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Statements

Labour: protect worker rights, not gig employers

(Unceded Squamish, Tsleil-Waututh and Musqueam territories — Vancouver, BC) The Canadian Labour Congress and provincial and territorial federations of labour find Uber's self?serving proposal for *Flexible Work*+ dangerous, undermining and offensive to the rights and dignity of workers. The plan, rolled out over the past few weeks, signals the companies' intention to pressure governments to invent a niche category for app-based employment. Like Proposition 22 in California, Uber now wants to enshrine insecurity and inferior work conditions into Canadian legislation while undermining the right of workers to organize.

The Canadian labour movement stands united with the growing global movement demanding full rights and protections for gig economy workers.

The COVID-19 pandemic has taught us many lessons. It has shown the depth and breadth of precarious work in our country. And it has shone a light on the essential labour delivered by many workers — work that is typically underpaid and undervalued. Grocery store workers, delivery drivers, bike couriers and many others play a critical role in keeping our economy moving and ensuring that we have essential supplies. This work matters, and these workers matter.

Governments have a responsibility to make work better – to provide workers with security, safety and fair pay. Workers are making it clear they want this too. Globally, app-based workers are standing up,

overturning misclassification as independent contractors and coming together to improve their working conditions. The recent Supreme Court decision in the UK and similar decisions in Spain and South Korea show us that around the world, the tide is turning towards rights for app-based workers.

Uber is playing hardball politics while attempting to block the movement for fairness and justice for gig economy workers. If Uber wanted to provide its workers with benefits or enhanced training, it could do so right now.

Further, workers drawn to Uber and other app-based employment by the promise of flexibility find they are left at the mercy of swings in consumer demands and algorithms that determine when they should work and how much they will earn. They have little to no protection or recourse from arbitrary deactivation or changes in the terms and conditions of their work. Many workers report their pay has steadily declined, and during the pandemic, they experience working conditions that endanger their safety.

App-based workers should have the same full protections and employment rights as other workers. They must also have the fundamental right to organize and bargain collectively. There is too much at stake for us to get this wrong. Worker rights are about more than just individuals; they are the foundation of many of our most important social programs. The Canada Pension Plan, the Quebec Pension Plan and Employment Insurance rely on the participation of workers and employers. It’s a commitment to our economic security while at work and in retirement. The rights of gig workers are entwined with all of us.

We call on the provincial, territorial and federal governments to protect gig and app based workers by:

- Applying employment standards universally and eliminating exceptions and special categories that restrict worker rights;
- Proactively addressing the misclassification of workers as independent contractors and reversing the legal onus so employers must prove a worker is not an employee and is truly an independent contractor; and

- Ensuring all workers have the right to organize into a union should they choose and making that right meaningful by addressing barriers to organizing.