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August 4, 2015

The Honorable Edith Ramirez
Chairwoman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Sharing Economy Workshop, Project No. P15-1200

Dear Chairwoman Ramirez,

Jobs With Justice is an independent nonprofit organization dedicated to promoting workers' rights and fighting for an economy that benefits all workers. We bring together labor, community, faith and student voices at the national and local levels through a network of local coalitions across the country, and create innovative solutions to the problems workers face today through research, analysis, organizing and public advocacy.

Jobs With Justice is engaged in efforts to better understand the changing nature of work in our country, and to ensure that Americans continue to have access to a voice on the job and a fair shot at a decent standard of living. For these reasons, we are closely following the Federal Trade Commission's efforts to learn more about the emerging "sharing economy," including through the workshop it hosted on June 9, 2015. Jobs With Justice appreciates the opportunity to share our perspective with you and the commission.

We believe it is crucial that regulatory agencies like the FTC receive the input of all stakeholders when considering their roles in relation to new and evolving market activity, including the growth of companies identified as being part of the sharing economy. We commend the FTC's proactive approach to seeking input; however, we wish to also respectfully express our disappointment that the June 9th workshop excluded the voice of workers.

The workshop's attendees heard the perspectives of company representatives (e.g. Ashwini Chhabra, Uber's Head of Policy Development) and industry spokespeople (e.g. Vanessa Sindors, the American Hotel and Lodging Association's Senior Vice President and Head of Government Affairs); however, attendees missed the opportunity to hear from the women and men who work in the sharing economy, along with those employed in the incumbent industries in which these new companies compete. These workers could have offered a unique perspective as subject matter experts on many of the workshop's topics, including rating systems and public safety concerns related to the sharing economy.

The simple reality is that one cannot fully discuss, conceptualize or understand the sharing economy without considering the perspective of workers. "Sharing economy" is a broad term encapsulating a

wide variety of businesses—a point made repeatedly by several presenters at the June 9th workshop.¹ The sharing economy includes companies like LeftoverSwap, which allows users to identify nearby individuals interested in exchanging leftover meals. This type of service appears to closely match the basic definition of sharing. At the same time, the term is also used to label multi-billion dollar businesses like Uber, which sets the standards and monitors the performance of drivers who provide chauffer services for a fee. While courts are considering the employment status of drivers for Uber and other mobile ride-hailing companies,² a reasonable observer can see that what drivers are doing is, in fact, work, not simply sharing.³

This is why we believe that the FTC must seek the input of workers as it continues to study these new economic actors, and begins to decide what regulations, if any, are appropriate. The sharing economy may offer new and unconventional ways to connect buyers with sellers and firms with consumers, but it fundamentally remains a part of the conventional economy – an environment that holds a place for capital, labor and consumers. Indeed, many workers in the sharing economy have already come together through labor unions and other forms of member organizations in part to ensure that their voice is heard in the policy deliberations about their livelihood. The same is true for the women and men employed in incumbent industries. We would be happy to help connect you, your fellow commissioners, and staffs with these workers and organizations.

Thank you again for the opportunity to share Jobs With Justice’s perspective on the FTC’s Sharing Economy Workshop. Please do not hesitate to contact my staff or myself if you have any questions, or if we can be of further assistance.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and curves, appearing to read 'Sarita Gupta'.

Sarita Gupta
Executive Director, Jobs With Justice

¹ For example, see Owyang, J. (2014). “Collaborative Economy Honeycomb Version 2.0,” distributed at the FTC’s June 9th workshop.

² E.g. O’Connor, *et al.* v. Uber Technologies, INC., *et al.*, No. C-13-3826-EMC, (N.D.C.A. Mar. 11, 2015)

³ Indeed, commentators have begun to question the accuracy of the term “sharing” economy” to describe businesses like Uber. See: Roberts, Jeff J. (2015, Jul. 29). “As ‘sharing economy’ fades, these 2 phrases are likely to replace it”. *Fortune*. Retrieved from: <http://fortune.com/2015/07/29/sharing-economy-chart/>.