



Attorney General Maura Healey
Attorney General's Office - Boston
1 Ashburton Place, 20th Floor
Boston, MA 02108

Attorney General Healey,

I am writing to you today on behalf of the Boston Independent Drivers Guild (BIDG), an independent organization of rideshare drivers for Uber and Lyft in the greater Boston area. **As rideshare drivers in Massachusetts are facing an increasingly dangerous situation as a result of the coronavirus pandemic and lack of employee status, I urge you to take two immediate actions to provide relief for drivers:**

- 1) Apply for an injunction under MA State Law to force Uber and Lyft to grant statutory earned paid sick leave to qualifying drivers, and;**
- 2) Seek damages from Uber and Lyft for violations of employment law over the previous period.**

As many of the thousands of drivers in the state of Massachusetts live paycheck-to-paycheck already, the coronavirus pandemic puts drivers in an increasingly precarious position. Currently, we must decide between risking our health and the health of our passengers to continue driving or to forgo work and be unable to pay our bills, keep up with our rent or mortgages, and buy food for our families. This means that Uber and Lyft's misclassification of drivers under Massachusetts state law¹ is a direct threat to the health of drivers and the public at large.

Since the outbreak of the coronavirus pandemic, rideshare drivers for Uber and Lyft face a period where we will be unfit to work because of a pre-existing condition or may be forced to work while sick. Because we lack employee status, we are unable to access earned paid sick leave. While the TNC companies have offered paid leave to drivers who test positive for coronavirus, or are ordered to quarantine, this policy does not cover elderly drivers or others at high risk, and it does not allow drivers to take paid sick time to care for family members. Finally, with a lack of tests, many sick drivers will have trouble being tested at all.

¹ M.G.L. Chapter 149 Section 148b

We urge you to address this growing public health issue by immediately applying for an injunction under [MA State Law Chapter 149, Section 148C, Subsection L](#) to enforce Section 148b and Section 148C, forcing Uber and Lyft to grant statutory earned paid sick leave to qualifying drivers.

Additionally, as demand for rides declines because of the pandemic, even healthy drivers are increasingly unable to earn a living, and we fear this situation will only grow worse. Therefore drivers, like many other workers, face an impending economic crisis. However, unlike statutory employees, drivers cannot access unemployment benefits and will not qualify for any employment-based stimulus if they continue to be misclassified.

But there is a solution available to the Office of the Attorney General. We urge you to immediately seek damages from Uber and Lyft for violations of employment law over the previous period², thereby providing an economic stimulus package that will support drivers in this time of crisis.

The coronavirus pandemic has laid bare the danger of misclassification and our lack of employee status. The Office of the Attorney General can act to immediately secure up to 40 hours of earned paid sick leave per qualifying driver from both Uber and Lyft and can immediately begin the process of seeking damages for violations of employment law, winning tens of thousands of dollars in relief for Massachusetts drivers in crisis.

Please move quickly to address this growing crisis for rideshare drivers and customers in the Commonwealth of Massachusetts. I can be reached at 857-237-4791 and henrydegroot95@gmail.com. I look forward to discussing this matter with your office soon.

Sincerely,

Henry De Groot
Executive Director
Boston Independent Drivers Guild (BIDG)

² We understand the statute of limitations to be three years.