

Summary – Class Action Litigation in the Gig Economy

Handy (previously Handybook): **Zenelaj v. Handybook 82 F. Supp. 3d 968 (N.D. Cal. 2015)**
Westlaw has earlier dockets on file

- On-demand house cleaning and home repair services
- Class action alleged that Handy was deliberately misclassifying its employees as independent contractors
- Article: <http://www.businessinsider.com/handy-cleaning-lawsuit-2014-11>

Crowdfunder **Otey v. CrowdFlower, Inc., 2014 WL 1477630 (N.D. Cal. 2014)**

- Crowdsourcing company
- Workers claimed they were misclassified as independent contractors and paid less than the legal minimum wage
- Led to a settlement of \$585,507
- Article: <http://www.staffingindustry.com/Research-Publications/Publications/CWS-3.0/July-2015/July-8-2015/Crowdsourcing-supplier-settles-class-action-lawsuit>

Lyft **Loewen v. Lyft, Inc., 2015 WL 5440729 (N.D. Cal. 2015)**

- On-demand taxi service (very similar to Uber)
- Drivers alleged wrongful classification as contractors instead of employees
- Case sent to arbitration
- Article: <http://www.latimes.com/business/technology/la-fi-tn-uber-lyft-class-action-2015-03-12-story.html>
- <http://topclassactions.com/lawsuit-settlements/lawsuit-news/164868-lyft-driver-bonus-class-action-lawsuit-sent-arbitration/>

Homejoy **Iglesias v. Homejoy, 2015 WL 5698741 (N.D. Cal. 2015)**

- On-demand cleaning services company
- Class action over worker misclassification
- Company shut down amid the class action
- Article: <http://www.latimes.com/business/technology/la-fi-tn-homejoy-shuts-down-20150717-story.html>

Instacart **Cobarruviaz v. Maplebear, 2015 WL 6694112 (N.D. Cal. 2015)**

- Internet-based grocery delivery service
- Misclassified workers as independent contractors
- Company decided to offer workers the option to become an employee
- Article: <http://time.com/3748438/instacart-lawsuit/>
- Article: <http://www.xconomy.com/san-francisco/2015/08/06/instacart-extends-job-offers-to-its-ca-shoppers-but-labor-lawsuit-continues/>

Postmates **Singer v. Postmates, No. 4:15-cv-01284 (N.D. Cal. 2015)**

- On-demand delivery service for meals, groceries, office supplies, etc
- Misclassification of workers as independent contractors
- A - Article: <http://www.businessinsider.com/postmates-shyp-and-washio-hit-with-legal-action-from-contractors-2015-7>

TryCaviar **Levin v. Caviar, No. 3:15-cv-01286 (N.D. Cal. 2015)**

- Facilitating delivery from restaurants that don't normally deliver
- Workers alleged that they were misclassified as independent contractors

- Article: <http://time.com/3751745/postmates-homejoy-try-caviar-lawsuits/>

Washio **Taranto v. Washio, No. CGC 15-546584 (N.D. Cal. 2015)**

- Mobile laundry application

- Complaint alleged that Washio misclassified employees as independent contractors to avoid state labor laws

- Article: <https://www.bigclassaction.com/lawsuit/washio-employment-unpaid-overtime-class-action.php>

Shyp **Tang v. Shyp (American Arbitration Association) (document is on the web, but nothing in Westlaw)**

- On-demand courier pick-up and packaging

- Workers argued they should be employees and not independent contractors

- Article: <http://www.bizjournals.com/sanfrancisco/news/2015/07/01/shyp-washio-postmates-sued-uber-lyft-caviar.html>

Amazon Prime Now - On-demand one or two hour delivery of items

- Drivers filed independent contractor and minimum wage suit in California

Mechanical Turk **mentioned in Otey v. CrowdFlower**

- Article: <http://www.fastcompany.com/3042248/the-gig-economy-wont-last-because-its-being-sued-to-death>

Other useful articles:

- <http://www.inc.com/tess-townsend/how-startups-face-worker-classification-lawsuits.html>

- <http://www.fastcompany.com/3042248/the-gig-economy-wont-last-because-its-being-sued-to-death>