

**OPEN LETTER TO
ALL CAB DRIVERS**

by Robert Aros – Yellow Cab Driver 1982 - Present

The time has come. Before Thanksgiving, we will vote and decide whether we want union representation or not. Our status as employees has already been ruled on by the National Labor Relations Board (NLRB). We no longer are independent contractors – no matter what AAA Transportation claims. The election will take place, and even if the ballots are impounded and the final count delayed, pending possible review requested by the company, status of the Drivers WILL NOT change. The Tucson Hacks Association (THA) is completely confident that nothing will change; this ruling will not be overturned, regardless of how far the company thinks they want to go with this. “We’ll go broke if you guys become employees” has been heard from management but they will probably be willing to throw tons of money on a losing cause just to try and maintain control over us Drivers!

At the recent Drivers meeting at Yellow Cab on Sunday, November 1st a very important question was “...how did all of this come to be?” Any attempt to answer the question was not permitted at the meeting so I will provide a brief response here. It is not true (as stated in Lyle’s letter) that the company has always tried to avoid imposing on the Drivers independent contractor status. Infringement on the Driver’s status was immediate after their purchase of the company in 2002. AAA informed us they were a “voucher company, first and foremost” take it or leave it, the MDT showed no attributes telling us what kind of call it was and there was no street name or block numbers on the job offering. All calls had to be accepted and the vouchers would pay \$1 per mile. After a hearing before the NLRB in 2004, many changes were made to restore some of the Drivers rights. However, AAA continued to make sure any changes made would benefit their voucher business. We went from 90% cash fares to what we presently have now, mostly vouchers. By 2012, AAA had reduced the voucher minimum from \$8.50 to \$7.00, removed the attributes, street names and block numbers from the MDT (Mobile Knowledge) job offers. To top it off, they advertised an airport special flat rate for \$15.00 up to 10 miles and those calls were put into the dispatch system with a voucher attribute withholding cash calls from Drivers who did not take vouchers in an attempt to punish Drivers who did not accept voucher calls! We were forced to accept credit cards or face possible termination and forced to accept coupons that were not redeemable at the cage for credit towards our leases.

Then AAA moved the call center to Phoenix and opened one for the Medical Transportation Brokerage of Arizona (MTBA) which they opened in 2005 specifically to bid on medical transportation runs funded by the state thru private health insurers. AAA had total dispatch control of Tucson's calls in Phoenix. The THA was created at this time in an attempt to give a voice to the Drivers with the company and was supported by a majority of Drivers at the time.

With no willingness by the company to hear the THA and Drivers concerns, forced the THA to file for a NLRB hearing in 2013 and guess what? Many things began to change at AAA. Over the last 2 years vouchers increased from \$1.30 to \$1.60 per mile, the Airport flat rate was scrapped, customer coupons could be used towards our leases, leases were reduced and the call center was brought back to Tucson. Exclusive Yellow Cab stands were obtained, sub-leasing with restrictions was now allowed and Jim Fagan was hired to be a Driver Liaison. None of these things would have occurred if the THA had not filed their claim with the NLRB. While our claim was denied in the initial ruling by the NLRB, we filed an appeal and were vindicated after the second hearing this year! In 10 of the 11 items ruled on by the NLRB, AAA was found to have to excessive control in spite of their changes and ruled their Drivers are employees, not IC's and the 11th item was ruled to be inclusive! This is how all of this came to be; what we decide to do with our new status as employees is now in our hands.

Knowing how AAA Transportation has always made decisions in the past, without listening to Drivers input and concerns, we must not allow ourselves to believe anything will be different in the future. Ask yourself: what has really improved? How many hours and days do I have to work to make any profit? What will happen if I get hurt or sick?

Only a contract whose conditions are created and negotiated by you, the Drivers, and ultimately voted on by you, can prevent arbitrary changes by the company; and the only way a contract can be negotiated and guaranteed is by having bona fide representation, i.e. a union. Without representation will the company ever provide basic employee benefits such as workman's compensation, social security, unemployment insurance, health benefits (Affordable Care Act), or even, at least, minimum wage? Only a union contract can guarantee these basic rights, along with the terms decided by you, the Drivers. Terms in the contract will include how you are paid and how much, vacations, medical benefits, sick leave, seniority, and a grievance procedure, just to name a few. A yes vote on your ballot for the Tucson Hacks Association at election time is the only way your rights will be guaranteed and protected. My and Chris Kroh's only "Agenda" is to improve all working conditions for the Drivers. A "Yes" vote is a vote for all of us, you and I together are the union!