



Policy Proposal to the Governor's Task Force
on the Compensation, Wellbeing, and Fair Treatment
of Transportation Network Company Drivers
December 5, 2023



Pay Transparency

Plain-Language Notice in English and the driver's primary language, at activation and annually, including

- Minimum rates
- Payout policy
- Right to contest pay and how to do so
- Protection against retaliation
- ESST notice requirements in [MN §181.9447 Subd 9](#)
- PFML notice requirements in [MN §268B.26](#), starting 10/1/25
- Right to opt out of arbitration and how to do so
- Right to file a private right of action

Trip Receipt within 24 hours of passenger dropoff or trip cancellation, including

- Origination and destination
- Total P2 and P3 time and mileage, including return from destination
- Itemized passenger fare, including any surge pricing
- Applicable rates of pay
- Driver share of passenger fare
- Gratuity
- Gross and net pay
- Itemized deductions required by court or law or explicitly authorized by the driver

Weekly Summary, including

- Total time logged in to app
- Total P2 and P3 time and mileage, including return from destinations
- Total passenger fares
- Itemized rates of pay
- Itemized trip receipts
- Driver share of total passenger fares
- Total gratuities
- Itemized gross and net pay
- Total ESST hours accrued and available
- ESST hours used that week
- Regular rate of pay for the purposes of ESST
- Itemized deductions required by court or law or explicitly authorized by the driver

Easily accessible trip receipts for 3 years

48 hour notice required of changes to compensation and payout policies

Enforcement

- Mechanism
 - Private Right of Action
 - DLI Compliance Orders
 - Attorney General
- Injunctive Relief
- Administrative Penalty

Deactivation and Due Process

Plain-Language Notice in English and the driver's primary language, at activation and annually, of

- Deactivation policy, including
 - Egregious infractions qualifying for immediate deactivation or temporary suspension
 - All other infractions and whether they result in deactivation or temporary suspension
 - Duration of temporary suspension by infraction
 - Deactivation or temporary suspension notice requirements
 - Right to all applicable information/evidence of infraction
- Right to appeal and appeals process
- Protection against retaliation
- Right to opt out of arbitration and how to do so
- Right to file a private right of action

Deactivation Process

- 14 days advance notice of deactivation/suspension, except for egregious misconduct, including specific reason, effective date, duration all applicable information/evidence of infraction, and right to and process for appeal
- Notice of deactivation/suspension for egregious misconduct no later than time of deactivation, including specific reason, duration, all applicable information/evidence of infraction, and right to and process for appeal
- Notice 5 days after deactivation/suspension providing specific reasons and all applicable information/evidence of infraction, and right to and process for appeal
- Driver has 90 days from deactivation/suspension to appeal
- Process for review of past deactivations prior to effective date
- TNC must show violation by preponderance of the evidence
- Hearing and investigation of appeals by a 3rd party
 - Department of Labor and Industry
 - Office of Administrative Hearings/Administrative Law Judge
 - Independent panel of arbitrators
- Appeals process funded by a per trip fee
- Driver Relief for Successful Appeals
 - Reactivation
 - Back pay
 - Damages
- Possible administrative penalty

Driver Support

Driver Safety

- Passenger Identity Verification
 - Registration with government ID
 - Multi-factor account protection
 - Account monitoring and driver notification if passenger account may be compromised
 - Current home address, phone number
 - Clear profile photo
 - Credit card matches passenger name
 - Considerations for
 - Domestic violence survivors
 - Immigrants and others without government ID
 - People with disabilities
- Specific criminal penalties for threatening or verbally/physically assaulting a driver

Live and in-app support in driver's primary language