



**TAWU**  
TRANSPORT WORKERS UNION KENYA

**KNOW YOUR RIGHTS.**

**YOU DESERVE FAIR WORK.**

# Common Questions of Digital Taxi Drivers, Answered





## FAIR PAY

### **At the end of every trip, I lose a large portion of my earnings due to high commissions. What can I do? How can I assure that I am being paid fairly?**

According to the NTSA 2022 guidelines, the commission paid should not exceed 18 percent of the total earnings at the end of each trip. Drivers should contact the National Transport and Safety Authority (NTSA) if they find their commissions to be higher than the stipulated 18 percent.

Workers can also join the Transport Workers Union of Kenya (TAWU-K) to lobby the Ministry of Transport and the Ministry of Labour to introduce policies that ensure that platforms pay workers the living wage.

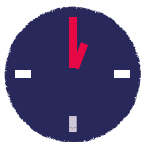
### **How can I calculate what is a living wage for my job?**

The Living Tariff is a tool developed by GIZ and WageIndicator. The tool is targeted at gig workers such as ride-hailing drivers, delivery riders, freelancers and other self-employed workers, to help you understand the daily income required to determine a living wage. It also includes the costs required for work such as social security, savings in case of illness, pension, work equipment costs, overhead costs, and taxes.

**Visit: [www.wageindicator.org/salary/living-wage/living-tariff-7](http://www.wageindicator.org/salary/living-wage/living-tariff-7)**

Transport Workers Union, in collaboration with other drivers' associations, have petitioned the NTSA and State Department of Labour to put in place a pricing mechanism that enables drivers to have a say in the price setting, price modeling and a periodic price review.





## FAIR CONDITIONS

### **What can I do if my working conditions are not safe?**

The government through the NTSA Regulations (2022) and the directorate of Occupational Safety & Health Services (DOSHS) under the Ministry of Labour enforces a safe working environment for ride-hail drivers. Any insecurity at the workplace (during a trip) should be first reported to the platform to facilitate DOSHS investigations.

If there is no response from the platform, workers can reach out to representatives from DOSHS about the matter.

**For more information visit: <https://www.labour.go.ke/occupational-safety-and-health-services>**

### **I had an accident, and I am badly bruised. What can I do?**

First check with your platform if there is an accident insurance which covers you and provides steps for compensation.

Secondly, workers should ask platforms to report incidents to the DOSHS within 24 hours (if fatal), and within 7 days (if non-fatal). This will trigger an investigation and a potential compensation through the Work Injury and Benefit Act (WIBA).

Finally, workers can contact DOSHS directly or indirectly through TAWU-K or other associations to lay a complaint about the issue.





## FAIR CONTRACTS

### **Who do I contact if I suspect that the platform is breaching the terms and conditions of my contract?**

Workers can contact labour inspectors at the Ministry of Labour as they play a critical role in investigating cases of violation of the employment contract and rights of workers.

Workers can also contact representatives from NTSA to ensure that the platform is adhering to the NTSA 2022 guidelines for platform work.

Finally, workers can share their concerns with their respective taxi associations as well as the Transport Workers Union in Kenya (TAWU-K).

### **I don't understand my contract. Who can I contact for help?**

Workers should contact their platforms in the first instance to explain the terms and conditions.

Workers can also contact representatives from the Solidarity Centre and the International Lawyers Assisting Workers (ILAW) for their insights.

Representatives from the Transport Workers Union Kenya (TAWU-K) are crucial in helping workers understand platforms' terms and conditions.





## FAIR MANAGEMENT

### **I have been blocked without a clear explanation from using the app, what can I do?**

According to the NTSA 2022 guidelines, platform drivers should not be suspended or deactivated without a clear communication of intentions from the platform. Workers should also be given adequate opportunity to challenge any deactivation or suspension by the platform.

If your account has been blocked without a clear explanation, first of all write an email/contact the platform to seek an explanation. If you do not get a response, lodge a complaint with TAWU-K to take up the matter.

Alternatively, contact a representative from the NTSA to open an investigation to check if the platform is following the NTSA guidelines or submit an application to the Transport Licensing and Appeals Board.

**For more information visit: <https://judiciary.go.ke/judiciary-tribunals/>**

### **I am being discriminated against at work. What can I do?**

Discrimination at the workplace is a violation of the Constitutional Right to Fair Labour and a breach of Section 27 and 32 (3) of the Constitution of Kenya 2010; and Section 5 (3) of the Employment Act 2007. In summary, no persons should be directly or indirectly discriminated against on the basis of colour, race, sex, language, religion, disability, ethnic or social origin, pregnancy, physical or mental health status, etc.

For platforms that have anti-discrimination policies, workers should report such occurrences in the first instance to the platform. Workers can also report instances of discrimination to the Labour Disputes department at the Ministry of Labour.

The affected party can also take their grievances to the employment and labour relations court. However, this can be an expensive process. Finally, workers can reach out to TAWU-K to take this up on their behalf.



## FAIR REPRESENTATION

### **I want to organise with other workers to demand better working conditions. How can I do this?**

Every worker in Kenya has a constitutional right to join a trade union of their choice. Transport Workers Union is a trade union representing transport workers, including digital taxi drivers. To join the union, contact the union offices.

### **What are the organisations which help organise workers? And how can I be more informed of events they organise?**

Follow the Central Organisation of Trade Unions Kenya (COTU-K) and the International Transport Workers Federation (ITF) on social media to learn about upcoming events and news.

Other labour support organisations operating in Kenya are the Freidrich Ebert Stiftung (FES) and the Solidarity Center.

## USEFUL CONTACT INFORMATION:

### **Transport Workers Union Kenya (TAWU-K)**

[www.twu.or.ke](http://www.twu.or.ke)

Email: [info@twu.or.ke](mailto:info@twu.or.ke)

Telephone: +254 714203484 / +254 714203527

### **National Transport and Safety Authority (NTSA)**

[www.ntsa.go.ke](http://www.ntsa.go.ke)


Email: [info@ntsa.go.ke](mailto:info@ntsa.go.ke) / [complaints@ntsa.go.ke](mailto:complaints@ntsa.go.ke)

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