

A new shape of lawyer

Over the summer I saw a few newspaper reports about a dispute between Uber and their drivers. I've spotted some Uber cars around York recently. What's the story?

Two cab drivers who work for the taxi giant recently went to a Tribunal after accusing the business of wrongly classing them as “self-employed.”

Uber has maintained that this is a reasonable position, claiming that the men had the freedom to choose how much, or how little, they worked.

This has been fiercely contested by the drivers, who say they didn't have “a free choice” about the work they do. They consider the shifts they do for Uber a full-time job.

The Employment Tribunal, which attracted substantial press coverage when it took place in London over the summer, must ultimately decide whether the terms and conditions mean the men should be classed as “workers” or “self-employed.”

There is an important distinction between the two since workers have access to far more extensive employment rights when it comes to the likes of holiday pay and sick leave.

The drivers are backed by the GMB trade union, which has argued that the taxi firm still exercises significant control over its drivers while denying them the rights which many workers take for granted.

Understandably there is a great deal of interest in the eventual outcome of the case, particularly given that it could have implications for thousands of other Uber drivers across England and Wales, not to mention people who are employed under similar conditions by other taxi firms.

Uber argues that the case is a threat to the “flexible” arrangements which attract many people to the firm in the first place, while trade unionists believe that the case could deliver a far fairer, more secure form of employment for the workforce.

If you would like advice about the law relating to employment status please call Hethertons employment team on **01904 528 200 and speak to Jo or Gill.**