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## Uber and Lyft's NY Right to Bargain Act: A Fundamental Threat to Worker Protections

This week, A Better Balance and other members of the NY DIRECT Coalition released [a statement in opposition](#) of the “Right to Bargain Act,” a proposed bill crafted by Uber and Lyft to undermine fundamental worker protections that have been established throughout New York State. This proposal, developed without the input of workers and local advocates, would exempt app-based employers from compliance with worker protection laws throughout the state, including state and local leave laws. **If enacted, this bill would permanently exempt app-based workers from critical worker protections, even in instances where app-based workers are currently entitled to said protections.**

By vesting in the state jurisdiction over the relationship between network companies and workers, the so-called “Right to Bargain Act” would wipe out local worker protections that apply to app-based workers and prohibit future ones. As a result, localities would be hamstrung in their ability to protect workers, respond to local concerns, and build on statewide, minimum labor standards. App-based workers would lose existing and future protections under local labor laws, such as:

- New York City’s [Earned Safe and Sick Time Act](#);
- Westchester County’s [Safe Time Leave Law](#); and
- New York City’s [Human Rights Law](#), which applies to independent contractors and employees and goes beyond state law by prohibiting discrimination on the basis of immigration status, caregiver status, credit history, and more.

The proposal would also weaken statewide labor protections as applied to app-based workers by allowing network companies in substantial compliance with the bill to avoid their obligations under state labor laws regarding taxation, wages, insurance, and other terms and conditions of work. This extraordinarily broad carve-out would remove app-based workers from critically important worker protection laws. State laws that could no longer be applied to app-based workers would include:

- New York State’s [vaccination leave law](#), which provides employees with time off to receive each injection of the COVID-19 vaccine, and New York State’s [permanent paid sick leave law](#);
- New York State’s [Paid Family and Medical Leave Law](#), through which workers can take time off work to care for themselves and their families without sacrificing their economic security; and
- New York State’s [Human Rights Law](#), which applies to employees and independent contractors.

The app-based economy is on the rise, and especially in the fallout of the unprecedented COVID-19 pandemic, app-based workers deserve robust worker protections. **A Better Balance strongly opposes this sweeping bill, which undermines state and local labor laws, prohibits future progress, and harms workers.**

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