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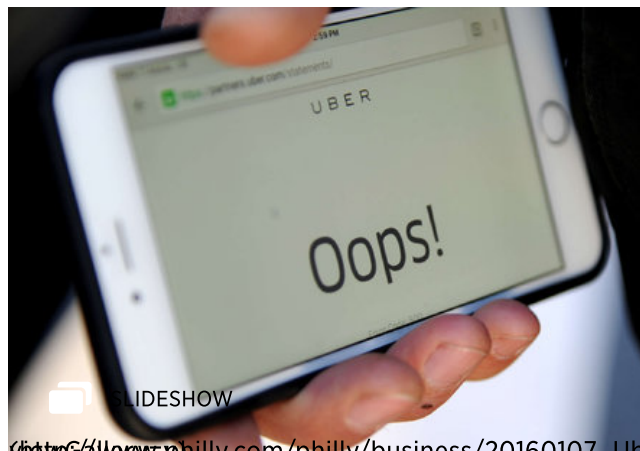
# UberBlack drivers protest, file wage suit

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As protesting UberBlack drivers yelled complaints outside Uber's headquarters near the Philadelphia International Airport on Wednesday, their lawyers filed a wage-and-hour lawsuit against Uber.



**UberBlack drivers protest, file wage suit**

**([http://www.philly.com/philly/business/20160107\\_UberBlack\\_drivers\\_protest\\_file\\_wage\\_suit.html](http://www.philly.com/philly/business/20160107_UberBlack_drivers_protest_file_wage_suit.html))**  
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The complaint, filed in Common Pleas Court in Philadelphia, says the drivers are not receiving overtime pay, or, in some cases, not earning minimum wage.

The suit also says they are misclassified as independent contractors instead of employees.

"Shame on Uber!" about 60 drivers shouted, as some carried signs saying "Limousines Are Endangered Species" and "UberBlack - Everyone's Poverty Driver."

UberBlack drivers, who operate licensed limousines, say their incomes dropped dramatically after Uber Inc. introduced its better-known, lower-cost UberX service into the Philadelphia marketplace in October 2014, undercutting their business.

"While we understand that many limousine drivers are frustrated, Philadelphia has shown enormous appetite for more affordable options like UberX," Uber spokesman Craig Ewer said in a statement.

"In Philly alone, more than 12,000 people are earning extra income through UberX, and nearly half a million riders use UberX," he wrote.

UberBlack drivers are licensed in Philadelphia and the state through the same process required for taxi drivers, paying the same fees and following insurance, vehicle and background check regulations.

UberX has a license to operate its business throughout Pennsylvania, but not in Philadelphia, where the UberX business is illegal, according to the Philadelphia Parking Authority, which regulates city cabs and limos.

Uber says that UberX is a ride-sharing service, not a taxi service, and therefore cannot be regulated by the Parking Authority.

In his statement, Ewer said Uber had increased marketing for UberBlack's more upscale service, including ads at 30th Street Station.

The lawsuit, filed by Jeremy Abay, of Sacks Weston Diamond L.L.C., lists as defendants Uber Technologies and Gegen L.L.C., the entity through which Uber operates here.

Uber had no immediate comment on the suit.

While the suit addresses larger issues of pay and employment, several UberBlack drivers in the parking lot complained that Uber was not paying them when they unknowingly accepted fares from people who had set up fraudulent accounts.

Themis Arhotakis, an UberBlack driver from Northeast Philadelphia, said he picked up a fare forwarded through the Uber app, and drove to New York, earning \$464, minus Uber's 28 percent commission, he thought.

When he looked at his pay, the fare was not listed and he said he was told the ride was fraudulent.

Arhotakis said drivers are in a bind. If they don't accept fares, their acceptance rate goes down, affecting their ability to earn. But, he said, they have no way of knowing whether an Uber account is fraudulent.

Ewer said that the company absorbs the cost of fraudulent trips and that drivers receive compensation.

The drivers say the Uber app often malfunctions, causing them to waste time in line at the airport. They accuse Uber of deliberately bringing down the app, perhaps in retaliation.

Ewer said drivers with technical problems can visit Uber's support center.

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