

# **Los Angeles Taxi Drivers and Restroom Access- Dignity on the Job**



**OHIP 2008**

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## **I. Acknowledgements**

Our work throughout the eight-week internship would have not been the same without the support, assistance, and insight of others. We would like to acknowledge those who contributed to our project:

- *Worksite Sponsor*– Los Angeles Taxi Worker Alliance (LATWA), LATWA Health Committee
- *LATWA*- Noah Ebner, Hamid Khan, Sentayeh Silassie, Betty Hung
- *University Affiliated Groups* – UCLA Downtown Labor Center, UCLA LOSH
- *UCLA LOSH* – Linda Delp, Ingrid Zubieta
- *OHIP* – Dr. Bob Harrison, Gail Bateson, and Interns
- *Drivers* – The drivers who took the time to speak to our team about their working conditions.

## **II. Project Summary**

During our eight-week project with the Los Angeles Taxi Worker Alliance (LATWA), we explored health and safety hazards experienced by taxi drivers in Los Angeles. For our project, we focused on restroom breaks as a health issue. We were able to accomplish our research project by conducting interviews throughout different sites in Los Angeles, ranging from hotel stands, taxi stands and LAX, at different times of day. We also participated in a LATWA Health Committee discussion session where we were able to identify health problems using body maps and other activities. Driver’s interviews were recorded in a spreadsheet (Appendix A).

From our interviews and discussions with taxi drivers, we found that most drivers have a “cognitive map” of the city of friendly places to which they refer to when they need to access the restroom. Whether it is a hotel, a park, a gas station, convenience store, or even their own home, most drivers say that they are aware of places that permit them to use their facilities.

Based on this information, we identified common themes and propose several recommendations for different organizations:

- **LATWA:**
  - Work with hotels:
    - Drivers noted that although some hotels reluctantly allowed drivers to use their restrooms, most had codes that the doormen and management refuse to tell them. Having a list of these codes and disseminating it to workers would be helpful.
- **Los Angeles Taxi Cab Companies:**

- Create a formal method of announcing rules to Drivers.
- **Los Angeles Department of Transportation:**
  - Amend rulebook and start a Placard system in which drivers place a pass on their windshield to note that they are using the restroom and will leave their cab unattended for a set period of time.
- **Los Angeles Taxi Cab Commission:**
  - Work with businesses and hotels:
    - Have clear rules established that allow taxi drivers to use restrooms when the driver is serving a particular hotel or serving a stand specific to a business.
  - Uniform:
    - LA is one of the few places in the US where drivers have to wear a uniform. Drivers feel that they are being targeted because of this. A driver mentioned to us: Drivers feel that there is no reason why they should wear a uniform and feel that when they enter a building they are immediately pegged as taxi drivers and doormen do not let them use the restroom. The Taxi Cab Commission should take a serious look into amending this rule.

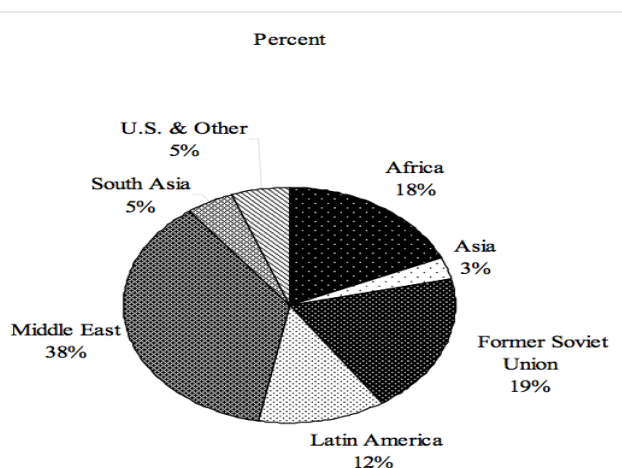
We hope to present our results at a Los Angeles Taxi Cab Commission Hearing. We also hope that our project's recommendations will be incorporated into the 2010 Los Angeles' franchise negotiations.

### III. Scope of Project

As Occupational Health Internship Program (OHIP) interns, we worked with the Los Angeles Taxi Worker Alliance (LATWA). Formed in 2008, LATWA, a non-profit organization, is a broad coalition of community activists and workers employed by taxicab companies in and around Los Angeles supported by several community-based, workers rights, civil rights and social justice organizations. We worked directly with LATWA's Health Committee.

The estimated 2,300 Los Angeles taxi drivers are predominantly male and immigrant (87%). Drivers come from at least 47 different countries, with Russia, countries of the former Soviet Union, Armenia, Ethiopia and Iran as the most common countries of origin. Most drivers are skilled trades or in business or professional occupations in their home country. Although drivers provide a public service that facilitates the mobility of others, most taxi cab drivers work in very poor working conditions, which are dictated by franchises negotiated between the city and taxi companies. Drivers are subject to a

**Regions of Birth of L.A. Taxi Drivers**



variety of mandates and restrictions, ranging from when and where they can pick up passengers to the color of the clothes they wear. These rules and regulations are enforced by several governmental and taxi agencies. Drivers are employed as either lease drivers or owner-operators. Taxicab drivers are considered independent operators, without a defined employer, and as such drivers are legally forbidden from collective bargaining under the Taft-Harley Act of 1949. Because of their owner-operated status, drivers are not covered by Cal-OSHA health and safety requirements.

A 2006 UCLA study, “Driving Poor: Taxi Drivers and the Regulation of the Taxi Industry in Los Angeles,” identified work-related health problems which range from long hours of work (12-14, and even more when it is the driver’s “airport day” because access to the airport is restricted) to harassment, violence and the poor ergonomic design of taxi cabs. The table below notes the most widely reported health problems in the “Driving Poor” study by professors Gary Blasi and Jacqueline Leavitt.

### **Work Related Health Problems**

<b>Health Problem</b>	<b>Drivers Reporting</b>
Back pain severe enough to interfere with daily activities	49%
Leg problems, including swollen legs and left leg limp	40%
Shoulder pain severe enough to interfere with daily activities	30%
Eye problems	34%
High blood pressure	24%
Serious weight gain or obesity	21%

This project built on this study, by developing awareness among drivers that health problems may be related to their job. Our project came about after drivers identified a range of health related problems and, at the recommendation of LATWA’s Health Committee, the issue of restroom access and breaks was chosen because it resonated with all.

Drivers usually do not take bathroom breaks, for fear of losing fare or getting a ticket for parking in “red zones” (Refer to Rule 740, which states that "A driver in a taxicab zone shall not leave the taxicab unattended except to assist a passenger"). In an Amalgamated Transit Union survey of 900 transit drivers, a third said they have had health problems related to waiting too long to use the bathroom, and a third said they have at times been forced to stop for emergency breaks in the bushes. Two-thirds said they have been distracted while driving by their need for a restroom. Medical studies show the importance of regular urination. Having a full bladder for hours predisposes many to bladder infections and kidney stones (see, *Void Where Prohibited: Rest Breaks and the Right to Urinate on Company Time*, by Professor Marc Linder and Ingrid Nygaard, M.D., Chapters 5 and 14). Adverse health effects that may result from voluntary urinary retention include increased frequency of urinary tract infections (UTIs), which can lead to more serious infections and, in rare situations, renal damage (see, e.g., Nielsen, A. Waite, W., "Epidemiology of Infrequent Voiding and Associated Symptoms," *Scand J Urol Nephrol Supplement* 157). Medical evidence also shows that health problems, including constipation, abdominal pain, diverticuli, and hemorrhoids, can result if individuals delay defecation (see National Institutes of Health (NIH) Publication No. 95-2754, July 1995). This issue is not only a

health problem but also a human right, as some establishments in the Los Angeles area deny drivers to access the restroom.

#### **IV. Objectives**

The objective of the project included three elements:

1. Learn from the experts, the drivers themselves, about their worker health and safety.
2. Assess the overall conditions of taxi stands.
3. Raise awareness of health and safety issues among drivers, focusing on driver's access to restrooms as a health issue and human right.

We worked primarily with LATWA and the UCLA Labor Occupational Safety and Health Program, but used resources at the UCLA Downtown Labor Center and the Koreatown Immigrant Workers Alliance (KIWA).

#### **V. Methodology**

To learn more about driver's access to restrooms and assess taxi stand conditions, we conducted interviews and participated in a discussion group organized by LATWA's Health Committee.

##### **5.1 Interviews- 54 Drivers**

One of our main objectives was to speak to workers about restroom access and experiences with the various enforcement agencies. We wanted these interviews to run like conversations and therefore we only asked three main questions and allowed for drivers to speak freely about their experiences; rather than limiting drivers to a multiple choice survey (Please see Appendix A). The amount of time spent speaking to drivers differed, as some drivers were more comfortable speaking to us than others (Please see Appendix B for a summary of interviews).

We visited different sites throughout Los Angeles City as listed:

- LAX Hotels: Westin Hotel, Marriott Hotel, Best Western Hotel, Sheraton Gateway
  - Conducted from 12pm-4pm
- West Los Angeles: W Hotel
  - Conducted at 9am
- Downtown Los Angeles: Greyhound Bus Station, Union Station, 7<sup>th</sup> and Figueroa Taxi Cab Stand, Mellon Bank Taxi Cab Stand, Marriott Hotel, Omni Hotel, Sheraton Hotel, Biltmore Hotel, Hilton Checker
  - Conducted from 9am-4pm

- Hollywood- Renaissance Hotel, Roosevelt Hotel, Various Taxi Stands throughout Hollywood.
  - Conducted from 11pm-2am
- Beverly Center
  - Conducted from 4:30pm-5:45pm
- West Hollywood- Sunset Strip
  - Conducted from 11pm-2am

## **5.2 Discussion Group- 12 Drivers**

We participated in a LATWA Health Committee discussion group, which aimed at developing a collective awareness that health problems may be related to taxi driver’s job (Please see attachment C). In this discussion group, drivers identified and prioritized the causes of these problems and discussed changes that they would like to see the most. Drivers participated in a body mapping activity where they identified on maps where in their bodies they felt physical pain. Drivers then summarized these problems and identified their two biggest concerns followed by changes that could be made to improve these conditions.

## **VI. Results**

From our interviews and discussions with taxi drivers, we found out that most drivers have a “cognitive map” of the city with friendly places to which they refer to when they need to access the restroom. Whether it is a hotel, a park, a gas station, convenience store, or even their own home, most drivers say that they are aware of places that permit them to use their facilities. Drivers also mentioned that they usually ask other cab drivers to look out for their cabs when they need to leave to use the restroom. The following are common themes that our team identified from the interviews and discussion session:

### **6.1 Most hotels do not allow drivers to use their restroom facilities**

A driver noted to us that about “90% of hotels do not allow drivers to use the restroom.” Most drivers prefer to go to a gas station or convenience store if they need to use the restroom, as they feel uncomfortable at hotels because doormen and management give drivers “bad looks” for using their facilities. Drivers feel that if they are “serving that hotel or that business, [they] have the right to use the restroom, for [they] are working there too.” Drivers say that their respective taxi companies communicate to them via radio what hotels they can and cannot use.

Two years ago, when the Downtown Sheraton Hotel was still the Hyatt Hotel, a security guard physically assaulted a driver because he needed to use the restroom. The driver obtained the front desk for the key to the restroom, but when he tried to go into the restroom, security stopped him and said he could not use it and asked the driver how he got the key. The driver told him that he received it from the front desk and the security guard proceeded to tell the driver to give the key to him. The driver told him that he needed to give the key back to the front desk, even if he could not use the restroom. The security guard pushed him against the wall and held him there and

demanded that he get the key. The guard wouldn't let him leave without retrieving the key, and the driver, after being physically assaulted gave the security guard the key. The driver called the police, but said they could not do anything about it because hotels are private property. He then told Hyatt management, but they did not do anything. Incidents like these happen all too often and are unacceptable. Similarly, a driver spoke to us about an experience when he was given the key to the restroom in the garage (drivers usually are only allowed to use the restrooms that are underground). He needed to use a toilet (most garage restrooms only have urinals), and when he asked about using the lobby restrooms, he was told he could not use it, and “drivers could only use the downstairs restrooms.”

Drivers told our team that the hotels where the management allows them use their facilities usually “suggest that [they] hide [their] badges when [they] enter the lobby area.” Many drivers also told us that often times, although they are told to use the garage restrooms, they lack the keys or access codes. Management refuses to tell drivers what they codes are and deny access to the facilities. Experiences like these dehumanize and disrespect drivers-some do not like to use restrooms at hotels for this very reason and some prefer to go to convenience stores although they are obligated to purchase something.

## **6.2 Uniforms allow for hotel doormen and businesses to target drivers**

Los Angeles is one of the few places in the U.S. where drivers have to wear a uniform. Drivers feel that they are being targeted because of this. A driver mentioned to us:

*“I am not working in a lawyers office, why should I have to wear a uniform? White is the worst color for working all day and I have to buy new black pants every 2 weeks because my pants fade and I could get a ticket because my pants are not “black enough.” Passengers don’t care, as long as I get them where they need to go.”*

Drivers feel that there is no reason why they should wear a uniform and feel that when they enter a building they are immediately identified as taxi drivers. Doormen and business owners then do not let drivers use the restroom. Most drivers feel that if this rule were amended they would be allowed to use more facilities.

## **6.3 Overall conditions of taxi stands**

Taxi stands are mostly located in sun, have no access to water, and offer little or no seating areas. These poor conditions are not only uncomfortable for the drivers, who can spend many hours waiting for a trip, but also for passengers who complain that cabs can become too hot or uncomfortable.

## **6.4 Definition of stopping and parking**

Drivers say that there needs to be a clearer definition of what the DOT and Parking Enforcement refer to as stopping and parking. Many drivers that our team spoke to had received tickets in through the mail for stopping to help passengers unload items or for stopping to help drivers with disabilities. Drivers say they have no ability to contest these tickets, as they cannot explain the situation to Parking Enforcement because they receive tickets by mail. Many feel that this is an unfair system.

Along with the above themes that our team identified, we found other concerns that drivers spoke to us about:

### **6.5 Regulation of TCP's and "bandit cabs"**

Many drivers expressed their discontent with the \$30 fee they are forced to pay the DOT for enforcing the regulation of "bandit cabs." Drivers feel that they "are paying the LAPD an extra fee for something that is already their job." Furthermore, drivers feel like this fee makes no difference, as they feel that LAPD does not properly enforce this regulation and their money is going to waste. Drivers also are outraged that the LAPD "turns around when they see TCP's." Drivers feel that these types of vehicles are not regulated and they take their trips because these drivers illegally tip doormen higher than a cab would. Although by law TCP's are only allowed to take a trip if there is a reservation, many TCP vehicles illegally wait around hotels to pick up a passenger. Drivers do not have any control over this and feel that their rights are not being protected from this unfair competition.

### **6.6 The Department of Transportation reputation among drivers**

Most drivers have a negative perception of the DOT. Drivers feel that the DOT is a corrupt organization that only seeks to harass drivers. For example, drivers feel outrage when they go to the DOT building in Downtown to contest a ticket or speak to someone and they are not allowed to sit in the lobby area like other customers, and are forced to wait outside until their number is called. Furthermore, drivers feel like they are not being heard when they visit the DOT. When drivers receive tickets, many prefer to pay the fine rather than contest it because they feel like their grievances are not heard. In addition to this, drivers see it as a waste of time because the process is slow and they are wasting time when they could be driving and possibly gaining a fare. The DOT should consider ways to better this relationship.

### **6.7 Poor ergonomic design of vehicles**

Driver's health and safety is seriously put into danger with the design of vehicles. Instead of designing vehicles around driver's needs, vehicles are built and then altered in a minor way to fit the specifications of a taxicab in Los Angeles. Not one cab fits all. Drivers report physical pain in addition to the daily stress experienced on the job. This is a serious job hazard that should be evaluated.

### **6.8 Gas prices**

According to Blasi and Leavitt, fare prices are also set by the City based on an outdated "Taxicab Price Index" that attributes only 13% of the costs of operations to fuel. Although there was a recently approved rate adjustment, it seems that Los Angeles city fails to respond fairly to the increase of fuel prices (which are paid by the driver).

### **6.9 Bribes to doormen for longer trips**



Although illegal, it is the norm for drivers to pay a “kickback” to hotel doormen who “give” drivers longer trips (like LAX). Drivers feel like this is a great problem because they are forced to pay doormen for these types of trips. Passengers are not aware that this is going on and drivers suffer the cost. More enforcement is needed to prevent this from happening and passengers should be made aware that this is illegal.

#### **6.10 Communication between drivers and regulating agencies**

Currently, taxicab companies communicate with the drivers about rules and regulations by radioing messages to the drivers. This method is not the best way of communicating with drivers as not all drivers may receive messages. A standardized process needs to be created for all cab companies to communicate with their drivers about rules and regulations. If cab companies were to create a newsletter to inform drivers, it would help drivers not only stay informed, but feel like they are part of the decision making process that directly affects their lives.

#### **6.11 Need for less “No Stopping” zones**

In the city of Los Angeles, drivers are not allowed to drop off or pick up passengers in red or “no stopping” zones. Although this may alleviate some traffic congestion in the City, taxi cab drivers are impacted the most because they are not allowed to drop off or pick up passengers in areas where one would expect to find a great need for taxi cab services (like the Staples Center, the Nokia Center, and the Los Angeles Convention Center). Many drivers express to our team that most passengers refuse to pay a full fare if they are not dropped off in front of the exact location. For example, one driver commented that if he were to drop off a passenger a block away from a site, the passenger would not pay the fare and so he is forced to violate the law and drop off in a red “no stopping” zone. This is the case with most drivers and many have received tickets because of this. There is a need for the city to reevaluate these zones, particularly along these frequented sites.

### **VII. Challenges**

Our team of two was assigned to two projects. We felt that the taxi driver project could have been a more in-depth project if we had more time. It could have been possible for us to visit more stands and become more involved in other areas of LATWA’s Health Committee.

We have tried to attend various Los Angeles Taxi Cab Commission Hearings but unfortunately, each time we have attended, quorum was not held and the meeting has been canceled. We hope that we are able to present our findings of our report for the next scheduled hearing, but it is pending on the Taxi Cab Committee.

### **VIII. Successes**

Taxi Drivers face many different issues on the job. Drivers work long hours and average just above California minimum wage. In addition to this, drivers face harassment and are subject to a variety of mandates and restrictions, ranging from where and when they can pick up

passengers to the color of the clothes they wear. Health and safety is just one of the innumerable issues that taxi drivers are concerned about, still, we were able to raise more awareness about the need for adequate restroom facilities and other concerns. We believe that drivers were truly appreciative of our efforts, as many expressed that they feel like nobody listens to them. We also hope that LATWA pays more and closer attention to the health and safety of workers.

We would like to present our findings Los Angeles Taxi Cab Commission Hearing. We also hope that our project's recommendations will be incorporated into the 2010 Los Angeles' franchise negotiations.

## **IX. Recommendations**

Based on the feedback from drivers, we have various recommendations for the different organizations that are involved:

- **LATWA:**
  - Work with Drivers:
    - Communicating “friendly” facilities-There are many hotels and businesses that refuse the right of drivers to use the restroom. It would be helpful for LATWA to compile a list of places in different areas detailing places that allow drivers to use their facilities.
  - Work with hotels:
    - Drivers noted that although some hotels reluctantly allowed drivers to use their restrooms, most had codes that the doormen and management refuse to tell them. Having a list of these codes and disseminating it to workers would be helpful.
- **Los Angeles Taxi Cab Companies:**
  - Create a formal method of announcing rules to Drivers-Currently, each individual taxicab franchise sends messages by radio to the cabs about what hotels are not allowing workers to use restrooms and other rules. A better form of communication is needed. Companies should start a formal process to communicate changes in rules and regulations and messages to workers, because as one driver put it, “I have no idea what’s going on!”
  - There needs to be greater accountability for franchises. Drivers do not know where the money that they pay in dues every month is going. They would like to have companies “open their books” so that franchises can operate as true co-operatives and each driver could have greater control over the decisions made for them.
- **Los Angeles Department of Transportation:**
  - Amend rulebook and start a Placard system in which drivers place a pass on their windshield to note that they are using the restroom and will leave their cab unattended for a set period of time.

- There needs to be better visibility of taxi stands (especially in Hollywood). Our team had a hard time finding them, and drivers said that they would like to see more signs directing passengers where the stands are.
  - Develop a better relationship with drivers. Drivers feel that the DOT is “out to get [them]” and feel powerless when it comes to decision-making. Perhaps developing a committee of drivers that serves as a liaison with the DOT and creating a newsletter to distribute to drivers could help bridge this gap.
  - A serious look needs to be taken into fares, as gas prices have increased astronomically and fares have not.
- **Los Angeles Taxi Cab Commission:**
    - Work with businesses and hotels:
      - Have clear rules established that allow taxi drivers to use restrooms when the driver is serving a particular hotel or serving a stand specific to a business. As one driver put it, “It’s like I’m working for that hotel because I am serving it. I should be able to use their facilities.”
    - Uniform:
      - LA is one of the few places in the US where drivers have to wear a uniform. Drivers feel that they are being targeted because of this. The Taxi Cab Commission should take a serious look into amending this rule.

### 9.1 **Recommendations to OHIP**

We are very thankful to OHIP for the opportunity to participate in this project. The internship brought us great insight into the lives of taxi drivers and cleared any misconceptions that we may have had. Because of initial interest in this project, we remained actively engaged throughout, and would like to remain involved. Therefore we would recommend to OHIP to allow students to be placed in a project of their choosing.

This summer we worked on two projects, and we would like to recommend to OHIP that students only work on one project. At times it was difficult to participate in both projects and split time up between both.

## **X. Appendix**

- A. Spreadsheet of Driver’s Interviews
- B. Questions asked to drivers
- C. Discussion Group Outline

## **XI. Worksite Sponsors Contact Information**

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