



MICHAEL N. FEUER  
City Attorney

February 2, 2022

By email to:

Tony West, General Counsel, Uber, [twest@uber.com](mailto:twest@uber.com)

Emilie Boman, Director of Global Public Policy, Safety, & Delivery, Uber, [eboman@uber.com](mailto:eboman@uber.com)

Adam Blinick, Director of Public Affairs, Uber, [blinick@uber.com](mailto:blinick@uber.com)

Dear Mr. West:

We read with great concern the December 10, 2021 Los Angeles Times article, “Uber blocks transgender drivers from signing up: ‘They didn’t believe me.’” *See* <https://www.latimes.com/business/technology/story/2021-12-10/uber-transgender-drivers-blocked-accounts-rejected-ids>. We are writing to notify Uber of the potential legal ramifications of maintaining policies that endanger or disadvantage transgender, nonbinary, or gender nonconforming drivers, and to provide Uber with an opportunity to explain any corrective actions it has implemented in the wake of these revelations of mistreatment.

The Times article details instances in which Uber barred transgender drivers when a government-issued photo ID did not match more recent photographs submitted to Uber that reflected the drivers’ gender identity. Transgender drivers also reported difficulties in having the UberEats app show their chosen name instead of their “deadname”—the public display of which raises concerns for drivers’ safety given ongoing violence toward transgender individuals.

Preventing the mistreatment of LGBTQIA+ persons is a top priority for our offices. And the conduct described in the article might give rise to liability under various anti-discrimination and workplace safety laws that we are empowered to enforce through California’s Unfair Competition Law, Cal. Bus. & Prof. Code §§ 17200 et seq. For one example, failing to protect transgender drivers from violence and harassment is actionable under California’s Fair Housing and Employment Act, Cal. Gov. Code § 12940.

We understand that Uber has promised various corrective actions to address the concerns raised by transgender drivers. According to the ACLU of Kansas, these measures included the creation of a Driver Inclusion team to handle photo and name changes for transgender drivers, updates to the Uber app to facilitate the same, and training for all driver agents to assist drivers identifying as transgender. *See* <https://www.aclukansas.org/en/press-releases/after-aclu-kansas-warning-ubereats-updates-trans-drivers-information-company-commits>. According to the Times

article, Uber also promised to undertake a review of the problem of deactivating transgender drivers in a July 2021 letter to the ACLU of Southern California.

Yet the Times article calls into question whether those promises have translated into better treatment. Transgender drivers continued to report being blocked after Uber erroneously deemed their post-transition photographs to be fraudulent; others report days-long haggling with Uber agents about name and photo changes instead of the streamlined process Uber promised.

At your earliest opportunity, please respond to the following queries. To the extent relevant information differs depending on the segment of Uber's business (e.g. Uber versus UberEats), please indicate your response as to each.

(1) Please describe and provide all background check, fraud prevention, or other policies involving photo or name verification, both as to drivers seeking to join Uber's platform and drivers already on Uber's platform.

(2) For drivers who identify as transgender, nonbinary, or gender nonconforming who may not meet the requirements of any policies requiring photo or name verification:

- (a) What options are available to seek individualized review?
- (b) What policies and procedures apply to such individualized review?
- (c) Who conducts such individualized review, and what training is provided?
- (d) What is the range of time it takes to complete such individualized review?

(3) Please describe and provide all policies and procedures that relate to the ability of drivers who identify as transgender, nonbinary, or gender nonconforming to display their chosen photo and name to the public.

(4) For drivers who identify as transgender, nonbinary, or gender nonconforming who seek to change their photo or name to display to the public:

- (a) What is the process for drivers to submit such requests?
- (b) What is the review and approval process?
- (c) Who conducts such review, and what training is provided?
- (d) What is the range of time it takes to complete such review and implement the requested change?

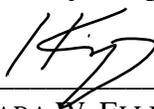
We look forward to your responses and further discussing the above with you.

Very truly yours,



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