

RIDERS' CONSTITUTION





Join the Whatsapp Riders Community



Riders' Constitution

Introduction

In the Netherlands, Riders (meal delivery drivers) do not always enjoy the same level of legal protection, and there is an urgent need for change. In collaboration with the FNV, Riders from several companies and cities in the Netherlands have joined forces to take the first steps toward the creation of a Riders Constitution.

This Riders Constitution will serve as the essential basis for delivery drivers to perform their work in a fair and safe manner. Dutch Riders were inspired by the Riders movement in Bologna and started a Riders Constitution in the Netherlands.

The final set of demands was put together by more than 100 Riders from different companies and across the country. The Riders Constitution consists of four themes and a set of demands that guarantees the basic rights of Riders. The main themes included in the constitution are: safety, security, income and privacy!

With the Riders Constitution, we aim to ensure and strengthen the rights of Riders in the delivery industry. This constitution will act as an important tool for employers, clients and local politicians to ensure that Riders are able to perform their jobs equally and safely. Both the Riders and the city will benefit if the Riders Constitution is properly secured in policy, in doing so we ensure a safe city for all!

Riders' Consitution

Safety requirements

Riders' safety is often at stake due to fast traffic in big cities and poorly maintained bicycles. In addition, Riders' work is under enormous pressure, they have to take many risks. Because of this, we see that 1 in 3 Riders experience accidents, often involving an ambulance. To ensure the safety of Riders - and the city - the following requirements are included:

1. Blacklist of customers when customers misbehave. 94%
2. Right to decline a broken or unsafe E-bike 93%
3. Regulate work pressure (enough time to check food and safety) 88%
4. High quality & maintained equipment provided by the company. 86%
5. Safe weight distribution of the order, maintaining a balanced bike. 86%
6. No picture or name of riders should be shown to customers. 86%
7. Employes should get training in workers' rights. 83%
8. Online safety and traffic training should be provided by the company for riders. The training should be given by qualified instructors. 82%
9. Being able to refuse to talk to customers in certain situations. 82%
10. No obligation to walk up the stairs (if you don't feel safe). 76%
11. No hounding or "opjaag" bonus: there should be no incentive to work faster. 76%

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Certainty requirements:

Underpayment and unsafe work situations is what the labor inspectorate encountered during a major inspection at 350 meal delivery companies in several cities in the Netherlands in mid-2023. This situation remained unchanged last year. Riders often receive their wages late, overtime is not paid, and they often work on zero-hours contracts, or as (bogus) self-employed workers, giving them little security. To ensure Riders' security and equality, the following requirements are included:

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| 12. | Criminalize wage theft (higher consequences for the company when the worker is missing payment), | 95% |
| 13. | All contracts must be provided in English & Dutch | 93% |
| 14. | When you get injured during work, compensatory extra payment for lost mobility. | 89% |
| 15. | Compensation for healthcare (such as doctors' bills, own contribution paid by company). | 87% |
| 16. | Permanent contracts will be provided by the company, with a fitted number of hours. | 84% |
| 17. | Only OPT-IN for zero hour or min-max contracts. | 80% |
| 18. | There are also undocumented riders working; currently, they have no rights. They should be granted the same rights as people with documentation. | 72% |
| 19. | Receiving schedules at least 4 weeks in advance. Changes during this period to the schedule only be made with mutual consent. | 70% |

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Financial requirements:

Everyone needs a decent and stable income. Flex work, in all its forms, is used to not pay for all the work a Rider performs, or all the time they are available. Little allowance is also made for risky moments or circumstances such as extreme weather, times when it is less safe to work, or irregular working hours, which in itself can lead to health problems. Therefore, riders make the following financial requirements:

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| 20. Higher wages: minimum wage should be 16 euros per hour (60% of the median wage in the Netherlands). | 94% |
| 21. If there is really bad weather, delivery people should be allowed to stop and still be paid. | 93% |
| 22. More pay during bad weather, weekends (Sat 50% & Sun 100%), nights (after 20:00 30%), holidays (100% see a list of official holidays) and peak hours. | 92% |
| 23. Paid breaks. | 92% |
| 24. In the case of self-employment: hourly wage is decided by the worker. | 92% |
| 25. Paid overtime at a bonus rate (before & after shift). | 91% |
| 26. Paid preparation & wrap up time. | 86% |
| 27. Full sick pay (100%) with no waiting days. | 84% |
| 28. The company offers fixed contracts with guaranteed hours. | 80% |

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General- and privacy requirements:

Riders also need appreciation for the work they do. Respect for their basic rights and human dignity is the least they should be entitled to, which can be done through small things that should be a small effort for employers and clients. Despite the fact that those things also make them better able to do their jobs well, they are not always facilitated by the company. That's why Riders also demand the following:

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| 29. Transparency of data; riders get a privacy agreement. | 96% |
| 30. When Rider asks for sick leave, no reason should be asked by the company. Only when you are available, as it should be according to the law. | 92% |
| 31. Direct phone access to HR & support desk of the company. | 91% |
| 32. Transparency of the algorithm & the data collected by the algorithm. | 90% |
| 33. External party handling misconduct, with a notification sent towards the union (FNV). | 90% |
| 34. There should be free portable chargers for phones available at locations where you can easily do it for free. | 90% |
| 35. Every HUB is equipped with clean toilets, breakroom, kitchen and a silent room. | 88% |
| 36. Two pairs of equipment per person. | 87% |
| 37. High quality company phones provided by the company. | 81% |
| 38. There should be free bathroom facilities available around the city for riders. | 79% |

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Riders' Constitution

Employers' have to move!

The most important issue among Riders is safety, summarized in a ten-step plan. This set of requirements contains minimum requirements for Riders to perform their jobs safely. Companies can adopt this ten-step plan 1-to-1 in their collective bargaining agreement, or in company policies.

Safety requirements

Riders rack up the necessary miles, so properly qualified bikes and equipment are very important, especially during cold and rainy periods. But before Riders get on their bikes, it is important that they can take online training courses around labor law and road safety. This is even more important for migrant workers because they are not familiar with Dutch laws and regulations.

In addition, companies hunt for profit, with the so-called "hounding bonus," this decreases quality and road safety. Riders therefore wish to have more time to check the bike and orders before getting on the bike. In addition, proper distribution of weight on the bike is crucial, especially since this can prevent accidents.

To protect privacy, Riders demand that their photos not be shown to customers. And no longer be required to talk to customers, especially if customers misbehave towards Riders. When misbehavior takes place, there should be consequences for customers, such as temporarily refusing them as customers.

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Certainty requirements

Every Rider is entitled to contract in their own language, this way everyone understands what they are entitled to and what they are signing for. Min-max contracts will only be used on peak and sick, permanent contracts with fixed hours will become the norm.

Put people before profit!

When an accident happens while working, compensate for the cost of lost mobility. The same applies to compensation for healthcare costs, such as deductible or co-payment.

Schedules are announced 4 weeks in advance. Changes less than four weeks in advance may only be made with the Rider's approval.

Financial requirements

Due to massive inflation, everything has become more expensive, while wages are not increasing with it. Therefore, we require an hourly wage of 16 euros, with fixed hours and fixed contracts. For ZZP'ers, they can set their own rate.

There must be compensation for bad weather, weekends and evening work. In addition, Riders should also be paid during breaks and when they work overtime, this will be an allowance. But most importantly, there should be no waiting days for illness!

Privacy & General Provisions

Privacy and transparency is crucial, therefore every Rider gets a privacy agreement and there is transparency about algorithms.

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Push the politicians!

It is not only up to employers, but also to politicians to apply the right laws and regulations to ensure the safety and security of Riders. Local politics can apply and enforce rules on safety, security and income through environmental law, zoning, APV and permits. The job of politics is to create a safe city for everyone, including Riders.

International law says every human being has basic rights, so too do undocumented Riders. The vulnerability of this target group is now being abused, this needs to change so that international human rights and the ECHR are guaranteed.

Safety requirements

Ensure that companies work with a hallmark that guarantees the safety of bicycles. Too often Riders ride unsafe E-bikes, which causes accidents.

Certainty requirements

Make wage theft punishable, by creating a reporting system that employees can go to when it occurs. Enforcing wage theft ensures that workers are protected from employers.

Permanent contracts must become the new norm. When companies locate in the city, set requirements regarding contracts and wages.

Give rights to undocumented Riders so they can provide for their own basic needs.

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Financial requirements

As a municipality, you can monitor labor rights by imposing requirements on new businesses through local regulations and legislation. In addition, pressure can be put on the government nationally to address issues such as false self-employment, unnecessary use of temporary workers and exploitation of vulnerable groups in our society. The municipality can explore options to see how income and security can be regulated through environmental law, spatial planning law and APV.

Comments on Privacy & general provisions

Make sure there are charging stations throughout the city that Riders can use for free. And there should be free restrooms available in the city for Riders so you can go to the restroom during your shift. These are toilets that all genders can use.

Of course, the most important thing after applying rules and laws is enforcement. Listen to the people who are affected and involve them in forms of policy.

Give your vote.
Sign the
Riders' Petition!



SCAN ME

