

Los Angeles Times

Uber sued by drivers excluded from class-action lawsuit



Uber is facing another worker misclassification lawsuit in California. (Karl Mondon / Tribune News Service)



By **Tracey Lien · Contact Reporter** JANUARY 4, 2016, 2:35PM

When a federal judge decided last year who could be [part of a worker misclassification class-action](#) lawsuit against Uber, two groups of drivers were excluded: Those who drove for Uber through limo companies and those who signed up to drive using corporate or fictitious names.

The judge's reasoning? Their situation is different from those who contracted directly with Uber using their own names.

Those groups have now filed their own lawsuit.

Filed in San Francisco's Superior Court on behalf of the drivers by lawyer Shannon Liss-Riordan – the same lawyer representing plaintiffs in the class action – the new suit makes similar arguments to the original lawsuit.

The plaintiffs allege Uber misclassified them as independent contractors, effectively stripping them of rights such as business-expense reimbursements and gratuities.

In the court filing, Liss-Riordan argues that despite these drivers working for Uber through third-party companies or under corporate names, Uber should be considered their employer or joint employer because “Uber has controlled their employment, including establishing the rules and standards they must adhere to, and determining which drivers are subject to termination.”

Uber did not immediately respond to a request for comment.

The lawsuit currently has 78 plaintiffs. Liss-Riordan told The Times that the case is being filed to pursue the claims of any drivers who want to be part of it.

Meanwhile, the class-action lawsuit is set to go to trial before a jury on June 20. The class size could exceed 100,000 drivers.

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