

App-Based Worker Deactivation Rights

This law applies to some types of app-based workers (sometimes called “gig workers”) and says that workers have certain rights when working on covered apps or online platforms (called “network companies”). This law *does not* apply to Transportation Network Company drivers (sometimes called “rideshare” drivers).

Important rights for workers include rights to:

- Not be deactivated for “unwarranted” reasons.
- Receive the company’s deactivation policy explaining the reasons why a worker could be deactivated.
- Have their situation investigated before being deactivated (except for “egregious misconduct”).
- Receive notice 14 days before they are deactivated (except for “egregious misconduct”).
- Access the information and records that the network company looked at to deactivate.
- Appeal deactivation and receive a response within 14 days except under extraordinary circumstances.
- Be protected from retaliation (negative action) for trying to uphold their rights.
- File a complaint with the Office of Labor Standards or a lawsuit after appealing the deactivation.

Which companies does the law apply to?

This law applies to more companies than the City’s other app-based worker laws.

Covered companies are businesses that use an online/phone application or platform to connect customers with app-based workers, present offers to app-based workers through a platform, and/or facilitate provision of services for compensation by app-based workers.

Both “Network Companies” and “Marketplace Network Companies” are covered by this law. Marketplace network companies allow workers to set their own rates, communicate with customers before accepting an offer, and don’t track workers’ time or mileage.

WHO IS COVERED?

App-based worker laws provide rights for people who use certain apps or online platforms accessed by smart-phone or computer to see offers for work and are paid to perform services in Seattle.

This law applies only to certain apps or online platforms. See above for more information about which apps are covered.

RETALIATION

Network companies cannot retaliate (take negative action against) an app-based worker for:

- Asserting their rights under these laws.
- Filing a complaint with OLS or a case in court.
- Telling others about their rights.
- Speaking with companies about rights.

OUR SERVICES

- Investigations of complaints.
- Outreach to workers.
- Technical assistance for businesses.
- Resources and referrals.

Language interpretation, translation, and accommodations are available.

All services are free.



OFFICE OF LABOR STANDARDS

The mission of OLS is to advance labor standards through thoughtful community and business engagement, strategic enforcement, and innovative policy development, with a commitment to race and social justice.

MORE INFORMATION
(206) 256-5297

laborstandards@seattle.gov
seattle.gov/laborstandards

App-Based Worker Minimum Payment

What is unwarranted deactivation?

Companies cannot deactivate workers for reasons including but not limited to:

- The number of hours worked or when they are available to work.
- Accepting/rejecting any number of type of offer
- Canceling an offer with cause.
- Aggregate customer ratings (when this is the only reason).
- Contacting the network company.
- Asserting their legal rights.
- The result of a background check, consumer report, driver record, or record of traffic infractions (except for egregious misconduct or when required to by other law).
- Discrimination (including when deactivation has a discriminatory effect).
- Talking to anyone about working conditions including other workers, customers, media, public officials, or the public.

What is egregious misconduct?

Egregious Misconduct means action or behavior that endangers someone's physical safety, intentionally causes economic harm, or is threatening, harassing, or abusive. Egregious misconduct includes but is not limited to:

- Failing to maintain a valid driver's license
- Driving related crimes
- Physical violence
- Sexual violence and stalking
- Unlawful imprisonment
- Kidnapping
- Theft, burglary, robbery
- Fraud
- Money laundering
- Cyber crimes
- Hate crimes and using slurs
- Any Class A felony

Before deactivation, companies must:

- Provide workers with a policy that explains why they could be deactivated and the process for appeal.
- Create an accessible system so that workers can see if they are covered by the ordinance (does not apply to MNCs).
- Investigate alleged violations of the deactivation policy (except for egregious misconduct).
- Allow workers to participate in the investigation.
- Be able to show that, more likely than not, a worker violated the deactivation policy.
- Issue a notice of deactivation 14 days before the deactivation (except for egregious misconduct).
- Give workers the records that the company looked at to make its deactivation decision.

After deactivation, companies must:

- Tell workers how to appeal.
- Respond to any appeals or worker communications within 14 days.
- Allow workers to access their records including notice of deactivation for at least 3 years.

How must workers appeal?

Every company can have its own appeal process. The process should be accessible to the worker through the app or another way like email. The process must be accessible even when the worker is deactivated. Workers should follow the company's process.

Workers must appeal the deactivation within 90 days of receiving the notice. Otherwise, they will lose their right to appeal, complain to OLS, or file a court case.

Notice and Posting

Covered companies must provide a Deactivation Notice of rights to workers in an electronic format that is readily accessible to the worker in English and the primary language(s) of the worker.

Notices are available electronically on the Office of Labor Standards [Resource and Language Access Page](#). Notices are available in multiple languages. Check the individual language pages to see if a notice is available.