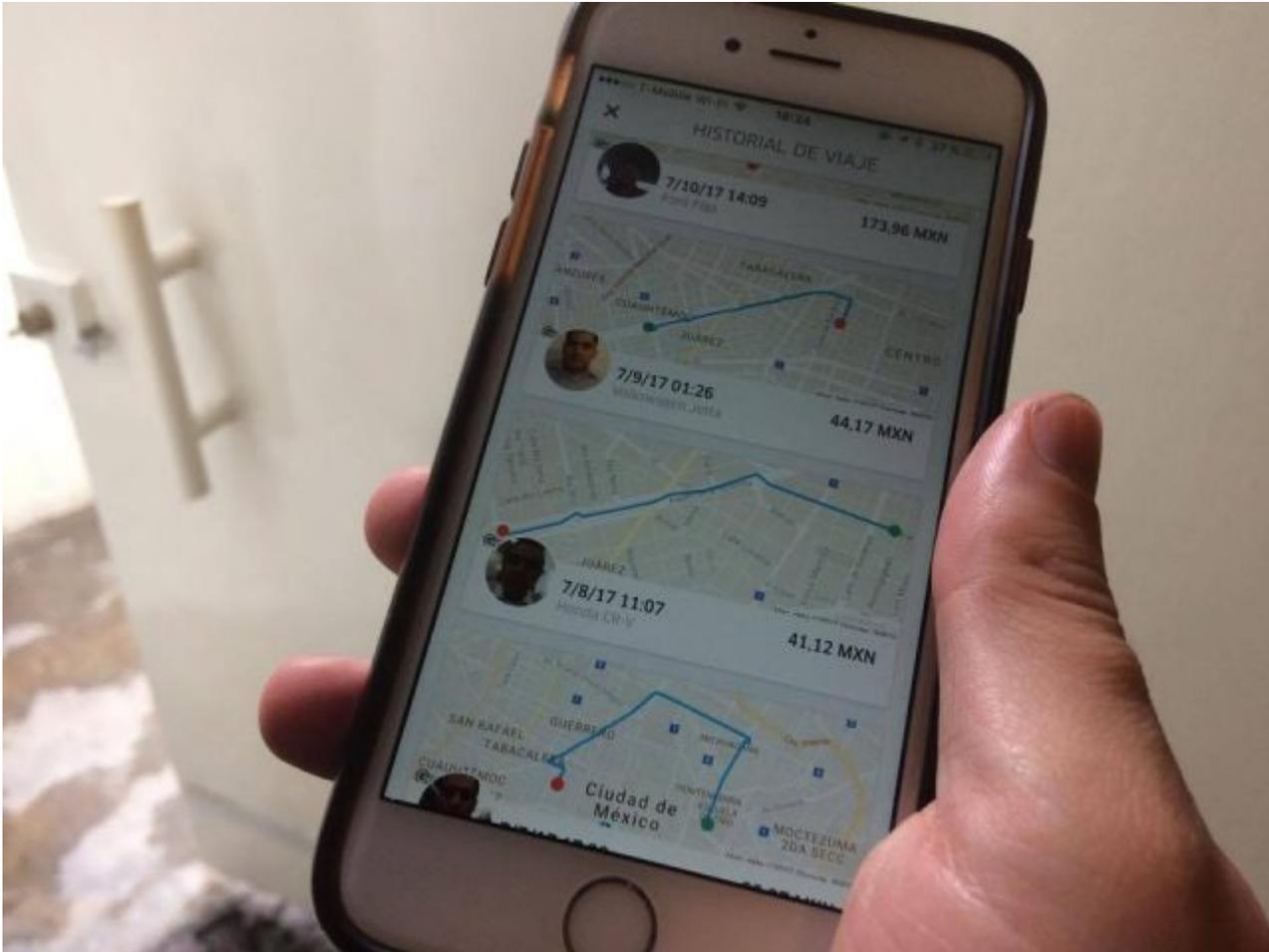


Uber Compensation Lawsuit Now A Certified Class-Action

By *Ryan J. Farrick* - Feb 21, 2018



The Uber app open on a user's smartphone. Image by Ryan J. Farrick.

A lawsuit claiming that Uber shorted its drivers' wages has been granted class-action certification.

Thousands of drivers across the United States could be eligible to opt into the litigation so long as they didn't sign an arbitration agreement with the San Francisco-based ride aggregator.

The *Los Angeles Times* recounts the suit's history – how, in the past, Uber drivers were compensated based on how many miles they drove and the amount of time they spent on individual trips. After dropping a passenger off, 80% of the fare would be passed onto contractors, with the rest heading to the corporation's coffers.

A year and a half ago, Uber made an important change to its pricing system.

In August 2016, the app introduced “upfront pricing” – a feature providing passengers with a total before ever booking an Uber.

Plaintiffs in the fresh class-action accuse Uber of stealing their wages after the feature’s implementation. They claim that, after “upfronting pricing” became a standard feature, Uber increased its fares.

Despite the increase in rates, drivers were still compensated based on outdated calculations – often receiving less than 80% of the overall fare as a result.

“Uber has failed to properly act as a payment collection agent for Plaintiffs and other drivers,” reads the lawsuit. “Uber’s failure to pay the amounts promised under the Agreement and the Addendum is a material breach of the Agreement.”



An example of Uber’s upfront pricing. Image by Ryan J. Farrick.

The suit, writes the *Times*, isn’t the first Uber’s faced – the company has been hit with a range of allegations, ranging from a similar ‘breach of contract’ claim to accusations of pocketing drivers’ tips.

Judge William Alsup’s certification order, issued last week and made public Friday evening, enables past and present Uber drivers who meet the following criteria to join the litigation as class members*:

- Opted out of Ubers arbitration provision
- Drove for UberX or UberSelect

- Transported a passenger who was charged an upfront fare before May 22, 2017, when Uber updated its driver fee schedule
- Made less money overall on rides because of the upfront pricing

Paul B. Maslo, partner at the Napoli Shkolnik law firm and lead counsel for the drivers, said an estimated 4,600 Uber contractors may meet all the criteria. The figure is derived from Uber's own data, tailored to show individual rides taken by drivers who'd opted out of arbitration.

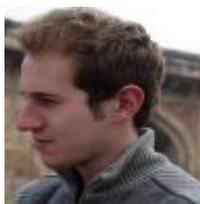
“Without this decision,” he said, “it would have likely been the end of the road for drivers seeking to recover from Uber's breach.”

Sources

[Uber class-action lawsuit over how drivers were paid gets green light from judge](#)

[Uber nears settlement after pocketing half of drivers' tips](#)

Join the Discussion



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Ryan Farrick is a freelance writer and small business advertising consultant based out of mid-Michigan. Passionate about international politics and world affairs, he's an avid traveler with a keen interest in the connections between South Asia and the United States. Ryan studied neuroscience and has spent the last several years working as an operations manager in transportation logistics.