

Class-action lawsuit alleges GrubHub misclassified drivers

Drivers for the takeout food app GrubHub have filed a class-action lawsuit claiming the company misclassified them as independent contractors, thus paying them less than minimum wage and denying overtime pay.

GrubHub drivers provide their own cars, insurance and fuel, and they assume liability for on-the-job injuries. They deliver take-out food orders for a flat fee plus tips. The net take for many drivers, they claim, falls below applicable state or federal minimum wages.

GrubHub drivers allege they are employees because they must sign up for shifts in advance, meet a dress code and accept 75% of delivery jobs offered to them or else have their contracts terminated.

GrubHub attempted to have the class action thrown out in a federal court in California, but the judge refused that motion. The lawsuit represents drivers in six states: New York, plus California, Connecticut, Illinois, Oregon and Pennsylvania.