other countries, since it became more established “Uber has taken a larger and larger slice of every fare” (Slee 2015: 65). Soon after, the hours I needed to work to earn enough money started increasing.

A typical week for me was driving Thursday to Sunday, as those were the busiest days to find work. Usually I would log in and start working as soon as I was in the car. This meant clipping my phone onto the dashboard, loading up the Uber app and turning it on. I would immediately start receiving trip requests from customers. These would ping and I would have 15 seconds to confirm my availability before they were then sent to another driver. The trip request would show me the customer’s location, their rating, and the estimated time it would take me to reach their pick-up point. Once I had confirmed a trip request I would then begin driving to the customer’s pick- up location shown on the app.

Other than through the app, I did not have much contact with Uber. This became a problem with the rating system that Uber used. I felt that system was unfair and designed to benefit Uber at the expense of drivers. If a customer was rude, drunk, or made a mess in my car, I would often feel that I had to complete the journey because I could not risk a bad rating. This was great for Uber and their customers, but not for me. We were now managed by an algorithm and at the mercy of these star rating and we never realised this when we joined. However, there were no human dispatcher or controllers to deal with - which was one of the reasons we left other minicab companies. At Uber the power had transferred, and it seemed the customer had control based on how they rated us. This was used by both Uber and the customer to blackmail us as drivers. In trying to escape from the human controllers of the minicab industry, we ended up trapped by an algorithm (Rosenblat and Stark 2016).

When I first started working for Uber, I had never heard the term “gig economy.” Uber claimed that I am self-employed and that drivers contract directly with customers to provide a service. I do not agree with this. I understood Uber as a company that offered a private hire service to customers and I worked for Uber as part of their service. However, Uber claimed to be a ‘tech startup’ rather than ‘a labor company’ (Scholz 2017: 44), meaning that I supposedly had a driving business myself. My experience was that Uber had the commercial relationship with the customer, not me: the customer paid Uber, not me (drivers were not allowed to take cash as payment as all customers have to pay Uber electronically for their journey); Uber decided on the fare and cancellation penalties that customers paid, not me; Uber paid me part of the fare, but also bonuses and incentives; the customer provided all their

details to Uber and they had a policy of not giving this to drivers; Uber set the rules that we drivers had to follow. When changes were introduced, we were told we had to accept them.

Organising at Uber

Before I started working for Uber, I had a WhatsApp group with 50-60 drivers. We used the group to talk about where demand was, or traffic to avoid. These networks, and many of them that we later brought in, were an early form of ‘invisible organisation’ (Alquati 2013). By December 2013, we started hearing more and more issues from drivers, particularly “deactivations” with drivers kicked off the platform for little or no reason. In response, we decided to start organising. At first, Uber were keen to talk to us and I could walk into the office and sit down with the manager. By August 2014, Uber started significantly reducing the rates. It was at that point that I started to see the bigger picture. I reached out to drivers in New York and San Francisco on social media. Through our discussions I realised the process in London had already happened to them two years ago.

In September 2014, we first started organising meetings. We called drivers together in overcrowded community centres and started talking about our work. This quickly caught Uber’s attention. While they would initially arrange meetings and say they would listen to our concerns, we thought we had achieved something. However, when they met with us, the tone was different. Our biggest concern was the reduction in fares. Pay was falling with commission going up - first to 20% then to 25% - and then the bonuses disappeared. Uber’s argument was “you’re going to get more work, so you’ll make more money.” We did not believe them, as this meant working harder to make the same amount. We wanted a tip option and a “going home” option so that if we worked all nights, we could get a job heading in the direction of our house not the opposite way.

The WhatsApp group and the meetings among drivers led to our first organisation: LPHADA (London Private Hire App Based Drivers Association). However, Uber quickly stopped talking to us. The association aimed to improve how Uber treated drivers, particularly in terms of communication and transparency.

When I first started driving for Uber, I felt that it was a good company to work for and I helped to recruit a lot of other drivers for that reason. However, I felt this had now changed. At the time, my main focus was getting respect for drivers. We started asking why the regulator was not helping drivers. Every day I was coming across more serious cases of verbal racism and physical abuse. We started trying to find ways to get justice for Uber drivers.

The conditions changed in February 2015. When I tried to log in, I found I had been “deactivated” for the first time. There was no reason given or warning. I believed that they did this to stop my organising. After emailing and demanding an explanation, I was eventually “reactivated” and started working again. Around this time, issues at Uber started to be reported in the press - both around drivers being attacked and those – like me – who had been “deactivated.” There was also speculation on social media that Uber was not checking insurance documents for drivers. I worked with a journalist to test this, submitting a blank document through Uber’s system. Uber accepted the document and I became a whistleblower. Despite the fact I had active insurance, I was arrested and then permanently “deactivated” from working for Uber.

The GMB experience

It was just before my last “deactivation” that I met James Farrar. He became another key Uber driver organiser in London. James had heard about what I had been doing, and he had been assaulted by a passenger too. Uber refused to give James the passenger information, so he started a legal case for disclosure (Temperton 2018). Through our discussions, James and I realised that we needed to make TfL a target for our campaign. James met with the law firm Leigh Day and we found out more about workers’ rights that we should be entitled to. This was a watershed moment for us. If worker rights could be secured in the courts - not only would drivers be guaranteed minimum wage, but the obligation for occupational safety and duty of care could be put back on to Uber. This seemed to be the perfect answer to the struggles of Uber drivers. Through Leigh Day, we also came into contact with GMB, a large general union. At the time, GMB assured us they would help us with the regulator and politicians, meaning we could now fight politically and legally. We saw this as an important development of our organising, moving from taking on Uber to also the regulator and policy makers.

We folded LPHADA to join GMB in May 2015. In the process of converting to paid membership, we lost the majority of members, going from 500 members to 50. While James and I had been prepared to fund the legal challenge against Uber, GMB stepped in to support it. Quickly, however, we ran into difficulties. The GMB branch also represented Black Cab drivers, and was running a strong anti-Uber line, demanding TfL revoke its license. This was the opposite of what we wanted as Uber drivers. In addition to the legal case, we wanted to highlight issues of racism and discrimination at TfL. Instead, GMB fed into this narrative by supporting a false story of drivers defecating in gardens at Heathrow airport. They gave this story to the BBC and it was used in a legal case funded by Addison Lee (a rival minicab company) as a further argument for the revocation of Uber's license. Leigh Day were then asked to brief Addison Lee senior management on the workers rights case against Uber, without consulting the Uber drivers like us who were members. Innocent drivers were used as cannon fodder in Addison Lee's dirty war with Uber and GMB is shamefully implicated in it.

We were deeply concerned by the behaviour of our branch. We tried to meet with officials to address these problems. We wanted to see if we could form a new branch so that private hire drivers could advance their own cause, on their own terms. The officials went back and forth but would not agree. Instead, we started putting our ideas into practice. James and I were elected shop stewards for Addison Lee and Uber respectively. The election followed all of the GMB rules. We now had activists working at the grass roots, supported by elected officials. However, someone at GMB – I still do not know who – decided the elections were illegal. The first I knew of this was when new ballots for nominations came through my letterbox. Nobody ever communicated the decision to us, but the election had been invalidated. We felt that GMB never trusted us, as members, to decide for ourselves how we wanted to be organised and tackle the issues we faced. GMB failed us as drivers.

We launched UPHD (United Private Hire Drivers) the same year because we realised we were not making progress with GMB. We started holding regular meetings, making sure they worked for drivers. We did not want to meet in pubs, but instead put on food for drivers who could take a break between shifts. This is an important part of building a community. We hosted UPHD iftar meals for drivers during Ramadan. Drivers felt confident telling the representatives from UPHD (like me and James) that they needed to pray during meetings or demonstrations. This is not something that is common in other unions. In a context of

widespread Islamophobia, we allow people to bring and integrate their own cultures into organising.

Using the Law and Picking Targets

Despite what happened with GMB, they did support us taking Uber to employment tribunal in 2016. During this time, I could no longer work for Uber. Addison Lee found out I was organising and pushed me out – which GMB again failed to support me. I went back to work for a local cab office, but they had no work due to the growth of Uber. I had to sell my car and used all my savings, spending the three months up to the tribunal date in Summer 2016 working with Leigh Day to prepare evidence for the case.

The employment tribunal, *Uber BV v Aslam*, involved myself and James Farrar. We claimed that we should be paid the minimum wage and receive paid annual leave. This meant arguing that we were “workers”, an intermediate status between employee and self-employed, while Uber claimed we were “partners” and self-employed independent contractors. My experience of the tribunal was nerve wracking. In the courtroom we were faced by media and put under pressure by Uber’s barristers. Before the case, we kept being told Uber will buy out the judges and we cannot compete against their lawyers, everyone thought we were fighting a lost battle and should give up. In September 2016 we received the verdict. It was damning for Uber and I thought the judge really believed our side. It was then I started to feel hopeful again. We immediately called a meeting with drivers who were all proud to have taken on Uber.

Even though we won the first tribunal, Uber appealed the decision. James and I fought both Uber, and increasingly found ourselves fighting GMB too. In 2017 I no longer wanted to be part of the union. We built up UPHD as an independent organisation while we were in GMB, which was free for drivers to join. In 2017, we voted to become an autonomous branch of the IWGB union - a small alternative union that ‘is a non-bureaucratic, grassroots, “bottom-up” organisation’ (Roberts 2018). They represent workers like me: Deliveroo drivers, cleaners, foster care workers, and couriers. This meant we left GMB to become members of another union, but this time we had control over our own struggle. Three days after we joined the IWGB I received an email from the lawyers stating that GMB would no longer be funding the case. This meant James and I became personally liable to costs from Uber - something we definitely could not afford. The IWGB stepped in and secured us new counsel. As Jason Moyer-Lee (2018), the general secretary, has argued, there is no need for confusion in the gig economy: ‘We say the law is pretty clear and the companies are clearly on the wrong side of it.’ The IWGB was therefore keen to support our legal case.

Uber’s legal appeal succeeded, meaning we are now seeking to overturn the decision. We have targeted Uber directly in the courts, as well as holding demonstrations and strikes. We first went on strike in October 2014 while we were organised with LPHADA. This was coordinated with drivers in San Francisco, Los Angeles, Chicago, and New York (Leroux 2014) and was the first app-based workers strike. While we were members of GMB we managed to vote for a protest outside the Uber headquarters in London (Hellier 2015). However, GMB did little to help organise the protest - even trying to overturn the decision - with James and me left to rally drivers. This changed when we joined the IWGB. On October 9th, 2018, the IWGB called a strike of Uber drivers, demanding an increase of fares to £2 per mile, commission reduced to 15%, an end to unfair deactivations and bullying, and worker rights protection. As James Farrar argued: “We ask the public to please support drivers by not

crossing the digital picket line by not using the app during strike time” (IWGB, 2018). In 2019, we held protests in the run up to Uber’s IPO, as well as demonstrations and flash occupations of their headquarters in London. This brought us into contact with drivers across the world, starting an international network against Uber. Throughout all of this, we have found the space within the IWGB to debate and decide on our tactics and strategy, pushing the campaign forward ourselves.

In addition to targeting Uber, we have also confronted the regulator TfL and the Mayor of London. The Mayor announced that private hire drivers - but not Black cabs - would have to pay a congestion charge of £11.50 per day to drive in central London. In addition to Uber’s commission, paying for a vehicle, insurance, and so on, this would represent a significant cut to driver’s income that many cannot afford. At the start of 2019, we called demonstrations every monday for twelve weeks, targeting the busy London Bridge and Parliament Square, shutting down the road with our cars. After the mayor refused to repeal the charge, we launched a legal challenge that minicab drivers were facing indirect discrimination under the Equality Act. The ‘charge is being imposed on a workforce that is mainly BAME (94% of London’s 107,000 minicab drivers are BAME according to TfL), while black cab drivers, who are mostly white, continue to be exempt’ (UPHD, 2019). In our struggle for respect and workers’ rights we have taken on more than just Uber.

Learning from the Struggle Today

As drivers, our campaign has gone through different organisational forms, each with strengths and weaknesses that we have learned from. We have built up organisations and then had to restart them. Although our experience with GMB was negative, it was a personal turning point for me. It made me question whether the campaign was possible – especially if this large union would not help. However, leaving GMB and coming out the other side gave me the confidence to carry on. James and I rebuilt UPHD from scratch, meeting members, doing the administration, arguing with drivers, speaking to the media, self-funding the project, fighting and protesting.

Throughout all of this I have learnt many lessons. When we first started organising people said we would never succeed – included trade unionists, academics, and journalists that we thought would be on our side. Few people believed in us or gave us the support we needed at the time. Instead people talked to us, got what they wanted, and left. We never heard from most of them again. However, I knew that what happens at Uber matters for workers in other industries too. Platforms like Uber are ‘laboratories of class struggle’ (Cant *Forthcoming*) used by management to test new strategies. If these work, they will be used against more workers. Our fight at Uber is therefore part of a much larger fight.

It is the journey since 2013 that has made us who we are today. Like driving in central London, our journey has taken many turns. At each stage, we have kept trying to move forward, experimenting with new ways to organise. These bring us together as workers in new ways – new moments of “political recomposition” (Notes from Below 2018) – as we find successful forms of organising in these new kinds of work. We have built these from the way drivers are organised by Uber at work, as well as the social factors beyond work like community and migration.

When people look in from the outside, they often think that worker-organisers must have some sort of special characteristics –but this is not true: organisers are made. Our organising

at Uber has, to say the least, been a very bumpy ride. We have had to suffer physically, mentally, financially, and our families have suffered too. That is the commitment that it has taken for us to organise at Uber. We have taken on a multi-billion-dollar company, confronted regulators, but also won many small victories like helping a driver keep their license and livelihood. While we may lose a battle here and there, we have our sights on the larger war. Our journey continues.

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