Introduction

In recent years, the platform gig economy in India has grown rapidly due to the ubiquity of digitally-mediated work. NITI Aayog’s foundational report on the gig economy estimates that in 2020-21, 77 lakh (7.7 million) workers were engaged in the gig economy and that this number is only expected to expand to 2.35 crore (23.5 million) workers by 2029-30 (Niti Aayog, 2022). The growth of the gig workforce has been driven by a range of factors such as seemingly promising economic prospects, flexible working hours, and a means to overcome the perils of unemployment (Graham et al., 2018) faced by developing economies around the world. However, the gig workforce in India faces challenges such as a lack of social security benefits (Janadri, 2022), problems engendered by the ambiguous legal status accorded to ‘gig work’ (Ganguly & Ramesh, 2022), and exploitative work conditions (Furtado, 2022).

The abiding exploitative attributes of platform gig work are exacerbated by algorithmic management and gamification of work — practices that inherently present risks of surveillance and erosion of worker autonomy (Sridharan & Natarajan, 2022). Such concerns are reflected within the annual Fairwork India Ratings 2022 (Fairwork 2022) which rates digital platforms along five axes — fair pay, fair contracts, fair conditions, fair management and fair representation. What is of significance to this report is the principle of ‘fair representation’ that draws attention to the invisibilization (O’Connor, 2016) of workers’ experiences in the gig economy and calls for documented mechanisms to engage with platform workers.

Questions of fair representation are also closely linked to considerations about workers’ welfare in a landscape that is characterised by a definitive lack of regulation (Ro, 2022). Despite growing attention around the need for reform within the platform economy, significant legislations such as the Code on Social Security, 20201 (Ministry of Law and Justice, 2020) and the Motor Vehicles Aggregator Guidelines, 20202 (Ministry of Road Transport and Highways, 2020), have yet to be enacted.

This exceedingly complex milieu presents itself as a conundrum for workers, policymakers and platforms alike - calling for a deeper transformation of the existing models of (dis)engagement that have come to constitute the gig economy. Centring workers’ rights and iterative governance of platforms that is informed by workers’ voices has emerged crucial to forge just and inclusive platform futures.

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1 The Social Security Code, 2020 is a social security scheme for members of the unorganised sector, gig workers and platform workers. It links them to social security schemes such as life insurance, disability insurance, health and maternity benefits, provident insurance, pension and skill upgradation.

2 The Motor Vehicle Aggregator Guidelines 2020 is a regulatory framework to hold aggregators accountable. Driver welfare is also covered under the guidelines.
Establishing the Driver Advisory Council (DAC) for Uber India

Widespread criticism notwithstanding, platforms have had to contend with profitability (Hyatt, 2021) and business practice concerns (Aggarwal & Floridi, 2020) in an effort to strengthen their own reputation and reliability. Dialogue with their core stakeholders - gig workers - has become all the more imperative in light of such concerns, providing much needed momentum for worker engagement in platform business as well as larger policy considerations. Recognising the value inherent to mechanisms for platform-worker dialogue, Aapti Institute, in collaboration with Uber India, launched the Driver Advisory Council (DAC). The DAC represents a unique, first-of-its-kind effort in India's platform gig economy aimed at promoting the involvement of workers in platform governance through workers' participation in an independent third-party mediated forum. The DAC is a means for workers to connect with Uber, and with peers from across 6 participating cities in India - namely, Bengaluru, Chennai, Delhi-NCR, Hyderabad, Kolkata and Mumbai.

In its capacity as the Independent Review Board, Aapti spearheaded the process of formulating principles and processes for running the DAC, imparting autonomy to the Council. Ever since, Aapti has convened 4 in-person sessions (one per quarter) and 2 online sessions of the DAC between March 2022 - March 2023, directing and mediating discussions within the DAC so that participating stakeholders remain accountable to each other. Consequently, over the past year, the DAC has evolved into a focal point for dialogue between Uber and the larger worker community to channelise concerns within a safe space. Lastly, the DAC has become a valuable touchstone for the wider platform economy to enhance the participation of core stakeholders in governance and better design of platforms.

Genesis of the Driver Advisory Council

The need for a DAC-like mechanism finds its roots in the regulatory vacuum around platform gig work, calling on stakeholders to reimagine the current paradigm of labour engagement. Elsewhere, platforms have contemplated and experimented with similar independent, third-party mediated mechanisms to connect with their community of workers, suggesting an uptake for proactive labour engagement amongst platforms. For instance, in 2016, the US-based ride-hailing company, Lyft, experimented with a similar setup to facilitate a direct line of communication between Lyft HQ and the company's ever-expanding worker base. In 2019, the Lyft council was expanded (Lyft Driver Blog, 2020) from a unified national-level entity to 40 localised units across the country, enabling 200 influential Lyft workers across USA and Canada to participate within these units. It is claimed that 7000 pieces of feedback were collected through localised councils and deliberated upon, bringing workers to play an active role in product,
marketing, and policy practices of the platform, through virtual and in-person programming (Maveal, 2020).

Australia and New Zealand set the precedent for the DAC as a mechanism in Uber. The DAC constitutes a valuable precedent that helps to derive themes for discussion during Uber India’s DAC sessions. Potential topics include but are not limited to driver-partner earnings, how Uber shows they value driver partners, driver-partner ratings, deactivation/de-platforming, app performance and features, rider behaviour and respect, deals and rewards available through Uber’s partnerships, Uber safety features and policies, education and skill building for driver-partners.

**Significance of the Driver Advisory Council**

Even at a broader level, besides implementing immediate changes in the platform to enhance the ride experience, efforts such as the DAC have far-ranging positive externalities. Values that DAC unlocks for Uber and partners at the business, societal and policy level:

**Business**
- Enable increase in driver satisfaction leading to **reduced attrition**
- Provide avenues for channelling voice **reducing risks of volatile actions**
- Enable opportunity to gather feedback and response, enabling **responsive strategy development**

**Societal**
- **Support conversations on safe environments** for driver partner and rider communities alike
- **Enable discussions on critical issues** such as discrimination, health and safety

**Policy**
- **Demonstrate self-governance** through practice
- **Intervene effectively in upcoming/planned policy changes** with a body of evidence
- **Frame the narrative** on engaging with partners with learnings from experiences

**Design and Methodology**

As a unique, experimental initiative in India’s platform gig economy, the design and institutionalisation of the DAC required considered deliberation on the goals and governance of the entity. The DAC was instituted with a vision of engaging with and
responding to the platform economy’s deep seated fissures by facilitating discussions around workers’ earnings and income to welfare and social security. In the process, the DAC has an emerging avenue to contemplate newer models for platform governance that are grounded in workers’ experiences and voices, amidst a policy milieu defined by ambiguity.

**Envisioning a new form of governance through a DAC**

Aapti’s research has demonstrated that a DAC mechanism presents multifarious gains at the business, social and policy levels, with the constitution of the Council that facilitates a two-way discussion between Uber and their driver-partners as a significant first step in realising this. In this primary stage, it was important to outline the role of each stakeholder within the DAC, and create a framework for action to enable each player within the Council to act in the collective interest of all participating stakeholders.

To impart much needed autonomy, a crucial element in the design of the Council was the role played by Aapti Institute as an intermediary between Uber and the worker community. Aapti maintained independence from Uber in running the DAC sessions, providing a safe avenue for workers to express their views during the meetings and collaborate in the governance of the platform. With Aapti cementing its role as an Independent Review Board (IRB), a neutral, third-party entity was present to lead, monitor and structure all the sessions of the Council based on the requirements of the driver-partner community and Uber. Moving forward, Aapti laid out the practices and principles for the governance of the Council, and set up the selection process for driver-partners to join the DAC. Once that was completed, Aapti anchored the DAC sessions between March 2022 - March 2023 and drew out actionable insights from discussions with the driver-partner community to implement planned changes to the Uber platform.

**Drafting the code of conduct and role of stakeholders in the DAC**

The purpose of the DAC was to provide an open and safe environment for the driver community to voice their shared concerns and build solutions. Accordingly, a set of guidelines were developed to ensure that the DAC was respectful of differing viewpoints, safe for all participating members and fostered positive engagement. The first section of the Code of Conduct for the DAC clearly stated the roles of each entity within the Council.

**DEFINITIONS OF ENTITIES:**
**DRIVER ADVISORY COUNCIL:** A body collective comprising selected driver partners (“Advisors”). The DAC provides a space for the Advisors to discuss certain themes pertaining to their work on the Uber application and discussions will be moderated by an independent IRB, Aapti Institute.

**UBER:** Mobility service provider whose driver partners in India (hereinafter “Advisors) will participate in the IRB-mediated Driver Advisory Council.

**INTERNAL REVIEW BOARD:** Aapti Institute, a public research institution, will be performing the role of the Internal Review Board. Aapti is a neutral, independent entity.

**ADVISOR:** Driver-partners who have been selected by the IRB and Uber to participate in the DAC.

In building the Council, Aapti sought to ensure diverse representation of workers across geographies and product categories. As a result, drivers plying cabs, auto rickshaws and bike taxis on multiple platforms, not limited to Uber alone, were short-listed via interviews to participate as Advisors in the DAC. The following sections provide more details on the selection process followed by Aapti in interviewing and selecting Advisors, the terms of their engagement within the DAC, as well as the roles and responsibilities of the 3 stakeholders - Aapti/IRB, Uber and the Advisors.

**Selection process for Advisors**

Aapti reviewed over 3000 applications from eligible members across the 6 participating cities and shortlisted 60 members (across product categories such as cabs, auto rickshaws and motorbikes) to participate in the first instalment of the Council. In turn, drivers were evaluated along 3 axes:

- **Fluency of language** - This was the primary consideration to ensure that Advisors can participate fully and meaningfully through the DAC process, are able to connect with other Advisors who are a part of the meetings and gain from each other’s experience. Therefore, it was imperative that a driver-partner is reasonably fluent in Hindi and/or English to participate in the Council meetings

- **Willingness to engage** - Enthusiasm to learn and work in a team towards a common goal was a significant criterion for selecting Advisors. The metric helped gauge interest in engaging with other drivers and the Uber leadership to resolve
common issues, while exhibiting a proactive problem-solving mindset. Thus, this was an intermediary, albeit useful criterion to consider while selecting Advisors.

- **Sphere of influence** - An Advisor must be embedded in the driver-partner community to act as a catalyst and channel their voices through the DAC mechanism. As a result, it becomes essential to shortlist those applicants who enjoy close and warm relationships with other driver-partners such that the partners can trust the applicant to represent their views in a fair and just manner.

Keeping these broad requirements in mind, Advisors for the DAC were chosen after a **three-part selection process** that was undertaken by Aapti:

Communications were sent out through the platform introducing the DAC. Through these communications interested driver partners were asked to fill a form via SurveyMonkey. This form asked driver-partners to submit details such as their name, the city they drive in, the language they communicate in, number of lifetime trips completed, etc.

Furthermore, driver-partners were asked to submit a video/voice recording detailing their understanding of the driver advisory council which garnered some outstanding responses.

The applications were assessed along three main categories - fluency, willingness to engage and the driver-partners sphere of influence. Finally, a round of interviews was conducted to evaluate shortlisted applicants.

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**Interview guide: A snapshot of questions used to shortlist Advisors**

**Fluency of language:**

- What is the primary language of communication in your professional interactions?
- How comfortable are you with either English or Hindi?
- Will you be able to read in either of these languages? If yes, which one?
- Do you read news articles or watch videos in English or Hindi?

**Willingness to engage:**
Can you walk us through your application video and speak a little more about yourself?

- Why are you interested in being a part of the DAC? What would make you a good Advisor?
- Please state three problems which you wish to engage as an Advisor.
- Have you been part of such councils/discussions earlier not pertaining only to your professional life, but also your personal life too? If yes, what have you learnt from them?

**Sphere of influence:**

- Are you part of any driver groups/associations in your city?
- Have you had any leadership position in such groups?
- Are you part of Whatsapp groups (or any other social media groups) pertaining to drivers?
- What is the goal of forming such groups? Has being a part of the group benefited you or other driver-partners? If yes, how so?

A list of themes are given as choices to driver partners. Driver partners are free to add issues of their choice. In each DAC, one or two issues are discussed. The processes are iterated based on feedback and as the DAC evolves.

### Institutionalising the Driver Advisory Council

Borrowing from valuable precedents of participatory platform governance mechanisms, Aapti established a framework for action. The first DAC meeting was conducted in March 2022, as an in-person event in Gurgaon, and earnings and support were chosen as the themes for discussion. On the basis of DAC members' feedback and recommendations from the IRB (re: Aapti), Uber implemented changes to its payments cycle, with an option for drivers to claim earnings daily, enhanced geolocation optimisation on the application, and introduced transparency through the display of the fare and destination upfront upon being assigned to a trip.

The second DAC was held in two parts in July 2022 — with one meeting in Gurgaon for the Delhi, Kolkata and Mumbai members and another in Bangalore for members from Hyderabad, Chennai and those within the city. The decision to split the sessions was made in conjunction with DAC members while attempting to account for linguistic differences within the community of drivers across the two regions. Key themes that were examined during these sessions were earnings, application-level changes to messaging on the Uber app, and customer relationship management. A range of new
features was introduced by Uber after these sessions. These included compensation for long-distance rides, a home phone button added to the driver-partner's Uber app to call for support and displaying the customer's chosen payment method for a trip.

The penultimate DAC session was held in November 2022 with a meeting in Bangalore and another in Gurgaon. The sessions covered a range of issues relating to workers' social security, specifically their access to and enrolment in welfare schemes like Ayushman Bharat Pradhan Mantri Jan Arogya Yojana, Pradhan Mantri Suraksha Bima Yojana & Pradhan Mantri Jeevan Jyoti Bima Yojana and the Atal Pension Yojana, and to surface welfare needs that are not covered by these schemes. Advisors were asked to provide feedback on their experiences with competitor apps such as InDriver, BluSmart, Rapido, etc. In addition, Advisors were provided with best practices to maximise their engagement with the DAC. In response to workers' bid for insurance, Uber and other platforms are in the process of considering instantiating co-pay systems for insurance.

**Procedure for the DAC sessions:**

- Each theme was discussed for at least two hours. We provided some buffer time to ensure that the participants were comfortable with the technical interface, and to provide an adequate explanation of what the DAC is.
- 3 sessions per quarter were held vertical-wise, amounting to 12 sessions over the course of a year, between February 2022 and February 2023. The number of sessions and frequency are revised, as per feedback from the sessions.
- Uber representatives participate in the DAC as observers, while members of the Aapti team moderate the discussion for the whole duration of the session. Additional resource persons, if necessary, are brought on during specific discussions.
- Online feedback sessions are hosted over Zoom/similar platforms and recorded, after obtaining consent from participants.

**Documentation of sessions**

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3 Ayushman Bharat Pradhan Mantri Jan Arogya Yojana is a national public health insurance scheme of the Government of India that aims to provide free access to health insurance coverage for low income earners in the country.

4 Pradhan Mantri Suraksha Bima Yojana is a government-backed accident insurance scheme. It is linked to the bank accounts opened under the Pradhan Mantri Jan Dhan Yojana scheme, most of which had zero balance.

5 Pradhan Mantri Jeevan Jyoti Bima Yojana is a government-backed life insurance scheme. It is linked to the bank accounts opened under the Pradhan Mantri Jan Dhan Yojana scheme, most of which had zero balance.

6 Atal Pension Yojana is a government-backed pension scheme in India for members of the unorganised sector.
- Post-session debriefs are held internally by the Aapti team as well as in conjunction with the Uber Single Point of Contact and larger team.
- Session reports (minutes of meetings) are compiled by the Aapti team. The reports cover issues/concerns/questions raised by the participants and action items are distilled to guide forthcoming DAC sessions.

Given the DAC's value as a powerful precedent, this model of engagement with gig workers is scalable and poised for implementation across the ecosystem of platforms that have come to constitute the gig economy. The DAC and similar models represent an important conduit in bridging the gap between the lived experience of gig workers and forthcoming regulations for the gig economy. To this end, regulators are growing alive to alternative models for platform governance and promotion of worker welfare, championing models such as DAC as plausible pathways for governance of the platforms of tomorrow. The success of a DAC-like mechanism for better engagement of gig workers in ride-hail work displays that a sustainable model can be executed through a neutral, third-party entity, to promote much needed participatory governance in the platform economy.

**Institutional and Policy Impetus**

The rapid expansion of India's platform gig economy is accompanied by a definitive lack of safeguards and regulations (Sharma, 2023) to protect workers' welfare. While legislation such as the Code on Social Security, 2020 (Ministry of Law and Justice, 2020) has been introduced citing the lack of social security benefits extended to workers in the platform economy, it has not been enacted. Additionally, regulatory action is often erratic (Kashyap, 2023) and passed without prior consultation (Sanzgiri, 2022), producing adverse implications for workers' income and physical security. In a promising move, the state government of Rajasthan is contemplating Gig Workers Welfare Act (Thathoo, 2023), setting a precedent for much-needed proactive governance in the sector by planning to set aside a budgetary allocation to guarantee social security for gig workers.

A mechanism such as the DAC emerged from the need for urgent regulation in the sector, amidst reports (Fairwork, 2022) of poor treatment of workers and the need for worker representation in addressing these concerns. The policy vacuum is compounded by calls for the formulation of self-regulatory guidelines in technology domains such as mobility (Mathi, 2022), e-commerce (Bhalia, 2020) and social media (Reuters, 2022), although little progress has been made towards this. By shifting the accountability of workers welfare towards platforms in this manner, the Indian regulators are pushing
platforms to find and establish a direct mechanism for engaging with workers and their grievances.

**Self-regulatory approaches within digital platforms**

Self-regulation (Cusumano, M et. al, 2021) typically transfers control over how to regulate a market from the regulator to the players involved within the ecosystem. This can be useful for platforms as they possess higher awareness and knowledge of their own operations and the industry they are operating within. Additionally, the platforms may regard their own regulations as being more reasonable than those imposed by other groups, boosting the possibility of compliance and paving a path for eventual governmental intervention that is informed by the codes developed by the industry association. In India, the Internet and Mobile Association of India (IAMAI), is one such industry association set up as a not-for-profit organisation to represent the larger interests of the online and mobile value-added service industry. The core objective of the IAMAI is to bolster the digital economy by advocating free and fair competition among players, pushing for progressive laws in the sector and building a safe and secure internet for users. The internet industry body, represents startups such as Ola, Uber, Rapido, Zomato, Swiggy and global tech giants such as Apple and Google, making it a prominent coalition-based formulation for self-governance of digital platforms operating within the country.

Coalition-based formulations for platform governance could serve as the primary point of contact for market players within the industry, promoting communication within the sector, as well as with external-facing actors. The association would assume responsibility to consolidate the industry’s perspective, serve as a liaison between industry and regulators, and facilitate an organised, representative, and open discussion. However, a significant threat arising from a self-regulatory framework like this is the absence of checks and balances to mitigate the power dynamics that affect those at the bottom of the power hierarchy. As a result, industry associations could potentially fail to act as effective mediums to facilitate gig workers’ representation and are more suited to look after the regulatory interests of the platforms operating within the industry.

While coalition-based formulations are a proactive mode of self-governance, on the other end of the spectrum there is the case of unilateral intervention — regulatory intermediation arrangements aimed at enhancing self-regulation without backing from industry-wide arrangements or other industry partners. For instance, social media platforms have adopted different mechanisms over the years to enact content moderation, but they have been at the receiving end (Wong, 2021) of severe criticism for the prevalence of hate speech, discriminatory posts remaining unflagged and instances
of partisan practices. To overcome this, Facebook instituted an independent oversight board (Medzini, 2021) in May 2020 to manage content on the platform, with a plan to bring in a diverse group of 60 experts committed to promoting free expression on the platform. To ensure its accountability and independence, the board instituted a code of conduct and had an overseeing independent trust with a fiduciary duty.

Self-regulatory governance in this manner, where mediation is carried out by an independent board with the platform being liable to maintain transparency, is effective in allowing stakeholders involved with the platform gig economy to directly engage with its problematic practices. This marks a departure from coalition-based industry-wide formulations that remain inaccessible and do not have an element of participatory governance embedded within them, making them ineffective in addressing platform-specific workers’ concerns.

To this end, the governance of the platform gig economy presents an additional challenge that arises due to the involvement of gig workers as offline intermediaries associated with a digital platform. Setting up a self-regulatory model in this milieu required the creation of avenues that placed workers’ voices at the forefront of participatory governance.

**Self-regulation in the platform economy**

PAM Transport, a trucking and logistics company based in Arkansas, USA operates a fleet of over 3,000 trucks and 8,000 trailers, providing full truckload transportation services to clients across multiple sectors. Over the last few years, PAM Transport has built a positive reputation for its ability to retain drivers in an industry which has been subject to high attrition rates (Moore, 2022) since the onset of the COVID-19 pandemic. Apart from long working hours to overcome below-par wage rates, truck drivers cited (ibid.) loneliness, loss of family life, health-related issues, lack of respect, government regulations and various work-related inefficiencies as factors which make truck driving highly stressful. By recognising the existence of such concerns early on, PAM Transport set up their Driver Advisory Council in January 2021 (PAM Driving Jobs, 2021), with the aim of discovering first-hand, what was working, what needed change, and how they can improve the lives of their drivers by resolving issues upfront. Twenty trusted and experienced drivers were asked to be a part of the inaugural council, as representatives of PAM Transport's 2000-member driver workforce. Similarly, in 2016, US-based ride-hail platform Lyft (Lyft Driver Blog, 2020) experimented with a council to facilitate a direct line of communication between Lyft HQ and the company's ever-expanding driver base. Later, in 2019, the Lyft council was expanded from a unified national-level entity to 40 localised units across the country, enabling 200 influential Lyft workers across USA and Canada to participate within these units.
Both these instances set the precedent for how representative councils in mobility platforms must be designed with the objective of giving drivers a seat at the table to influence policy decisions. Uber, having a significant driver base operating across 71 countries in the world, has set up driver advisory councils in the USA, UK, Australia and New Zealand (Uber ESG Report, 2022). Open forums for discussion and direct consultation with drivers helped in establishing a two-way communication process designed to produce solutions to identified problems such as establishing an industry-wide safety net for driver-partners in collaboration with other stakeholders like trade unions and the government. However, a missing element in these councils was the presence of a third-party, independent review board — a feature that can be borrowed from Facebook's Oversight Board.

In setting up the Driver Advisory Council (DAC) for Uber India, Aapti’s role as an independent, third-party review board to institutionalise the forum and conduct sessions was necessary to establish trust and transparency in the Council. By providing a safe space for drivers to voice their concerns, mediation that happened through a third-party independent review board (re: Aapti) enabled workers to provide feedback and participate in platform-level policy decisions. It also established a constructive feedback mechanism that would relay the concerns of the driver community to Uber, and give the platform an opportunity to directly address emerging on-ground concerns.

DAC and similar institutions focalise workers' voices and welfare in a milieu where their interests are seldom directly represented by the workers themselves. The DAC helps overcome paternalistic instincts to impose unilateral bans (Stefano et al., 2021) on platform-mediated work by foregrounding workers’ experience as the guiding imperative for policy action. The low-investment, high-effectiveness attribute of the DAC model of engagement between platforms and their workers is poised for scaling and replication across a variety of sectors, beyond the ride-hail industry.

**Impact**

Driver Advisory Councils as a medium through which drivers can engage with the digital platforms they are associated with is not a new concept. Globally, Uber has consistently attempted to introduce a culture where experienced drivers can represent their peers through a council that directly interacts with the platform to bring about policy and product-level changes. A key distinguishing aspect of DACs is that they offer deeper, insightful discussions between drivers and the platform when compared to collective bargaining, which has largely failed to conduct effective negotiation (Mrvos, 2021) in recent times. Additionally, Uber attempted to work with trade unions (Skelton, 2021) and gave them a fair opportunity to represent drivers but issues remained unresolved.
This called for an alternative mechanism that would cater to the needs of the workers and the platform.

In March 2022, when Uber India launched its Driver Advisory Council, it institutionalised a mechanism that paved the way for a self-regulated, participatory governance model in the gig economy. Through the DAC, Uber India created a platform for drivers to have a seat at the table with Uber and simultaneously addressed the concerns that digital platforms previously had while engaging with trade unions — outdated operating practices, politically-motivated demands, and a lack of understanding of the changing worker-employer dynamics (Panda, 2021). As an independent, third-party mediator, Aapti was able to establish a feedback mechanism in the council that allowed Uber to understand and act on drivers’ concerns. In a self-regulatory setup such as the DAC, voluntary engagement from the platform to address drivers’ concerns becomes a crucial aspect in creating a positive impact. Over the last year, through multiple third-party mediated council meetings with driver representatives, Uber implemented a range of changes to improve drivers' experience while using the platform, after consultation with the driver-partners and Aapti’s suggestions as the Independent Review Board.

**Decline in Driver Ride Cancellation**

Last year, a research agency called LocalCircles conducted a survey (LocalCircles, 2021) among 65,000 app taxi users residing in 324 districts of India. According to the survey, 79% of these ride-hail app users were subject to the driver cancelling the ride after the user revealed their drop-off location or mentioned they were using a non-cash mode of payment. Through discussions around earnings and in-app experience during the DAC sessions, we understood that a large factor contributing to these last-minute cancellations was that drivers were not informed upfront on the Uber app about the drop-off location or the mode of payment when accepting rides. Considering there are daily, erratic operational expenses such as refuelling, toll charges, servicing, maintenance and emission testing, drivers preferred having cash in hand. Receiving payments from the customers upfront was the only option through which drivers were guaranteed to meet these operational expenses. As a result, from a practical point of view, it did not make sense for them to accept other non-cash modes of payment and wait to be compensated at a later stage by Uber.

Similarly, not having drop-off location visibility put them at a disadvantage as it did not give them the freedom of choice to select the areas within the city from where they could provide their services. This is important in certain cases: when motorbike drivers or women drivers would not prefer riding in areas they consider unsafe at night, or for drivers who would like to ride in areas that are in close proximity to their homes. Other issues arise when drivers suspect that getting customers from the drop-off location they
are headed towards is a challenge, or when drivers have a good understanding of the traffic conditions on a certain route and they would prefer being compensated for taking alternative routes they are aware of.

After deliberation on how to resolve these challenges, Uber decided it would be better for drivers to have complete, upfront information about each ride. Drop-off location visibility on the offer card and displaying the chosen mode of payment were implemented by Uber, thereby enabling drivers to make an informed decision before accepting any ride. To support this change, Uber brought in EasyFare, to ensure that trip fares should reflect the actual distance that is travelled — including detours or diversions.

To get a better understanding of whether these changes actually made a difference on-ground, Uber surveyed approximately 80000 driver-partners. 92% of the respondents indicated that these changes have made a positive impact on their driving experience with the platform. Broadly, these changes also helped to tackle the issue of high cancellations from drivers, making riding on the app a smoother experience for customers.

**Fair compensation for driver-partners**

In 2018, fuel prices in India (Singh, 2018) shot up due to a global surge and a free-falling Indian rupee. At the beginning of the year, diesel was priced at just above 60 rupees a litre, but this rose to 80 rupees a litre in the last quarter. Even after these shifts in prices, ride-hail companies were reluctant to charge the customer a higher price for each booking, transferring the burden of the rising fuel costs onto the driver. It was reported that in 2018, the New Delhi transport department fixed 16 rupees (21 cents) per kilometre as the base fare for air-conditioned taxis. On the other hand, several Ola and Uber drivers who spoke to reporters at Rest of World in New Delhi mentioned being paid between 10 rupees and 12 rupees (13–16 cents) per kilometre from the companies. Simultaneously, commissions paid by app-based cab services steadily dropped, and incentives that initially lured more drivers to sign up with ride-hailing companies were significantly reduced.

The COVID-19 pandemic brought about further difficulties, and this was followed by crude oil becoming expensive due to the Russia-Ukraine war, exacerbating the already high fuel prices to then touch close to 100 rupees a litre. After initial discussions with the DAC, Uber recognised there was a dire need for fair compensation, as the burden on drivers to bear these costs was significant, and a 12-15% increase in prices was announced to counter this. However, this was still proving to be a major pain point for drivers who highlighted (Bhat et al., 2022) that a 12-15% hike in prices would not effectively address the losses incurred.
As an additional measure, Uber introduced a daily payments option to give drivers the flexibility to cash out their earnings on a per-day basis. Earlier, due to the dispatch of payments being set at once a week, drivers were uncertain about meeting their daily operational cash requirements for fuel. To complement higher earnings received through the 12-15% price hikes, introducing a flexible cash-out option was a solution that drivers agreed would help them to handle their daily expenses more effectively.

Similarly, a slew of other measures were brought in to address the need for higher compensation due to the increase in fuel prices:

- Rate hikes were announced for the 1-hour rental package, and a waiting time fee has been added to Rentals if the customer is not at the pickup point at the scheduled time.
- Reservation charges for intercity rides were increased from INR 100 to 200.
- A push notification is sent to nudge customers and specify that waiting time charges can be avoided only if they reach the pickup point 5 minutes within the partner's arrival at the location.
- Earlier, when drivers parked their vehicles at the airport taxi areas, they would have to pay parking charges and file for reimbursements with Uber. To reduce cash dependence and transactional friction in these scenarios, Uber is working with airport authorities across cities to avail of cashless parking facilities. As of today, this has been implemented in 5 airports — Mumbai, Jaipur, Ahmedabad, Lucknow and Guwahati, and efforts are being made to scale this.

**Easy Login, In-App Support and Call Connectivity**

An additional advantage that a forum such as the DAC provides is the opportunity for deeper engagement to resolve issues that driver-partners are facing at the micro-level. The in-app level experience of driver-partners is an important business aspect that would make operating on the platform more convenient. Through meetings, drivers highlighted some of the bugs and missing features they would like to be addressed, and Uber has worked on bringing these changes to form.

- Unified Sign-Up and Login (USL) Stack: A common complaint we received across cities and categories (cab, auto, moto) of driver-partners was the lack of a convenient login interface to access their Uber account. Driver-partners highlighted that they were restricted to logging in through email and password, and it became challenging for them to remember these credentials as they were accessing their accounts on multiple platforms on a regular basis. As a solution, Uber has now enabled easy login through a phone number and OTP, as this has taken precedence across digital platforms and driver-partners are comfortable with this method. From Uber’s internal survey of approximately 80000
driver-partners, 95% of the respondents indicated that enabling easy login through mobile number and OTP led to a better user experience.

➢ In-App Support: Feedback from the driver-partners indicated that the Uber app’s user interface made it challenging for them to locate the support function that was available to them to register grievance redressal. This was resolved immediately by adding a home phone button on the app menu that can be accessed with 2 taps.

➢ Call connectivity: Driver-partners reported multiple instances of call-dropping when accessed through the application even when network connectivity was not an issue. This issue is currently in the process of being fixed, and as of now, the rate of call connectivity for anonymized calls between a rider and driver-partner has improved by 10% (for approximately 50% of calls so far).

Over the last year, through a consultative process with driver-partners and Aapti as the Independent Review Board, Uber has been able to bring in multiple changes at different levels of operations. As per the internal survey, 85% of the drivers were satisfied with the impact created through the DAC. While challenges exist for Uber when it comes to bringing changes to the platform and its policies, 93% of the survey respondents indicated they would like the DAC to continue — signalling their belief in the DAC forum to focalise their concerns and participate in the changes being brought about to the platform. However, engagement on the broader ecosystem is still lacking — there is less clarity on whether other digital platforms, trade unions and regulators can be involved within the consultative process that the DAC has to offer and we hope to chart this out in the coming iterations of the DAC.

**Limitations**

The Driver Advisory Council represents an important conduit in bridging the gap between the lived experience of gig workers and forthcoming regulations for the gig economy. An institutional mechanism such as the DAC is particularly salient given that in the past, this sector has been characterised by a lack of action from platforms when it comes to creating spaces for consulting with workers and giving them a seat at the table to enable participatory governance. However, there are some limitations in bringing such a model to fruition as it hinges on voluntary action from the platforms to set up a council and take necessary action based on the feedback received. Below, we highlight these challenges in further detail and chart out some of the methods through which these can be overcome.

*Reliance on voluntary corporate action*
The biggest challenge in institutionalising a forum to introduce fair representation practices for workers lies in understanding the incidence of such an institution. The council can be coalition-based, and formed by an industry body such as the Internet and Mobile Association of India (IAMAI), as they can choose to collectively represent these digital platforms, or they can be formed by the platform as a single entity as is the case with Uber’s DAC. On the other hand, when workers come together to form such an organisation, it would resemble the collective bargaining process that has been characteristic of trade unions. However, since platforms have refused to engage with trade unions in India, they have not been a successful medium for bringing changes that workers seek.

Since Uber India’s DAC is not a coalition-based formulation and the responsibility of implementing changes based on workers’ feedback lies with the platform, the momentum for resolving key issues is variable. Given that platforms are only now beginning to understand the micro-challenges on the ground through conversations with workers, their responses to the issues are often limited by their global priorities. Specifically, in the case of Uber, they are often constrained by the need to balance twin business imperatives: retaining uniformity in platform processes and operation across geographies, while attempting to account for localised driver concerns. Additionally, platforms also contend with global supply chain challenges that disrupt timelines to implement planned changes to their applications, and their centralised decision-making process exacerbates this further.

Having an independent, third-party organisation to mediate a forum that facilitates interactions between a platform and its workers helps to bring in that much-needed balance to hold the platforms accountable. By helping workers establish a feedback loop with the platform, an independent review board (IRB) can push the platform to take action to tackle workers’ concerns. By recognising this as a crucial factor for designing a level-playing council, Uber has maintained transparency by allowing Aapti to act as the IRB. While this does not eradicate the limitation of a self-regulatory model such as the DAC relying on voluntary corporate action, it is still an effective measure to enable better representation of workers to ensure that there is a timely response from the platforms.

**Absence of enabling policy mechanisms**

In this scenario, where self-regulation is dependent on corporate voluntary action and having an independent, neutral third party mediator is just partially addressing this problem, the role of the state in bringing a regulatory enforcement that requires platforms to establish a council for the facilitation of participatory governance can be deliberated. In Germany, the *Betriebsrat* or German Works Council (Works Constitution
Act, 1972, Germany), is one such example of a statutory requirement where a group of elected employees collaborate with management on behalf of the company’s workforce. A works council advocates for the employees’ best interests through established dialogue with management. Both the works council and the employer agree on the contractual provisions for working conditions binding to all employees. This largely resembles the model that Uber tried to establish through the DAC in India, but it is bolstered by enforcement from state governing authorities.

However, interest from government agencies to generate support for worker welfare initiatives is still nascent in India; consequently, this demands a deeper engagement with the state of affairs in the platform economy and the need to establish a dialogue among a wider variety of aggregators, gig workers and regulators. It is imperative that mechanisms such as the DAC are driven by sound design principles and processes that emphasise the importance of cross-industry collaboration and the ability to delineate uniform standards for platform governance through deliberation. These design principles will ultimately establish a framework for future value creation and innovation within the gig ecosystem.

**Management of DAC members’ expectations**

Taking into consideration that a self-regulatory mechanism such as the DAC has not been introduced in India before, managing DAC members’ expectations, in the context of the fractured trust relationship that exists between platforms and its workers is a slow, deliberative exercise. The inherent mistrust is further exacerbated by the unwillingness of platforms to engage with their workers and address persistent issues borne by unilateral platform policies. Building awareness amongst driver partners about why an entity such as the DAC is not an alternative to a trade union, but instead a third-party mediated forum to facilitate a two-way conversation has proven to be a challenging aspect of running such a forum. While trade unions will remain the primary mode through which platform workers can collectively raise concerns with industry bodies, localised mediums such as the DAC will prove to be effective models for more focused interactions around specific issues related to the platform that a worker is associated with.

**Driver Testimonials**

*We want the DAC because it gives us a platform to surface driver problems. Some important issues have been addressed through this platform - there is now a provision for a login*
password and OTP. Our needs have been heard and addressed through the DAC. However, there are a lot of other problems that need to be addressed and the DAC is a mechanism through which we can do that. For example, the UBER application hangs once in a while causing inconvenience while accepting a ride or while on it. It will be helpful to address these specific issues through a forum like the DAC.

- Ashish is from Delhi. He has been driving with Uber for 7 years and has completed 9800 trips

The DAC must continue. It has helped resolve our issues, but it has been around for only a year. It is impossible to have addressed all partner problems within such a short span of time. New issues keep coming up on an everyday basis and the DAC is the right platform for us to address them as it provides a direct line of communication with the platform.

- Arif is from Hyderabad. He has been driving with Uber for 5 years and has completed 3000 trips

Since the DAC has been instituted, we have got access to a platform through which we can raise our concerns, and from that perspective, 100% of our expectations have been met. There is definitely a need for a forum like this, where partners can bring up issues they are facing in terms of earnings, social security and app experience. However, the DAC is still at a nascent stage, and we need to interact more frequently with Uber to ensure they get a complete understanding of the problems we face on a daily basis. Implementation of suggested changes from Uber’s side has been a gradual process, and there needs to be further discussion on how these can be fast tracked.

- Anand is from Bangalore. He has been driving with Uber for 6 years and has completed 17000 trips.

I have been driving with multiple ride-hail platforms over the last few years, and based on my experience, the per kilometre pay rates offered on Uber have fluctuated widely. The DAC provided me with an opportunity to raise such concerns directly with Uber, and that is important as a medium such as this one did not exist before. Further, I think the speed of resolution of action points could be improved and made more efficient. I believe that the DAC should continue over the years and grow in power.

- Loordu is from Chennai. He has been driving with Uber for 6 years

Through the DAC, our problems have been heard and this has led to significant changes. It must continue, but there are still some improvements to be made in how it functions. The DAC has to make more efforts to connect with drivers and ensure that issues raised by partners are addressed swiftly and without delay. We have repeatedly raised the issue of pricing. The ride charges must reflect the rise in the cost of CNG, fuel and inflation. There should be mechanisms for informing drivers about issues that impact them. For example,
drivers must be informed if tax is being deducted from their earnings. It will also be helpful to conduct bi-weekly meetings as opposed to only the quarterly sessions. This will help us address urgent issues that crop up on an everyday basis.

- Saarthi is from Kolkata. He has been driving with Uber for 4 years and has completed 11000 trips

Bibliography


