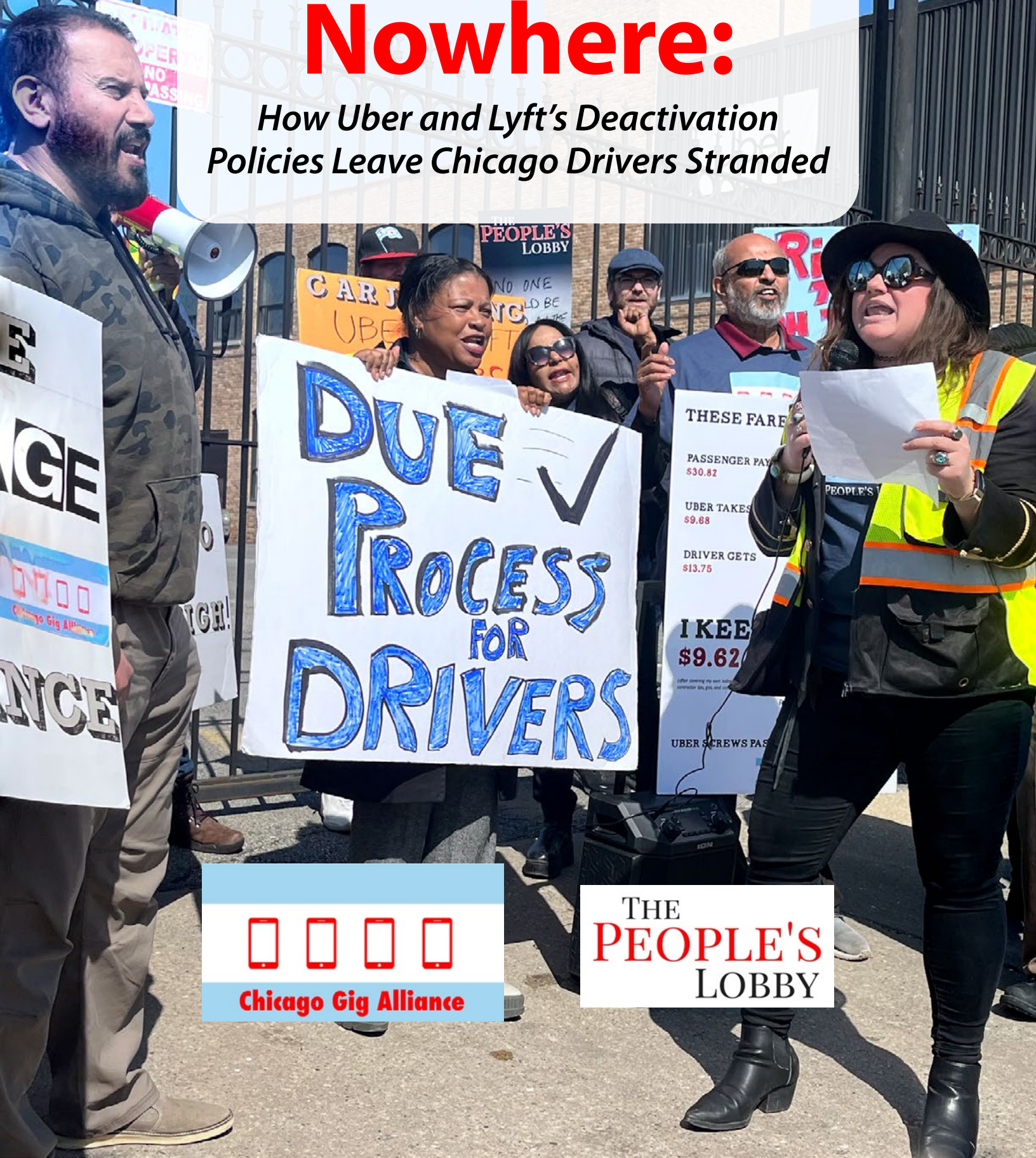


# Road to Nowhere:

*How Uber and Lyft's Deactivation Policies Leave Chicago Drivers Stranded*



**Chicago Gig Alliance**

THE  
**PEOPLE'S**  
LOBBY



Even though I had a 4.75 [out of 5] driver rating over 2 years, I was deactivated by Uber in March 2020. I still don't know why I was deactivated and I couldn't appeal the decision, even though I tried calling Uber over half a dozen times. From one day to the next I lost one of my main sources of income to support my family and I could do nothing about it.

Unfortunately, my story isn't unique. Too many drivers have been deactivated with no explanation. We need a transparent deactivation process. The Rideshare Living Wage and Safety Ordinance in Chicago will make that possible."

— JC Muhammad, former Chicago Uber driver

## THOUSANDS OF CHICAGO RIDESHARE DRIVERS LOSE ACCESS TO WORK AND INCOME

**EVERY YEAR** without notice or meaningful recourse, through what Uber and Lyft call "deactivation," essentially automated terminations or suspensions. Licensed rideshare corporations, like Uber and Lyft, are only required to report a narrow segment of deactivations to the City of Chicago that fall under ten broad "public safety" categories. **In 2022 alone, rideshare corporations, including Uber and Lyft, reported nearly 4,000 permanent deactivations to the City, which only represents a fraction of the total deactivations.** Driver deactivations were up almost 87 percent from 2021, while the average number of active drivers was only up by about 31 percent.<sup>1</sup> The corporations reported that they **did not reactivate a single driver** from the list of nearly 4,000 reported to the City. **Since 2020, the corporations have reported nearly 10,000 deactivations.**

Deactivation is a growing crisis for drivers in Chicago, and these numbers are only a small part of the story. In this brief, we describe the devastating impact of the deactivation crisis on working families, outline how the current deactivation process fuels a safety crisis and relies on the assumption that drivers, who are majority people of color and immigrants, are dangerous, and highlight solutions developed by rideshare drivers.



## Uber and Lyft's deactivation practices create income instability and dangerous conditions for drivers

Deactivation is when an app-based corporation blocks a worker's access to using the app either temporarily or permanently, too often without warning, just cause, and due process.<sup>2</sup> Deactivations are essentially terminations or unpaid suspensions.

Deactivation is a constant threat for all rideshare drivers, and particularly for drivers of color. Uber and Lyft use deactivation so frequently that data suggests that **most rideshare drivers have experienced being deactivated by these corporations at least once**. A 2023 survey of over 800 California drivers found that two-thirds of those surveyed have been deactivated.<sup>3</sup> Additionally, a national survey of over 900 drivers found that 40% of respondents had been deactivated in their last year of driving alone.<sup>4</sup>

Since [my deactivation], I lost my rental car, I don't have an income, all my bills have gotten behind, and I can't help pay for my 14 year old twins' private school tuition anymore. I started driving for Uber so I'd have the flexibility to spend time with my kids, but now I'm back to job hunting in the field I have a masters' degree in so I can go back to being in an office eight hours a day. Things have been really tough."

— John Walker, Chicago Uber driver

A sudden firing or suspension leaves drivers scrambling to figure out how to pay for housing, food, and other essentials.<sup>5</sup> In the California survey, 86 percent suffered some form of economic hardship after deactivation.<sup>6</sup> Strikingly, 18 percent of drivers said they lost their car, and 12 percent of drivers said they lost their home after being deactivated.<sup>7</sup> Uber and Lyft often do not tell drivers why they deactivated them and leave drivers with few to no opportunities to substantively challenge the claims against them through a fair, impartial process.<sup>8</sup>

Uber and Lyft's practice of regularly deactivating drivers pushes drivers into dangerous working conditions with the risk of death or serious harm. Most drivers report continuing rides in which they felt unsafe because they were worried about deactivation and losing income.<sup>9</sup> The threat of deactivation may also discourage drivers from reporting safety incidents to Uber or Lyft. Publicly released data from the California Public Utilities Commission about rideshare safety incidents shows that Uber deactivated or waitlisted (suspended) the driver in every single case—even when the passenger was also deactivated—suggesting that drivers may face consequences for reporting passenger misconduct.<sup>10</sup>

The risks drivers take to avoid deactivation are serious. In the national study noted above, two-thirds of all rideshare drivers reported being threatened, harassed, or assaulted by passengers while working in the last year.<sup>11</sup> According to a recent report, in 2022 alone at least 31 app-based workers, primarily rideshare drivers, were murdered on the job—most of whom were people of color.<sup>12</sup>

### *Drivers of color are at higher risk of deactivation and dangerous working conditions*

In the California survey, 69 percent of drivers of color reported experiencing deactivation in some form, compared to 57 percent of white drivers.<sup>13</sup> 86 percent of drivers who didn't speak English reported experiencing some form of deactivation.<sup>14</sup> In a Seattle study, data found that drivers of color were reactivated at higher rates than white drivers

I saw in the app that I got a complaint, so I called Uber to ask for more information. They took three days to call me back. When they did, the line was noisy, I was driving, and I had to translate what they were saying into Rohingya in my head, so I couldn't understand everything they were telling me. They disconnected the call and I got deactivated the next day. I still don't know what I did wrong."

— Abdul Rahman, Chicago Uber driver

when represented in an appeals process, suggesting drivers of color are more likely to be unfairly deactivated.<sup>15</sup>

In the California survey, drivers listed passenger complaints as the top reason given to them by Uber & Lyft for their deactivation.<sup>16</sup> Drivers of color, who are more likely to receive racist and unfounded negative passenger reviews, are therefore at higher threat of deactivation.<sup>17</sup> 76 percent of drivers surveyed in the Seattle study noted that the TNC did not verify the passenger's complaint before deactivating the driver, allowing passenger racism to determine a driver's access to work.<sup>18</sup>

Drivers of color are also more likely to continue a ride in which they feel unsafe because of fear of deactivation or losing income—in the national survey, 70 percent of drivers of color said that fear of a negative passenger review which could lead to deactivation, has forced them to continue an unsafe ride, compared to 54 percent of white drivers.<sup>19</sup>

### *Uber and Lyft rely on racist assumptions about drivers to avoid accountability*

Uber and Lyft's deactivation practices do not just disproportionately impact drivers of color—they are actually propped up by racist assumptions.<sup>20</sup>

In their messaging opposing transparency and recourse for deactivated drivers, Uber and Lyft have repeatedly relied on the implication that drivers are dangerous, and not to be trusted. By making this implication about a workforce made up of mostly men of color, the corporations' messages call upon racist stereotypes without explicitly stating those stereotypes.

For example, this year, when a majority Black and immigrant driver workforce in Minnesota sought a fair process for appealing deactivations, Uber reportedly emailed customers saying that the drivers' proposal "would greatly limit [their] ability to remove unsafe drivers from the platform, including drivers accused of sexual assault, harassment, impaired driving or discrimination."<sup>21</sup> Lyft expressed similar sentiments in a statement in response to the proposed Chicago Rideshare Living Wage and Safety Ordinance, saying it would "make it much harder to keep unsafe drivers off the road."<sup>22</sup>

This use of dog whistles, racist coded or suggestive language, about the Black and Brown rideshare workforce is deployed to protect the corporation's ability to deactivate drivers at will, which further harms drivers of color and blocks their efforts to secure fair treatment.

### **Chicago's deactivation crisis**

Chicago's deactivation crisis is dire. The City requires rideshare corporations like Uber and Lyft to report on deactivations that fall into ten categories that "relate to public safety," limiting the number of deactivations the

companies are obligated to publicly self-report.<sup>23</sup> While this data only covers some workers cut off from access to work, it provides troubling insights into Uber and Lyft's current deactivation practices.

According to City data, in these limited categories alone, rideshare corporations, including **Uber and Lyft, reported permanently deactivating 3,961 driver accounts in 2022.**<sup>24</sup> The corporations did not reactivate a single one of these accounts, according to the obtained data. Data suggests there is no functional or meaningful review process for drivers who may be deactivated under these categories, which means they may be left out of work permanently. These numbers have consistently increased each year since 2020 when Chicago instituted recent reporting requirements.<sup>25</sup> In the last year alone, the number of deactivations **increased by nearly 87 percent** from 2,122 in 2021 to nearly 4,000 in 2022.<sup>26</sup> Since 2020, rideshare corporations, including Uber and Lyft, have deactivated drivers **nearly 10,000 times** under these limited categories. This data also does not include drivers that are temporarily suspended from the platform, impacting their ability to sustain themselves and their families, often for long periods of time.

In 2022, the City reported an average 40,544 active drivers per month, up from an average of 30,972 active drivers per month in 2021.<sup>27</sup> **The average number of active drivers only grew by about 31 percent, while deactivations increased nearly 87 percent.** Furthermore, 2022 deactivations were equivalent to about 10 percent of the workforce, even when accounting for the "public safety" deactivations alone. In 2022, 625 deactivations, or nearly 16 percent of "public safety" deactivations, were listed under what is essentially an "other" category, with no explanation for why these drivers were deactivated.

In the first six months of 2023, the rideshare corporations have already reported 2,348 deactivations, an **88 percent increase in deactivations compared to the same time frame in 2022**, and while average monthly active drivers only grew by 23 percent. 2023 is on track to surpass the 2022 annual deactivation figure.<sup>28</sup>

The data also suggests Uber and Lyft often deactivate and lock drivers out of the platform based on their automated verification processes. Uber and Lyft require drivers to submit a photo to access their accounts and use facial recognition software to confirm that the person signing in is authorized to drive on the platforms.<sup>29</sup> In 2022, 1,853 deactivations, or almost 47 percent of "public safety" deactivations, were listed under "unauthorized TNP driver account sharing." 810 deactivations, or more than 20 percent of "public safety" deactivations, were listed under "use of fraudulent information or documents during TNP driver onboarding process." Both of these categories may include deactivations that were caused by Uber and Lyft's automated verification processes, including facial recognition identity verification which has been shown to be faulty, particularly for drivers of color.<sup>30</sup>

I've been doing this for seven years. Apparently my face when I signed up for Uber does not look enough like my face now. I sent them several messages and got nothing but automated responses back that didn't address my issue. Finally, I went to the office and explained to them that the reason I look different is that I was 25 in my first photo, and now I'm 32, but they said that unfortunately they couldn't help me. I'd done 9,000 Uber Black trips and had a five-star rating before I got deactivated. I got a little bit fatter and balder, that's all."

— Vitaly Shupoval, Chicago Uber driver

As has been widely documented, facial recognition software often fails to identify Black and Brown faces properly.<sup>31</sup> Despite worker claims, lawsuits, and resounding research, Uber has refused to adequately address the issue, claiming that there is “no evidence that the technology is flagging people with darker skin complexions more often,” thereby choosing to have workers of color continue to struggle with faulty systems that can immediately and sometimes permanently deny them access to work.<sup>32</sup>

Most importantly, this data snapshot from the City is only a small piece of the puzzle. Drivers report corporations deactivating them at alarming rates<sup>33</sup> and the current “public safety” reporting requirements do not capture all the reasons corporations deactivate drivers. Uber states that “it is impossible to anticipate the full range of causes that could result in deactivation,”<sup>34</sup> meaning that a driver could be deactivated for anything and solely at Uber’s discretion.

---

## The failures of Uber & Lyft deactivation appeals processes

In most cities, drivers can only appeal their deactivations directly to Uber and Lyft. Drivers report that the process is often drawn out, opaque, and fully mediated by the app—leaving little hope of success.<sup>35</sup> Drivers often do not know why they were deactivated.<sup>36</sup> Even when they do, some drivers report that when they offer to provide evidence to Uber and Lyft in response to allegations, the corporations largely ignore them.<sup>37</sup> And in some cases, deactivations are permanent, and corporations do not give drivers a substantive opportunity to challenge them.<sup>38</sup>

In Uber’s recent civil rights audit, the corporation claims that a human is always involved in the review process for deactivations.<sup>39</sup> Even if this is true, drivers do not have access to this decision-maker, and corporations do not allow drivers to appeal to them in real time. Often, drivers never get to speak directly to a human at any point in the process. Furthermore, corporations do not offer drivers a fair process for appealing deactivations, as the company controls the process without oversight.

---

## Drivers deserve a fair and transparent deactivation process

No one should lose access to work because of an arbitrary algorithm, racist passenger complaints, or inaccurate or incomplete information they have no process to correct.

The Chicago Rideshare Living Wage & Safety Ordinance will provide the drivers who move Chicagoans safely through the City new protections from unfair deactivation. The ordinance will also support drivers in earning predictable wages and make ridesharing platforms safer for drivers and riders. It is essential that the City Council pass this critical legislation to ensure that drivers, in particular drivers of color, have dignity, stability, and fairness on the job.



---

## Endnotes

- <sup>1</sup> See *infra* n. 27 for methodology on the average number of active drivers per month in the City of Chicago.
- <sup>2</sup> *Fired By An App: The Toll of Secret Algorithms & Unchecked Discrimination on California Rideshare Drivers*, Asian Americans Advancing Justice: Asian Law Caucus & Rideshare Drivers United (February 2023): <https://www.advancingjustice-alc.org/media/Fired-by-an-App-February-2023.pdf>.
- <sup>3</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 4.
- <sup>4</sup> *Driving Danger: How Uber & Lyft Create A Safety Crisis for Their Drivers*, Strategic Organizing Center (April 2023): 15, [https://thesoc.org/wp-content/uploads/2023/04/SOC\\_RideshareDrivers\\_rpt-042023.pdf](https://thesoc.org/wp-content/uploads/2023/04/SOC_RideshareDrivers_rpt-042023.pdf).
- <sup>5</sup> Levi Sumagaysay, “Uber drivers say they’re ‘totally dependent’ on their income — but risk being deactivated at any time,” MarketWatch, Apr. 22, 2023, <https://www.marketwatch.com/story/uber-drivers-say-theyre-totally-dependent-on-their-income-but-risk-being-deactivated-at-any-time-8076cbfd>.
- <sup>6</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 4.
- <sup>7</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 4.
- <sup>8</sup> 30% of drivers noted in a California survey that Uber & Lyft never told them why they were deactivated. *Fired By An App*, AAJC: Asian Law Caucus and RDU, 4.
- <sup>9</sup> *Driving Danger*, Strategic Organizing Center, 13.
- <sup>10</sup> Data available under “Assaults & Harassment” indicates that drivers were deactivated in every instance of reporting. “TNC Data Portal,” California Public Utilities Commission, last accessed Aug. 14, 2023, <https://www.cpuc.ca.gov/regulatory-services/licensing/transportation-licensing-and-analysis-branch/transportation-network-companies/tnc-data-portal>.
- <sup>11</sup> *Driving Danger*, Strategic Organizing Center, 3.
- <sup>12</sup> *Murdered Behind the Wheel: An Escalating Crisis for App Workers*, 2023 Update, Gig Workers Rising, Action Center on Race and the Economy, and PowerSwitch Action (April 2023): [https://www.gigsafetynow.com/\\_files/ugd/8585d5\\_6f570b2671b1402ea7f0ec14ef59780a.pdf](https://www.gigsafetynow.com/_files/ugd/8585d5_6f570b2671b1402ea7f0ec14ef59780a.pdf).
- <sup>13</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 4.
- <sup>14</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 24.
- <sup>15</sup> Schwarz et. al, Deactivation with and without Representation: The Role of Dispute Arbitration for Seattle Rideshare Drivers, Puget Sound Clinic for Public Interest Technology and Drivers Union, (August 2023): 3, <https://osf.io/preprints/socarxiv/w6z8e>.
- <sup>16</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 20.
- <sup>17</sup> Sam Harnett, “Black and Brown Gig Workers Report Lower Ratings — But Companies Make Bias Hard to Track,” KQED, July 22, 2021, <https://www.kqed.org/news/11878952/black-and-brown-gig-workers-report-lower-ratings-but-companies-make-bias-hard-to-track>.
- <sup>18</sup> Schwarz et. al, Deactivation with and without Representation, 4.
- <sup>19</sup> *Driving Danger*, Strategic Organizing Center, 15.
- <sup>20</sup> Dalia Gebrial, *Racial Platform Capitalism: Empire, Migration, and the Making of Uber in London*, Environment and Planning A: Economy and Space (2022): <https://journals.sagepub.com/doi/full/10.1177/0308518X221115439>.
- <sup>21</sup> Tim Harlow, “If driver pay ordinance passes, Uber and Lyft say they may stop operating in Minneapolis,” Star Tribune, Aug. 15, 2023, <https://www.startribune.com/if-driver-pay-ordinance-passes-uber-and-lyft-say-they-may-stop-operating-in-minneapolis/600297330>.
- <sup>22</sup> Justin Laurence, “Scrum to regulate rideshares underway in City Council,” *Crain’s Chicago Business*, Aug. 16, 2023, <https://www.chicagobusiness.com/politics/uber-lyft-push-back-rideshare-regulations-chicago>.
- <sup>23</sup> “Transportation Network Providers Rules,” City of Chicago, last amended Aug. 10, 2020, <https://www.chicago.gov/content/dam/city/depts/dol/rulesandregs/TNPRulesAmendedeff81020.pdf>.
- <sup>24</sup> Department of Business Affairs and Consumer Protection. Obtained under the Freedom of Information Act from U.S. Information Agency; requested as “Deactivations & reactivations of TNP drivers.” Made November 2022 & July 2023; received December 2022 & July 2023; reference: K034212-112122 & K051762-071223. The figure represents deactivations that happened from 1/1/2022- 11/23/2022, and from 11/24/2022-12/31/2022.
- <sup>25</sup> The current reporting requirements were instituted in August 2020. Analyzing the data we received, the total number for 2020 seems to only include deactivations as it relates to categories (a)(7) to (a)(10) for the second half of the year. Furthermore, before August 2020, reporting guidelines may have focused on a more narrow set of six categories of allegations of “public safety” deactivations (as the data sets received do not list any deactivations in the latter four categories). Therefore, the deactivation numbers reported before 2020 likely severely undercounted the number of alleged “public safety” deactivations. The fluctuation in number of active TNP chauffeurs from 2020 to 2023, partly as a result of the COVID-19 pandemic, may also impact the number of deactivations reported by the corporations to show an increase.
- <sup>26</sup> Department of Business Affairs and Consumer Protection. Obtained under the Freedom of Information Act from U.S. Information Agency; requested as “Deactivations & reactivations of TNP drivers.” November 2022 & July 2023; received December 2022 & July 2022; reference: K034212-112122 & K051762-071223. The figure represents deactivations that happened from 1/1/2021-12/23/2021 and 1/1/2022- 11/23/2022, and from 11/24/2022-12/31/2022.
- <sup>27</sup> The City of Chicago dataset includes filters to search for drivers that took four or more rides per month. These active driver numbers come from this dataset. We relied on the City of Chicago’s recent study for this definition of active drivers as those who have taken four or more rides per month. Transportation Network Providers Drivers by Month, City of Chicago Data Portal, last accessed Sept. 12, 2023, <https://data.cityofchicago.org/Transportation/Transportation-Network-Providers-Drivers-by-Month/esuh-pijk>. See also Public Passenger Vehicle (PPV) Study Chauffeur Conditions and Effects on License Holders, City of Chicago Business Affairs and Consumer Protection (Jan. 2023): 40, <https://www.chicago.gov/content/dam/city/depts/bacp/publicvehicleinfo/publicpassengervehiclstudyreports.pdf>.

- <sup>28</sup> See *supra* n.16, Department of Business Affairs and Consumer Protection FOIA request. The figure represents deactivations that happened from 1/1/2021-12/31/2021, 1/1/2022-11/23/2022, and from 11/24/2022-12/31/2022; reference: K034212-112122.
- <sup>29</sup> "Fraud Activities," Uber Technologies, last accessed Aug. 16, 2023, <https://www.uber.com/gb/en/drive/driver-app/fraud-activities/#:~:text=Engaging%20in%20fraudulent%20activities%2C%20even,laid%20out%20in%20the%20notice>; "How does Uber verify my photo?," Driving and Delivering, Uber Technologies, last accessed Aug. 16, 2023, <https://help.uber.com/driving-and-delivering/article/how-does-uber-verify-my-photo?nodeId=aa821486-c8d1-42b7-b784-2fc24eb85f93>. "Biometric Information and Security Policy," Lyft, last updated Sept. 8, 2021, <https://www.lyft.com/privacy/biometric-information-security-policy>.
- <sup>30</sup> Eloise Barry, "Uber Drivers Say a 'Racist' Algorithm Is Putting Them Out of Work," TIME, Oct. 12, 2021, <https://time.com/6104844/uber-facial-recognition-racist>.
- <sup>31</sup> Alex Najibi, "Racial Discrimination in Face Recognition Technology," Harvard University Science in the News, Oct. 24, 2020, <https://sitn.hms.harvard.edu/flash/2020/racial-discrimination-in-face-recognition-technology>; Tom Simonite, "The Best Algorithms Struggle to Recognize Black Faces Equally," Wired, July 22, 2019, <https://www.wired.com/story/best-algorithms-struggle-recognize-black-faces-equally>.
- <sup>32</sup> Covington, A Report to Uber Technologies, Inc. (August 2023): 17, [https://s23.q4cdn.com/407969754/files/doc\\_governance/2023/Uber-CRA-Report-August-2023.pdf?uclid\\_id=3bbe3b67-7743-497c-99bc-17fa40fd15](https://s23.q4cdn.com/407969754/files/doc_governance/2023/Uber-CRA-Report-August-2023.pdf?uclid_id=3bbe3b67-7743-497c-99bc-17fa40fd15).
- <sup>33</sup> See generally *Fired By An App*, AAJC: Asian Law Caucus and RDU and Driving Danger, Strategic Organizing Center.
- <sup>34</sup> "Driver Deactivation Review Panel," Uber Blog, last accessed Aug. 14, 2023, <https://web.archive.org/web/20230810203013/https://www.uber.com/blog/new-york-appeals>.
- <sup>35</sup> Sumagaysay, "Uber drivers say they're 'totally dependent' on their income — but risk being deactivated at any time," *Fired By An App*, AAJC: Asian Law Caucus and RDU, 7. Michael Sainato, "It was traumatic": Uber, Lyft drivers decry low pay and unfair deactivations," The Guardian, March 10, 2023, <https://www.theguardian.com/business/2023/mar/10/uber-lyft-driver-suspension-deactivation-pay>.
- <sup>36</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 4.
- <sup>37</sup> *Fired By An App*, AAJC: Asian Law Caucus and RDU, 16 & 37.
- <sup>38</sup> Sarah Wells, "Why is my Uber account disabled?": A guide to Uber account deactivation, and how you might get your account back," Insider, Sept. 3, 2019, <https://www.businessinsider.com/guides/tech/why-is-my-uber-account-disabled>; See generally *Fired By An App*, AAJC: Asian Law Caucus and RDU.
- <sup>39</sup> *A Report to Uber Technologies, Inc.*, 17.