

# Swiss court declares driver an Uber employee

May 6 2019

---



Possibly a landmark decision for Uber drivers in Switzerland

A Swiss court has ruled that a former Uber driver was an employee of the ride-sharing firm, not an independent contractor, in a potentially landmark decision, the driver's lawyer said Monday.

The ruling by the [labour court](#) in Lausanne, which has not been made

public, is the first of its kind in Switzerland, labour lawyer Remy Wyler told AFP.

Between April 2015 and December 2016 the driver was logged in to the UberPop app for more than 5,600 hours and completed more than 9,000 trips.

UberPop was a version of the application meant for individuals not categorised as professional [drivers](#). It was operated by Dutch-based Uber subsidiary, Rasier Operations B.V..

UberPop was banned in Switzerland in 2017, but UberX, which only uses professional drivers, remains available in the country.

After reportedly receiving a host of bad reviews, the driver received a [text message](#) in late December 2016 informing him that his log-in had been revoked, Wyler said.

In his complaint to the labour court, the driver argued that he had been wrongfully terminated from an employment contract without proper notice, a violation of Swiss law, and demanded back-pay for holidays among other benefits.

Rasier, the Uber subsidiary, countered that its agreements establish drivers as [independent contractors](#) who only have the right to file grievances with arbitrators in the Netherlands, not labour courts in their home country.

In a ruling delivered to the parties last week, the Lausanne court found that it had the right to hear the case and that the driver, whose identity has not been disclosed, suffered a "termination without just cause," Wyler said.

Rasier has 30 days to appeal.

Wyler said the case could have far-reaching consequences across Switzerland, with all Uber drivers potentially being considered employees entitled to social security protections and proper notice in advance of termination.

Uber has already been hit by a series of scandals over executive misconduct, a toxic work atmosphere and potentially unethical competitive practices.

The company is also poised to go public and preparing to sell 207 million shares, raising up to \$10 billion in a US IPO.

© 2019 AFP

Citation: Swiss court declares driver an Uber employee (2019, May 6) retrieved 4 July 2024 from <https://phys.org/news/2019-05-swiss-court-declares-driver-uber.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.