

Private Attorneys General Act (PAGA) Notice

To:

Labor and Workforce Development Agency (LWDA)
1515 Clay Street, Suite 801
Oakland, CA 94612
Via Online Submission Portal

To:

Uber Technologies, Inc.
Through its registered agent for service of process
330 N. Brand Boulevard, Suite 700
Glendale, CA 91203

Curtesy Copy to Uber's Legal Team at:

litigation-demands@uber.com
mjackson@uber.com

From:

ZAHIR NASERI (Aggrieved Driver)
Address: 2269 Ogden Sannazor Dr
Tracy CA 95377
Phone: 209 581 6096
Email: Zahirnasri@yahoo.com
Pro se Plaintiff

Date: July 16, 2025

Re: PAGA Notice of Labor Code Violations by Uber Technologies, Inc.

Pursuant to California Labor Code §§ 2698–2699.6, I, **Zahir Naseri**, an aggrieved person formerly or currently engaged as a driver by **Uber Technologies, Inc.**, submit this notice on behalf of myself and other similarly aggrieved current and former drivers. This submission is directed to the **Labor and Workforce Development Agency (LWDA)** and is concurrently served on Uber Technologies, Inc., regarding multiple ongoing violations of the **California Labor Code and Business & Professions Code**, including, wage theft, fraudulent fare calculations, mileage and time shaving, retaliation, unlawful deactivations, and misclassification of drivers under Prop 22. in California.

These violations arise from Uber’s unlawful employment practices, including the **misclassification of drivers as independent contractors**, resulting in systematic underpayment, failure to provide legally compliant wage statements, unlawful deductions, failure to reimburse business-related expenses, and retaliatory conduct—all in violation of the **California Labor Code** and **Business & Professions Code §17200 et seq.**

I. AGGRIEVED EMPLOYEE INFORMATION

I have worked as a driver for Uber Technologies, Inc. in the State of California from **February 2016 to the present**, including in San Francisco and surrounding regions.

During this time, I **personally experienced numerous violations** of the California Labor Code, as detailed below. Additionally, **similarly situated Uber drivers across California**—engaged in app-based driving services under substantially similar conditions—have been subjected to the **same or similar unlawful employment practices** described in this notice.

The violations described herein are **ongoing** and continued through at least **July 12, 2025**. As of the date of this notice, **Uber continues to engage in unlawful practices**, including but not limited to **wage theft, fraudulent fare calculations, and the systematic shaving of mileage and time on individual rides**. Accordingly, this notice is **timely** under **Labor Code § 2699.3(a)**, as the most recent violation occurred **within the one-year limitations period**.

II. EMPLOYER INFORMATION **Company Name:** Uber Technologies, Inc.
Principal Address: 1515 3rd Street, San Francisco, CA 94158

III. LABOR CODE VIOLATIONS

1. Systematic Underpayment and Wage Theft

Labor Code Violated: \u00a7\u00a7 1194, § 1197.5, 1197, 1197.1, 204, 210, 221, 223, 225, § 17200

Uber consistently fails to pay drivers for all hours worked, including time spent waiting for passengers, driving to pick-up points, and other pre-trip engagement. Uber's fare estimation and payment system routinely pays less than the actual time and mileage. Although Uber’s written policies state that it will adjust fares when a trip takes longer or travels farther than estimated, this policy is **inconsistently applied or entirely ignored**, leading to **systematic wage theft** in violation of the Labor Code.

2. Fraudulent Pay Calculations and Shaving of Time/Miles

Labor Code Violated: \u00a7\u00a7 223, 225, 226; Civil Code \u00a7\u00a7 1572, 1573

Uber employs **algorithmic tools to manipulate fare calculations**, systematically underpaying drivers. The **estimated time and distance** shown before each ride is frequently **less than the actual time and mileage traveled**, yet fares are not adjusted to reflect the difference.

After the ride begins, Uber **removes or hides key trip data**, preventing drivers from comparing estimated versus actual metrics. This practice leads to **unfair wage reductions**, violates Uber's own stated policies, and constitutes both **fraudulent misrepresentation** and **wage statement violations** under the Labor Code and Civil Code.

3. Unpaid Engaged Time

Labor Code Violated: \u00a7\u00a7 1194, 1197, 223

Uber fails to compensate drivers for engaged time spent driving to passenger pick-up locations or waiting up to two minutes before a rider enters the vehicle. Although this time is part of the active trip process, Uber excludes it from fare calculations and wage guarantees, resulting in systematic underpayment in violation of California's minimum wage laws.

4. Unlawful Deductions and Tip/Cancellation Fee Theft

Labor Code Violated: \u00a7\u00a7 221, 224, 225

Uber regularly withholds or clawbacks drivers' tips and cancellation fees without providing prior notice, itemized deductions, or obtaining driver consent, in violation of California labor laws. These unauthorized deductions reduce drivers' earnings unlawfully and contravene Labor Code § 221, which prohibits employers from collecting or withholding wages already earned by an employee. Similarly, Labor Code § 224 requires full payment of wages without any unauthorized deductions, and § 225 mandates itemized wage statements specifying all deductions.

Many drivers only recover these withheld amounts after filing formal disputes or complaints, demonstrating Uber's systemic failure to comply with wage payment and notice requirements under California law.

5. Delayed and Incomplete Wage Payments

Labor Code Violated: \u00a7\u00a7 200-204, 210

Uber regularly delays payment of wages—including tips, reimbursements, and fare corrections—often issuing them days or weeks late, in violation of Labor Code §§ 200–204 and 210.

6. Inaccurate and Misleading Wage Statements

Labor Code Violated: \u00a7 226

Uber provides pay summaries that conceal critical wage details by combining unrelated deductions—such as insurance fees and operational costs—into a single vague line item. In addition, Uber has removed the display of the rider's total payment for each trip, making it impossible for drivers to verify how much the passenger paid and whether the driver received the correct portion. This lack of transparency violates Labor Code § 226(a), which requires itemized

wage statements that accurately reflect all deductions and payments necessary to verify lawful compensation.

7. Failure to Reimburse Necessary Work Expenses

Labor Code Violated: \u00a7 2802

Uber fails to reimburse drivers for necessary business expenses, including bridge tolls, phone and data usage, and operational costs essential to performing their work. Uber also imposes hidden and excessive insurance charges—marked up beyond actual cost—without clear disclosure. These inflated insurance costs amount to unlawful wage deductions and expense shifting, in violation of Labor Code § 2802, which requires reimbursement for necessary work-related expenses, and §§ 221 and 224, which prohibit unauthorized deductions and wage clawbacks.

8. Misclassification Under Prop 22

Labor Code Violated: \u00a7 2750.3 (Prop 22), 226.8

Despite meeting employee criteria under California law and failing key elements of the Prop 22 classification test (Bus. & Prof. Code \u00a7 7451), Uber treats drivers as independent contractors, avoiding lawful obligations.

9. Retaliatory Deactivation and Airport Bans

Labor Code Violated: \u00a7 98.6, 1102.5, 232.5

After I reported wage discrepancies and policy violations, Uber permanently banned me from all California airports without notice, investigation, or appeal. This retaliatory action violated Labor Code §§ 98.6 and 1102.5.

Uber's unilateral, indefinite ban reflects a level of control inconsistent with independent contractor status, supporting a misclassification claim under Labor Code § 226.8.

10. Due Process Violation as Evidence of Control + Unfairness

Uber permanently banned me from all California airports based on a vague report, without notice, investigation, or a chance to appeal. This violated Uber's own policies and the due process protections required by Prop 22 (Bus. & Prof. Code § 7453(c)).

The ban followed my complaints about wage theft and misclassification, constituting unlawful retaliation under Labor Code §§ 98.6 and 1102.5. Uber's unilateral action reflects employer-level control, inconsistent with independent contractor status, and supports claims under Labor Code § 226.8 and Bus. & Prof. Code § 17200.

11. Unfair Business Practices and Injunctive Relief

Statute Violated: Business & Professions Code \u00a7 17200

Uber's secretive fare breakdowns, bundled expense deductions, and opaque pay structure

constitute unfair business practices. Drivers cannot verify earnings due to Uber's deletion of estimated trip data post-ride.

12. Discriminatory Pay Practices via Algorithmic Pricing

Labor Code Violated: § 1197.5

Statute Violated: Business & Professions Code § 17200

Uber's algorithmic pricing system offers different fares to drivers for performing identical trips—same pickup and drop-off locations, same distance and duration—without any legitimate business justification. Drivers in the same geographic location receive unequal pay for substantially similar work, violating California's Equal Pay Act under **Labor Code § 1197.5**.

This discriminatory practice also constitutes an **unfair and deceptive business practice** under **Business & Professions Code § 17200**, as Uber does not disclose how fares are calculated or why such pay disparities exist. These secretive algorithmic decisions prevent drivers from understanding or challenging the unequal compensation they receive.

IV. RELIEF REQUESTED

Pursuant to the Private Attorneys General Act (PAGA), I respectfully request that the Labor and Workforce Development Agency (LWDA) investigate the alleged violations outlined herein and authorize me to pursue civil penalties on behalf of the State of California and aggrieved employees. Specifically, I request that Uber Technologies, Inc. be required to:

1. Compensate drivers the full fare difference when the actual duration or distance of a trip exceeds Uber's original estimate, consistent with Uber's stated fare policy.
2. Disclose all deductions taken from driver earnings, including itemized insurance costs and operational expenses.
3. Maintain and disclose both the estimated and actual time and distance for each trip to allow drivers to verify accurate pay.
4. Reimburse all necessary business expenses, including but not limited to bridge tolls, phone/data usage, and vehicle-related operational costs, as required under Labor Code § 2802.
5. Provide itemized and accurate wage statements in compliance with Labor Code § 226.
6. Cease retaliatory deactivations and airport access bans that are punitive and issued without due process.
7. Cease issuing unlawful monetary penalties or deductions without a lawful process or agreement.
8. Comply with employee classification requirements under Prop 22 and Labor Code § 2750.3, and cease misclassifying drivers as independent contractors.
9. Provide transparency into fare manipulation practices and disclose any insurance cost markups.

10. Disclose the full amount paid by each rider per trip—including base fare, surcharges, and any adjustments—so drivers can verify accurate compensation.
11. Reclassify drivers as employees in accordance with Labor Code § 2750.3 and Prop 22, based on their actual working relationship with Uber.
12. Disclose all rider fare data and the methods used to calculate driver pay.
13. Cease the use of discriminatory or opaque algorithmic pay practices that result in unequal treatment of drivers.

V. ATTORNEY GENERAL NOTICE I will provide additional supporting evidence, including screenshots of rides, fare discrepancies, and Uber's policy communications, as part of any follow-up submission to the LWDA or court proceedings.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge.

Respectfully submitted,
Zahir Naseri

A handwritten signature in black ink, consisting of a large, stylized 'Z' followed by a series of loops and a trailing line.