



April 2023

To: Senate Finance Committee  
Re: SB23-098—Gig Work Transparency

Dear Committee Members,

The American Association of University Women (AAUW) is one of the oldest women's organizations in the country, empowering women since 1881. The mission of AAUW is to advance equity for women and girls through advocacy, education and research.

AAUW recognizes that many families are headed by women who have been especially hard hit by the COVID pandemic and its after effects. Now, instead of returning to their old jobs that required long hours and little flexibility, many women have joined the gig economy, working for such companies as Uber and Lyft. This type of work offers the flexibility they need to care for their families. Women represent around 46% of the independent contracting workforce, up from 33% in May 2017, according to the [American Action Forum](#). Yet, even in this new economy, they are still paid 10-15% less than men.

AAUW of Colorado believes Senate Bill 98 will be a step forward in helping women take advantage of the flexibility of gig work without sacrificing the ability to support their families. We believe this bill will add transparency and accountability requirements that will encourage a more open and fair environment for women.

For these reasons, AAUW of Colorado strongly supports Senate Bill 98 and requests your AYE vote in committee and throughout the process of becoming law.

Thank you for your consideration,

A handwritten signature in blue ink that reads "Su Ryden".

**Su Ryden**  
**AAUW Colorado Public Policy Co-Director**

16699 E. Kentucky Ave.  
Aurora, CO 80017  
303.898.5797  
[su@ryden.com](mailto:su@ryden.com)

*American Association of University Women--AAUW is a top-rated 501(c)3 charitable organization whose mission is to advance gender equity for women and girls through research, education, and advocacy.*

Dear Senator Winter,

I am writing to you as a Colorado Springs resident and a full-time Dasher with DoorDash. My name is Arthur and I have been dashing for almost two years while undergoing treatment for pancreatic cancer. DoorDash has been a lifeline for me during this challenging time, allowing me to work and support myself while prioritizing my health.

As Dashers, we rely on the flexibility and earning opportunities that DoorDash provides. Being an independent contractor allows me to make my own schedule and work as many hours as I can handle. I usually dash between 30-40 hours a week and cherish the opportunity to be around people, which is my favorite part of dashing.

As someone who is battling a serious health condition, the flexibility that DoorDash provides is crucial for me. I use the income from DoorDash to pay off my car payments and everyday expenses like rent. Without DoorDash, I would not be able to support myself as I go through my treatment.

As a Top Dasher on DoorDash, I have priority access to being able to dash whenever I want. This convenience allows me to work extra hours whenever I have time. Losing my Top Dasher status would mean that I could no longer earn enough income to stay on my feet and I would have to wait around for priority access to schedule, which would be a big disadvantage for me.

I am concerned about Senate Bill 23-098 as it could adversely affect income and earning opportunities for delivery drivers like me. While I understand the committee's intent of transparency and deactivation protections, this bill could harm our ability to earn a living wage. I urge you to oppose Senate Bill 23-098 and to consider the impact that it would have on Dashers like me who rely on DoorDash as our main source of income.

Thank you for your time and consideration.

Sincerely,  
Arthur Newton  
2522 W 104th Cir, Westminster, CO 80234

Dear Senator Priola,

My name is Connie Simonds, and I am a LaSalle resident and a part-time Dasher with DoorDash. I am writing to express my concerns regarding Senate Bill 23-098, which could potentially harm the income and earning opportunities for dashers like me who use the platform to earn extra income for important occasions like birthday and Christmas presents.

As an independent contractor, I value the freedom and flexibility that comes with being my own boss. DoorDash has been a great opportunity for me to earn extra money, which I use to supplement my income and help me cover important expenses like gifts for my grandkids and family. Additionally, it allows me to get out of the house during the week, which I greatly appreciate.

As a Top Dasher, I have priority access to the best orders and can dash whenever I want, which helps me maintain a flexible schedule and maximize my earnings.

While I understand the committee's intention of promoting transparency and providing deactivation protections, I am concerned that Senate Bill 23-098 could have unintended consequences that would negatively impact the ability of dashers like me to earn this extra income. Therefore, I urge you to oppose this bill and consider the impact that it would have on DoorDash drivers who rely on this platform as their source of supplementary income.

Thank you for taking the time to consider my concerns. I appreciate your attention to this matter.

Sincerely,  
Connie Simonds  
217 E Taylor Ave  
LaSalle, CO 80602

Dear Senator Winter,

I am writing to you today with deep concern as a DoorDasher about the potential impact of Bill 23-098. I implore you to consider how this bill will negatively affect me and many other delivery workers who rely on the platform to pay their bills.

As a proud Top Dasher, I have worked hard to earn more money as a part-time dasher and supplement my income from my other job. The flexibility to choose from a variety of hours to work has allowed me to dash whenever it is convenient for me. Currently, I aim to dash for anywhere between 10 to 20 hours per week, but this varies depending on my energy levels, and the time I dedicate to family and other hobbies. Being a top dasher has also given me the opportunity to dash around different parts of my city and have time to myself.

However, Bill 23-098 threatens to eliminate my flexibility, limit my earnings, and restrict DoorDash from providing rewards and incentives. Since I began dashing, these very things have been the reason I have been so successful and have delivered at such high rates, supporting many Colorado businesses. If this bill is passed, it will have a devastating impact on my ability to support myself and my family.

I urge you to proceed with caution on Bill 23-098 and to allow for Dashers like myself to continue being successful. Thank you for taking the time to consider my concerns.

Sincerely,  
Lexi Condray  
12112 Melody Dr #302 Westminster, CO 80234

Dear Senator Winter,

I am writing to you as a concerned resident of Broomfield and a proud DoorDash driver. I urge you to reconsider Bill 23-098 as it contains provisions that will negatively impact me and many other Dashers in our community. I want to share with you why DoorDashing is important to me, and why I need you to oppose this bill.

Despite only driving for DoorDash for five months, I am proud to have become one of the Top Dashers in the app in such a short amount of time. I make it a goal to Dash for 8 to 10 hours every week and have enjoyed the benefits that come with being a Top Dasher, including expanded earning opportunities and a more flexible schedule. These benefits are important to me as they allow me to spend more time with my family.

Dashing also gives me a sense of belonging and purpose in my community. I love serving my community through DoorDash and delivering food to people who cannot go out of their way to pick up food for themselves. As a Top Dasher, I also receive bundle pick-up orders that make it easier to deliver and pay very well.

However, Bill 23-098 threatens to change all of this by limiting my access to earnings and reducing rewards. As a hard-working Dasher, this will greatly impact my ability to support myself and my family. That is why I am urging you to reconsider this bill.

Thank you for taking the time to read my letter. I appreciate your consideration and hope that you will stand with me and other Dashers in our community to oppose this bill.

Sincerely,  
Michaela Landwehr  
A4-14300 Waterside Lane Broomfield, CO 80023



# National LGBT Chamber of Commerce

April 25, 2023

Dear Members of the Colorado Legislature,

On behalf of many of our nation's job creators, representing the diverse economic interests of the LGBTQ+ business community, we write to you to express our concern over Colorado's proposed delivery tax.

Throughout the state, delivery services play an important role for Coloradans. For many hardworking Coloradans, utilizing delivery services expands their access to essential goods and allows them to spend more time with their friends and families. For many small, locally owned Colorado businesses, delivery services have been critical to expand reach to their customers, especially after the COVID-19 pandemic. And delivery services have provided a new way to earn extra money for Colorado workers.

With rising costs across the nation putting a strain on families' checkbooks, the addition of another delivery tax will burden Colorado families and businesses. While small in isolation, this latest delivery tax is not alone. It comes on the heels of last year's first-of-its-kind \$0.27 tax on each delivery as well as state and local sales tax. The continuous addition of these types of fees and taxes - which will only continue to grow each year - can have a negative impact on consumers, workers, and businesses in Colorado.

We cannot support a tax increase that would further burden consumers during a challenging economic time and make it more difficult for small and locally owned businesses to operate. Instead, we should work together to protect consumers, workers, and local businesses to help Colorado's economy grow. Thank you for your consideration in this matter.

Regards,

Justin Nelson  
Co-Founder & President  
National LGBT Chamber of Commerce



Finance Committee - Comments Leanne Fiedorowicz to Katie.Ruedeusch 04/21/2023  
12:13 PM

Good afternoon, Katie.

Instacart emailed me today to oppose a bill that is in the Finance Committee on 4/25/23: SB23-098. They misrepresented the bill to be a tax on consumers rather than what it truly is.

I don't know if there is a better way for me to send this message (to the members directly) but I fully and wholeheartedly support the text of this bill and the Revised Fiscal Note for the Department of Labor and Employment presented with the bill.

We should support our gig workers and understand where our money is going when we use these services - additionally, gig workers should be provided more protections. We should honor them and not allow them to be taken advantage of and we have a right to transparency - the only reason a company wants something to stay in the dark is because once held to the light we will see the injustices.

Colorado is a place where our citizens should thrive.

Leanne Fiedorowicz  
Denver, CO

Dear Senator Mullica,

I am writing to you as a Brighton resident and a full-time Dasher with DoorDash. My name is Victoria, and I have been dashing since January. DoorDash has been a lifeline for me and my husband as retirees, as we use it to supplement our Social Security income.

The flexibility that DoorDash provides is crucial for me after retiring early from my job as a registered nurse.

DoorDash supplements my income to cover everyday expenses like our mortgage payments, and everyday bills, and helps us contribute every month to our savings account. Top Dasher status is important to me for priority scheduling and preferred hours, especially since I only dash during the day for safety reasons due to my eyesight.

I believe that the pay is fair and that there is potential for growth with DoorDash. As an independent contractor, I value my independence and appreciate DoorDash as a lifeline to financial security while maintaining the flexibility to earn an income on my own terms. I am concerned about Senate Bill 23-098 as it could adversely affect income and earning opportunities for delivery drivers like me. While I understand the committee's intent of transparency and deactivation protections, this bill could harm our ability to earn a living wage. I urge you to oppose Senate Bill 23-098 and to consider the impact that it would have on Dashers like me who rely on DoorDash as our main source of income.

Thank you for your time and consideration.

Sincerely,  
Victoria Shepherd  
13870 Quebec St  
Brighton, CO 80602

Dear Senator Winter,

I've been working as a Dasher since 2019 and I really like it. I can earn money, have flexibility in my schedule, and it's just plain fun. It's so cool to be able to listen to music while delivering food to people. But I'm worried about this new Bill 23-098 that might make it harder for people like me to keep doing what we love.

One thing I really appreciate about being a Dasher is that I can work whenever I want. I can easily fit it into my schedule without any issues. I usually work around 10 to 15 hours a week. But if this bill passes, it might make it harder for me to earn money. As a top Dasher, I really value the rewards and incentives I get. I'm currently looking for a full-time job outside of DoorDash and the money I make as a Dasher is super important to me right now. I need to have the flexibility to be able to sign on and work whenever I need to make some extra cash. I hope you can take a look at this bill and think about how it would affect people like me.

Please let the committee know your thoughts. Thanks for your time!

Sincerely,

Violet Adama

14087 Hudson St Thornton, CO 80602



April 25, 2023

Senate Finance Committee Members:

As statewide organizations representing businesses across Colorado, **we respectfully oppose SB 23-098. The regulatory overreach combined with a new regressive tax is bad for Colorado businesses and bad for consumers.**

SB 23-098 would require burdensome new disclosures and operational requirements for app-based rideshare and delivery platforms. For example, under SB 23-098, platforms would be prohibited from providing rewards and incentives to drivers who are working the most on these platforms. This is a bad outcome for the hardest working drivers and stifles platforms' ability to introduce new ways for drivers to earn. Eliminating these incentives would also hurt the small businesses who count on high-quality drivers to make timely and professional deliveries of their goods.

Additionally, SB 23-098 would place extreme restrictions on deactivating drivers who pose a safety risk or routinely provide bad service. It also establishes an external, state-run appeals process for any deactivation. This approach would create a bad precedent for other industries by requiring businesses to continue engaging a worker unless certain narrow conditions are met. A state-run, external appeals process will also only make it more burdensome and less efficient for drivers to get reactivated, all at the expense of Colorado taxpayers.

Independent analyses estimate that SB 23-098 will cost Colorado taxpayers at least \$2.8 million to \$3.9 million each year to oversee these unnecessary regulations, and recent amendments propose adding a new state "fee" for each delivery or ride to cover these costs.

While some argue that this new tax is just a few additional cents, it's important to remember that this fee does not exist in a vacuum. Rather, it's on top of state and local sales tax and a separate \$0.27 state fee per delivery and \$0.30 state fee per ride that were just added by the legislature last year and which are already slated to increase this summer.

We are concerned, especially in the current economic environment, that this steady addition of these taxes by the legislature is making these services unreachable for many families, harming Colorado's restaurants, small businesses, and drivers along the way.

SB-098 is bad for Colorado businesses and workers across the state. **We strongly ask for a NO vote on this bill.**

Respectfully,

Action22  
Colorado State Chamber  
Colorado Springs Chamber & EDC  
Hispanic Restaurant Association

Aurora Chamber of Commerce  
Colorado Competitive Council (c3)  
Grand Junction Chamber of Commerce  
Pro15

Club20  
CO Retail Council  
NAACP (CO/MT/WY)

## Opinion: Uber's "black box" keeps drivers in the dark about their share of the fare

Opaque algorithms exploit drivers and suppress their earnings, but a proposed law would require rideshare companies to show their math

Sophie Mariam

1:30 AM MDT on Apr 13, 2023

The last time I flew out of DIA, my Uber fare was \$80. My driver kept only \$30 of that fare, pre-tip. But I found this out only by asking the driver how much he made. The driver doesn't know the full fare and the rider doesn't know how much the driver gets. That's all left to the mysterious algorithm of the rideshare app and kept hidden from driver and rider.

The data is hidden, but that doesn't mean you can't get it! You just have to nag your colleagues to record their rideshare costs and have them also nag their drivers about their fare payouts. Fortunately, my colleagues were fine with nagging in the name of social science!

Our own data collection supported the growing body of national studies which affirm that Colorado drivers and their families struggle to get by as a result of opaque, exploitative policies used by rideshare corporations to spike your fare while suppressing driver's earnings.

And most drivers aren't part-time workers or college kids earning extra beer money; a 2022 survey found that 6 in 10 drive to support a child or adult at home. Drivers receive just under 80% of their weekly income from app-based work on average and work a median of 38 hours a week.

The industry will tell you that drivers can make \$30/hour. But that's before out-of-pocket expenses like gas and car maintenance. And it's based on the time driving with a paying customer in the car. Factor in the inevitable uncompensated working times when drivers wait between customers or head to the next gig, and it's more like \$10.50 an hour.

That wage would be a lot higher if "take rates" by rideshare platforms weren't as high. Based on Colorado Fiscal Institute data, these take rates can be between 50-70% of the rider's fare. The industry sure doesn't advertise that figure.

We estimate that if current take rates were 25% lower in the state — a rounding error relative to the rideshare company's revenue — Colorado drivers would earn more than \$10 additional per hour. That's \$20,000 more each year to care for their families and \$769 million more in economic value that's currently leaking out of our state.

It's true that Uber has operated in the red. However, a nuanced look at its long-game strategy reveals that this is the result of anti-competitive tactics, not the absence of huge profit opportunities.

A brief history lesson reminds us that the inherent dysfunction of the rideshare economy mirrors the economics of the unregulated taxi industry; the oversupply of rides led taxi companies and drivers to a race to the bottom to attract additional customers with unprofitably low pricing. History repeats itself as rideshare companies try to capture the "network effects" of being the biggest dog in the game, using predatory pricing to expand their market share, buy out competitors, and invest in emerging app-based markets, even if it means operating at a loss.

The upshot: The market operates in a way that inherently pits the desire of apps to expand against the welfare of the drivers, who bear the brunt of overhead and operating costs, yet see declining wages as the apps use their power to shirk accountability and employ wage-suppressing technologies.

High take rates and out-of-pocket costs eat away at drivers' earning opportunities, but riders only see the total amount they pay to the driver. This creates an information gap that harms drivers when it comes time for consumers to decide how much to tip. Would you tip differently if you knew that only \$30 of your \$80 fare went to the driver? Tips have a large impact on a driver's ability to put food on the table; more than one-fifth of the typical Denver driver's income came from tips, according to Colorado Jobs with Justice.

Drivers are also at risk of being "deactivated" from the app (and therefore losing their livelihood) over discriminatory complaints, with no process for recourse. Colorado Jobs with Justice says more than 1 in 5 Denver drivers report being discriminated against on the basis of their identity, and the majority of drivers are workers of color.

Drivers work around the clock to get us home safely when it's 2 a.m. and the bars aren't open. Yet, their employers aren't open or accountable with their formulas. Instead, big gig companies harvest on-the-job data to deploy algorithms and coercive incentives that deprive drivers of stable income. Drivers might see entirely different earnings for identical trips because this is decided in the black box of a company's algorithm, which new

research finds are programmed to differentiate fares and suppress wages in ways unknown to both workers and riders, a new method coined “algorithmic wage discrimination.”

We also know that the rideshare companies are claiming an increasing share of workers’ earnings. Colorado workers and riders deserve full information, so they can decide for themselves if they’re getting a fair deal. If you agree that this information should be transparent, you should support the Gig Work Transparency bill under consideration at the state General Assembly. It corrects the information asymmetry.

I know exactly my salary at Colorado Fiscal Institute and you probably know yours, too. There isn’t any black box that dictates how much you make each day. If there were, you’d want to know how it works.