

## Chapter 4:

# An Unsafe Ride? Ola and Uber as Drivers of the Gig Economy

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## Introduction

A transformative change has swept through the world of work, rendering an irrevocable impact on work arrangements and working environments, transcending towards a new global order. The world of work in the current globalised economy is dominated by app-based companies running businesses across the globe. The concept of work is focussed on jobs created in the platform economy specifically by the ride sharing/hailing services of Ola and Uber in India. Technological innovations, globalisation, climate change, emergence of platform-based economies, digital technologies and artificial intelligence continue to rapidly transform the world of work. These transformational changes have major implications on the standard employment relations and employee-employer relations<sup>ii</sup>. One of the significant implications of the same is on the cohesive industrial relations<sup>iii</sup> protecting the rights and entitlements of workers. Workers have fewer bargaining powers than the capital.

The rapid growth in technological innovations and its penetrations has led to a steep rise in 'new age jobs', across sectors and industries, through the platform-based economies. Since the early 1990's, the global reform measures<sup>iv</sup> established an economy for the neoliberal modern market spaces, with multinational corporations trading almost exclusively in services and intangible products. They have penetrated each and every sphere of

our day-to-day lives<sup>v</sup>. Multinational corporations fuelling the global economies are allowed by the governments to have unbridled access to products and labour markets. As a result, these firms running enormous businesses across the globe, engage representatives at every significant point of their global supply/value chain, limiting their own presence and responsibilities as principal employers<sup>vi</sup>.

The state intervention and responsibilities are gradually withering away. On the contrary, state machineries have often smoothened obstacles that hinder the functioning of global supply chains. A majority of the workforce has been rendered transient over the last decade. This transient workforce is part of the platform economy, simultaneously engaging with different and disparate employers<sup>vii</sup>. The platform economy has become the new reality in this day and age.

'Platform Aggregators' such as Uber and Ola in the Indian transport industry and other similarly modelled app-based companies in other industries, have emerged as the new technological breakthrough for providing a range of services. This has replaced the traditional forms of industry practices. The new forms of industry and supply chain models, directly connect suppliers with customers, thereby externalising the work-related risk and responsibilities.

## Ola and Uber in India

Ola and Uber are India's leading app-based taxi service providers. They have successfully disrupted and changed the structure and operations of the Indian taxi industry in the last five years. Their

business model has made it possible for people to book a ride from their own doorstep, often at affordable rates and minimum wait time. On city coverage basis, Uber's second largest market

operations were in India till 2015.<sup>viii</sup> It was reported that India had over five million weekly active riders in August 2017 and Uber controlled 40 per cent of the market in India, the world's third largest and its domestic rival Ola is the market leader, with a share of 56 per cent<sup>ix</sup>. On a rough estimate available, it is speculated that there are about 4.75 lakh vehicles operating for Uber and approximately 10 lakh vehicles for Ola across India<sup>x xi</sup>. Ola operates in nearly 125 Indian cities, offering cabs, auto rickshaws, and even two-wheeler services while Uber services are available in 36 cities<sup>xii</sup>. Ola and Uber engage/attach drivers for business purposes through three categories of vehicles: fleet, leased and partner.<sup>xiii</sup>

- Partner vehicles are those that are owned by the drivers themselves. By registering with Ola and Uber through their online platform, followed by physical verification of relevant documents and the vehicle, drivers can utilise app-based service for earnings, paying for a certain commission claimed by Ola and Uber from the fare.
- Leased, or “driver under a partner” in case of Uber, is where drivers who don't own a vehicle can lease a vehicle. In the case of Ola, it is for Rs 31,000 security deposit with a daily rental fee of Rs 1,150. For Uber, the fleet vehicles are registered under a single owner; the registered individual then acts as an employer and employs drivers to drive his/her fleet vehicles for a salary he/she negotiates with the driver.

- Fleet operator/owner has a number of vehicles registered with either of the companies. Ola also provides assistance in securing drivers for the fleet vehicles if drivers are not available for certain fleet operators/owners.

Most of the drivers who drive for platform aggregators – Ola or Uber or for both – end up driving for more than 15 hours a day. They do so in order to justify the cost of fuel consumed, and to pay commission and monthly installments due to these platform aggregators. Even after toiling for hours, often the drivers don't take home a decent enough earning for survival. The earnings have dwindled from Rs 70,000-Rs 1,00,000 to Rs. 22,000 – Rs 25,000 per month over the last three years.<sup>xiv</sup> On the contrary, the work hours have increased drastically. This astronomical drop was fuelled by incentives and bonuses being cut, coupled with the rise in fuel prices and decrease in per kilometre rates by platform aggregators. This has made it impossible for the drivers to escape the push towards urban poverty.<sup>xv</sup>

Apart from plying long hours on the Indian roads, drivers also have to be wary of harassment and violence from the riders, police and road rage. Numerous reported incidences confirm robbery, abduction and in some cases even murders during/after a ride/trip.<sup>xvi xvii xviii</sup> The virtual employers – here the platform aggregators – bear no responsibility towards their driver partners in the event of an accident or any untoward incident during the course of work.<sup>xix</sup>

## Methodology

This article has been developed using secondary data and first-person accounts of 15 drivers driving for Ola and Uber. The respondents were selected through snowball sampling and there was no purposive selection of the same. Interviews were conducted in an informal setting, during rides and at completion of trips. The respondents were asked about their experience of driving

with Ola and Uber with probes focusing on their income, expenses and on issues dealing with health, safety concerns, harassment and, if any, authoritarian role by the platform aggregators. The secondary data was sourced from online news articles, ongoing research projects, journals and blog posts.

# The Plight of App-Based Driver Partners

The platform economy is churning out jobs that are precarious and hazardous in nature. These companies would argue that the worker is a free agent and not an employee, having the free will to log out of the platform aggregators' app. However, this rationale is misleading and devoid of the fact that the companies had enticed and entrapped the vulnerable and marginalised workforce through their initial programmes of high incentives and bonuses. Drivers are trapped and shackled in debts by the platform aggregators, pushing them to race every day to complete targets and earn just enough to meet liabilities. Drivers' responses with regards to their work when analysed through the lens of

precarity<sup>xx</sup> and forced/bonded labour<sup>xxi</sup> tick all the checkboxes.

Work of drivers associated with platform aggregators is distant from the definition of decent work<sup>xxii</sup>. It is an illustration of modern slavery<sup>xxiii</sup>, where a worker is not bound by chains anymore but by debts and contracts. The core issues gripping Ola and Uber drivers in India can be broadly classified into three categories. These categories are not conclusive or exhaustive as in each city the drivers will have their own set of problems, which they prioritise over the others. The three categories are elaborated in the following paragraphs.

## Core issues faced by drivers

**Opacity of the System:** The drivers in several Indian cities, working for different app-based platforms, have complained about the lack of transparency related to fare determination, promotional costs, surge pricing, incentives, penalties and bonuses. They have little or no information on how rides are being fixed or are being allotted and remain in the dark on the software/office end of the business. Questions on the rating system for drivers, its impact on rides/fares or their income and parameters of customer ratings exist. The relationship between the state monitoring and regulating authorities/agencies and the platform aggregator companies is unclear.

**Dehumanising Work Practices:** Effective grievance redressal mechanisms to resolve issues faced by drivers don't exist. The automated system and scripted responses from the call centre overlook and trivialise their problems. The algorithm keeps nudging and needling them to complete at times impossible targets for insubstantial incentives and bonuses.<sup>xxiv</sup> Long working hours to meet debts and liabilities force them to lead a very isolated existence. Interactions between a driver and the rider/customer are often confrontational and the tone of the rider/customer is that of indignation and disdain. Drivers feel they have been reduced to a cog in the machinery

that exists only to generate profit while shunning the human who drives the business.

### State Apathy and Regulatory Ignorance:

Discontent on possible collusion between state machinery and platform aggregator companies exist among drivers. Some of the developments suggesting the same are – disappointing outcomes to major agitations spearheaded by drivers' unions and associations,<sup>xxv xxvi</sup> hike in road and municipal taxes for commercial vehicles,<sup>xxvii</sup> lack of regulation for platform aggregators, precariousness and hazardous nature of work, absence of social security and protection etc. State regulatory authorities/agencies are relegating their role in restraining the malpractices and bad faith conduct by the platform aggregators. Through the recently amended Motor Vehicle Act, 2019, drivers have been further disenfranchised while all issues pertaining to platform aggregators would be resolved under the Information and Technology Act, 2000. This further denies the drivers their identity as workers/employees working for an employer.<sup>xxviii</sup>

In addition to the above-mentioned three categories, there are serious concerns pertaining to the financial statements of driver remunerations, physical and mental health issues including stress

faceted by drivers resulting from work, long-term impacts not only on drivers but also on their

## How Does it Work?

Fare and commission of the platform aggregator companies are major concerns for the drivers; on a trip their earnings vis-à-vis company's commission. The parity between what platform aggregator companies charge their customers and actual payment to their drivers can be elaborated through the screenshot below.

The screenshot shows the 'FARE DETAILS' for a trip. It is divided into two main sections: 'You Receive' and 'Rider Pays'. The 'You Receive' section lists: Base Fare (\$1.80), Distance (32.07 mi × \$1.4040/mi) (\$45.03), Time (38.89 min × \$0.1728/min) (\$6.72), and Tip (\$3.00), totaling \$56.55. The 'Rider Pays' section lists: Rider Payment (\$118.78) and Tip (\$3.00), totaling \$121.78. A note at the bottom explains that earnings are calculated as base fare plus time and/or distance rates, plus applicable tolls, fees, surge/Boost, and promotions.

You Receive	
Base Fare	\$1.80
Distance (32.07 mi × \$1.4040/mi)	\$45.03
Time (38.89 min × \$0.1728/min)	\$6.72
Tip	\$3.00
<b>Total</b>	<b>\$56.55</b>

Your earnings are always calculated the same way. On every trip you take, you earn your base fare, plus time and/or distance rates for the length of the trip, plus applicable tolls, fees, surge/Boost, and promotions. To see your rates anytime, see Fares in the menu.

Rider Pays	
Rider Payment	\$118.78
Tip	\$3.00
<b>Total</b>	<b>\$121.78</b>

Picture source: RideGuru

This is a screenshot of the final bill statement, an illustration of what a driver gets on ride completion. In this case, the driver has earned less than half of what the rider has been charged

family and friends.

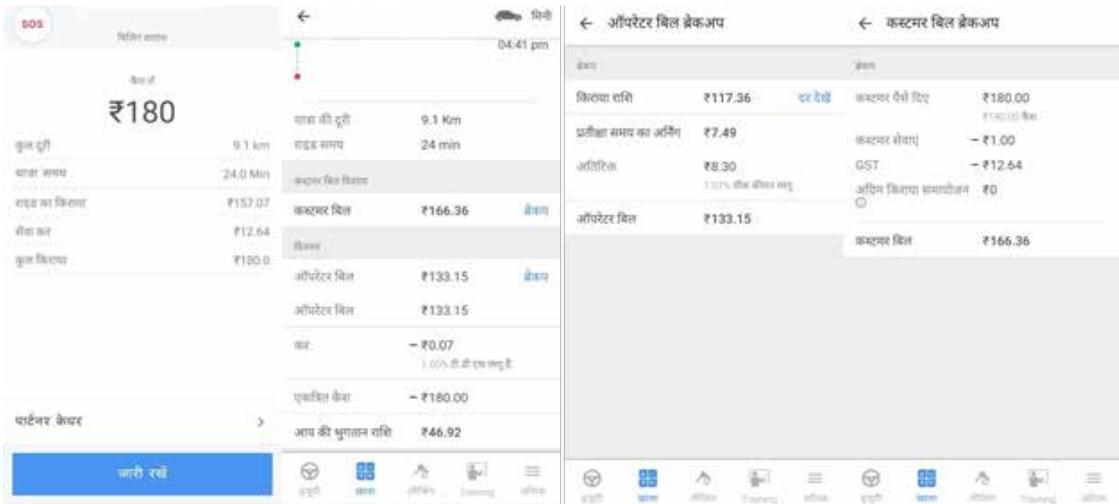
by the company. It demonstrates how platform aggregators, in this case the Uber, retain more than the stipulated 25 per cent commission, it lists out in its contract with the drivers.<sup>xxix</sup> Though this example is not from India, in India too, we can see a similar discrepancy as observed in the screenshot below.

The screenshot shows 'Trip Earnings' for a trip. The total earnings are ₹ 100.54. The trip details are: Duration 18min 27sec, Distance 8.47 km. The breakdown shows: Cash Collected ₹ 133.62, Uber Fee ₹ 26.72, and Tax on Fare ₹ 6.36. The final 'Your Earnings' are ₹ 100.54.

Trip Earnings	
<b>₹ 100.54</b>	
Duration	18min 27sec
Distance	8.47 km
<b>Cash Collected</b>	<b>-₹ 133.62</b>
<b>Trip Type</b>	<b>UberGo</b>
<b>Time Requested</b>	<b>1:23 PM</b>
<b>Date</b>	
Fare	₹ 133.62
Uber Fee	-₹ 26.72
Tax on Fare	-₹ 6.36
<b>Your Earnings</b>	<b>₹ 100.54</b>

Picture Source: Private

It appears that platform aggregator companies, in this case the Uber, take advantage of drivers and possibly exploit them. The drivers, even if they want to resolve discrepancies through a proper redressal mechanism, are stonewalled by the company and its policies. Companies' position that the drivers are not employees but 'partners' further creates an obstacle in resolution of these



Picture Source: Private

issues through any traditional state or legal apparatus.

Ola has separate bill calculations for its riders and driver partners. The upfront pricing scheme usually benefits the company rather than riders or driver partners. There is also the case of taxes being levied on both riders and driver partners, which is never explained nor any details being provided for. The following screenshot of a bill will shed light on this issue.

The bill shows that a trip fare reported in the beginning is different from rider and operator fares. The additional charges and expenses further muddle the calculation process of actual fare against the demanded fare. Even then, the driver has to pay back to the company the commission he/she owes. In addition to this, there is also the EMI if one is a fleet driver, cost of fuel and maintenance. The drivers have always been short-changed by the companies with policies and processes, often aimed at maximising profits at the cost of drivers and customers/riders.<sup>xxx</sup>

In terms of driver earnings, we can consider the case of an Uber driver. He informed that if he needs to have a gross earning of Rs. 90,000 in a month, he would have to be on the wheels for more than 20 hours a day, at least six days a week. Even after working for extreme long hours without

leave, the cost of actually keeping the vehicle running for the month would set him back by at least Rs. 50,000-60,000.<sup>xxxi</sup> A typical monthly expenditure as provided by the driver shows the actual earnings vs expenses.

Income (per month)	Expenses (monthly average)
<b>Rs 88,000</b> Gross Income	<b>Rs 4,600</b> Down payment (averaged out monthly over three years)
	<b>Rs 15,000</b> EMI
	<b>Rs 24,600</b> Fuel expenses
	<b>Rs 1,500</b> Tyre change cost
	<b>Rs 4,000</b> Commercial tax
	<b>Rs 7,900</b> Other maintenance and data costs (9% of Rs 88,000)
	<b>Rs 630</b> Insurance premium
<b>Total: Rs 88,000</b>	<b>Total: Rs 57,030</b>
<b>Net income: Rs 88,000 - Rs 57,030 = Rs 30,970</b>	

Picture source: Factordaily

Drivers working for these platform aggregator companies have reported these issues and challenges with regards to income and earnings. There are severe health implications given the long working hours. The long hours they are

confined to their vehicles lead to irregular food and sleep schedules resulting in severe life threatening diseases, continuous and repetitive actions during driving causing muscular pain, fatigue and at times accidents due to impaired judgements.<sup>xxxii xxxiii</sup> The health concerns are not just limited to physical symptoms and ailments; stress and burnout due to long hours of work also affect the mental health of these drivers. There has been limited work on this issue across the globe, however, some ongoing projects<sup>xxxiv</sup> have identified back, neck and leg pain to be the most reported ailment for drivers. They also face stomach issues due to regular consumption of street vended or unhygienic food to save time and money. Drivers are unable to access timely health services and avail of any health or accident insurance, claimed otherwise by Ola and Uber<sup>xxxv xxxvi</sup>.

The harassment from traffic police, customers, a near constant threat of assault and robbery,

coupled with the aggressive push by the companies to achieve targets and incentives, the need to undergo mandatory training breaks for better approval ratings and the pressure for keeping the app running, take a toll on the driver. These, as evident from cases reported by drivers, affect their relationships with family and friends and lead to severe behavioural changes. The drivers tend to push themselves above and beyond in order to complete targets for incentives and meet liabilities. Taking an odd day off seldom helps in recovering from physical and mental tolls from the taxing work of the other days.

The work for ride sharing apps is 'stressful by design.'<sup>xxxvii</sup> It thrives on cutthroat competition, games on human greed and need for comfort. The app pushes drivers into these precarious and hazardous 'new age jobs' to meet the liabilities arising out of the debt traps.

## Conclusion

The platform aggregator companies undermine the basic rights of a worker. The algorithm governed work borders on forced labour and modern-day slavery. The current scenario may seem bleak but successes in Paris<sup>xxxviii</sup>, California<sup>xxxix</sup> and United Kingdom<sup>xl</sup> are encouraging. The possibility of replicating these success stories in the markets of developing countries is still an optimistic aspiration. Digital economy and platform-based work are here to

stay. The strategies undertaken by the drivers' unions and associations need to be reassessed and targets for negotiations, appeals, litigations and agitations need to be reidentified. If the technological innovations are improving our standard of living and prosperity, then this should be reformulated not at the costs of workers' rights and dignity. The State must not turn a blind eye towards its citizens – in this case, the 'new age workers'.

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- i. The author is a PhD Research Scholar at Tata Institute of Social Sciences Mumbai and Independent Researcher working in the area of Labour Studies, Gig Economy and Precarious Work. Email: b\_barman@live.com  
With inputs from Mathew Jacob, Human Rights Defenders Alert-India
  - ii. Standard employment relation/relationship (SER), the nature of a relationship between employee and employer also regarding the nature of employment itself refers to the three assumptions proposed by Prof. J. Theron in 2005 in his work "Beyond the Apartheid Workplace: Studies in Transition" to define what constitutes SER and who is an employer and employee.
  - iii. A "cohesive industrial relation" refers to the relationship between the organisational structures of employer's associations and trade unions where there is a increased interaction between the two entities with better negotiation and dialogue.
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