

December 9, 2016

Honorable Ed Murray  
600 4th Ave  
7th Floor  
Seattle, WA 98104

Dear Mayor Murray,

At the December 6, 2016 public hearing on the FAS draft rules implementing the Collective Bargaining Ordinance Number 124968, an overwhelming majority of the hundreds of drivers who spoke sent a clear message - *EVERY* driver should have a fair and equal voice on whether to be represented by union. As powerful as that message was, it was not a new one. Drivers have been consistently expressing this desire at every opportunity to the City of Seattle over the last several months, and are clearly increasingly frustrated by the City's ongoing attempt to suppress their right to a full and fair vote. Hopefully, now their voice has been heard.

Contrary to how some are positioning this question, the debate is *not* one that pitches groups for or against unions. The issue before FAS is much more principled – whether those drivers who would be represented by any such union should have an equal and undiluted vote in deciding that question. On this singular question, the facts here are clear. The FAS draft rules deny the right to vote to thousands of drivers potentially coming under the mandatory representation of any union.

Remarkably, despite the escalating fight by drivers to uphold one of the basic tenets of the American democratic system - that every person gets an equal vote - the Teamsters, as well as five members of the City Council, are offering two 11<sup>th</sup> hour alternatives to FAS' proposed standards that would both deprive *MORE* drivers of a meaningful voice. Neither alternative should be adopted. Rather, FAS should make every attempt to empower as many drivers as possible with the voice promised by the underlying Ordinance.

**Teamster proposal to have some votes count more than others**

Having first argued that only “full-time” drivers should have a vote on the question of union representation, the Teamsters have now floated a vague proposal that all drivers should vote – but that some votes should count more than others. The pivot is more show than substance as the idea has the same unacceptable result, suppressing and diluting the “one person – one vote” right of all drivers. What makes the Teamsters' current position even more outrageous is that at least outside of Seattle, the union has taken the very opposite position.

Contrary to the course of action the union is now suggesting for drivers in Seattle, the Teamsters, at least publicly, embrace what the union refers to as “the well-established principle of one person, one vote”[1] and has opposed any effort at diluting this core and distinctively American right of equality and individual empowerment. As Teamsters President James Hoffa

has stated on behalf of his union: “We are supposed to be a nation of one person and one vote. But how can that be when citizens trying to exercise their right to vote are being disenfranchised?”[2] “It’s a statement the Teamsters firmly believe in, and one that U.S. democracy supports by having a one-person, one-vote system in place.”[3]

The right of each person to have an equal voice is an elegantly simple idea but an essential one to the core theory of the nation’s’ labor policy of workplace democracy. Of course, the Teamsters-suggested proposal undercuts, rather than builds upon, this foundation. Instead of affirming that the vote of any driver is equal to that of others, the Teamsters would have FAS underweight the value of certain drivers’ votes, compromising electoral equality, and sending the clear message that, in the City’s opinion, some people are more equal than others.

### **Council proposal to base for-hire driver voter eligibility on pre-industry taxi standards**

Councilmembers Harrell, O’Brien, Bagshaw, Herbold, and Sawant have sent a letter outlining an equally harmful, last-minute proposal, that would result in *several thousand more* drivers being denied a voice beyond those already excluded by the current draft rules. While the letter seems to deliberately avoid outlining specific requirements these Council Members believe should define a Qualified Driver, nearly tripling the trip threshold requirements would dramatically increase the number of drivers denied a vote on whether to be represented.

Additionally, the letter inaccurately claims that we have been unwilling to share data, and justifies the use of pre-TNC data on the grounds that the City does not have access to more accurate information. As you are aware, we provided exactly the information requested by FAS earlier this fall to assist in the development of these rules. Further, on any number of occasions, we offered to do more, specifically to work with FAS to ensure that the survey process chosen by FAS to collect data was carried out so as to help create a reliable database on which FAS could consider proposed actions.

For these reasons, this proposal should be similarly rejected.

### **Conclusion**

It is impossible to overlook that the Teamsters and the named Council members have chosen a path that avoids review, understanding, and input from the public, much less those who would be impacted by either proposal. Certainly, if there is to be legitimate consideration of either concept, transparency of the decision-making process, as well as the significant impact that either suggestion would have, dictate FAS delay final rules until such time detail and comment to either idea could be developed.

The Ordinance gives a union the considerable power of exclusivity over represented drivers. Legitimacy of a union’s exclusivity in representing and speaking for any group of workers comes from being selected by a majority of those workers to be represented. Everyone that will be represented should have an equal and undiluted right in that decision. FAS should reject the Teamster and Council new proposals to limit the driver’s’ ability to equally participate in the

Ordinance process and elect representatives of their choice. Instead, in its final rules, FAS should heed the clear demands of the drivers to give all drivers a fair opportunity to have a voice in their future.

Sincerely,

/s/ Brooke Steger

Brooke Steger  
General Manager

Cc: Members of the Seattle City Council  
Fred Podesta, Director, Finance and Administrative Services (FAS)

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[1] <https://teamster.org/news/2014/09/election-should-be-about-letting-all-eligible-voters-vote>

[2] <http://teamsters174.net/hoffa-georgia-official-must-stop-ignoring-voter-registration>

[3] <https://teamster.org/blog/2015/11/human-rights-huge-profits-tpp-0>