

California Anti-Sexual Harassment Policy

Uber is committed to creating and maintaining a community that promotes a safe and respectful experience for all users of our platform. As drivers and delivery people, your experiences should feel safe, respected, and protected from sexual harassment, sexual misconduct and sexual assault while driving or delivering with the Uber apps. This includes from passengers/customers, restaurant partners, Uber employees, and anyone else.

For purposes of this policy and related training materials, “sexual harassment,” shall include sexual assault or sexual misconduct in line with Cal. Bus. & Prof. § 7457(a)(1).

Uber does not tolerate sexual harassment (sexual assault or sexual misconduct) from anyone. We take all allegations of such behavior involving our users extremely seriously and work to take appropriate action on every report quickly and fairly. Through enforcement of this policy and our [Community Guidelines](#), and by [education](#) of drivers and delivery people, Uber will seek to prevent and respond appropriately to reported behavior that violates this policy. This may include permanently deactivating (banning) a user account from the Uber platform.

All drivers, delivery people, and users of the apps in California are covered by and are expected to comply with this policy and to take appropriate measures to ensure that prohibited conduct does not occur.

Prohibited conduct under this policy

Sexual harassment (sexual assault and sexual misconduct) of any kind, by drivers, delivery people, customers, or third parties is prohibited while using the Uber apps, and in many cases are prohibited by law.

Uber uses a behavior-based classification system, developed in partnership with the National Sexual Violence Resource Center (NSVRC) and the Urban Institute. This means the categories and their corresponding definitions, are notably not necessarily based on any criminal statute or definition, but identified based on the specific behaviors reported in a user incident report. Indeed, the classification system includes behaviors that may not necessarily rise to the level of criminal conduct in California, but are never-the-less prohibited in the Uber community.

Sexual Misconduct

Uber defines sexual misconduct as non-physical conduct (e.g., verbal or staring) of a sexual or romantic nature that is without consent, or has the effect of threatening or intimidating a user against whom such conduct is directed. This includes explicit or non-explicit verbal comments or non-verbal, non-physical acts such as:

- **Staring or leering**
- **Asking personal questions** (e.g., inquiries about relationship status, sexual orientation, phone number, social media accounts or connections, etc.)

- **Comments about appearance** (e.g., derogatory and ‘complimentary’ comments, or comments about someone’s perceived gender identity or expression, etc.)
- **Flirting** (e.g., non-verbal, suggestive flirting, becoming physically close to a person in a way they felt was sexual or flirtatious, etc.)
- **Explicit gestures**
- **Explicit comments** (e.g., epithets, slurs, or jokes; graphic comments, sexually degrading words, or suggestive or obscene messages, etc.)
- **Displaying indecent material** (e.g., sexually suggestive objects, pictures, cartoons, posters, watching pornography or other sexual suggestive media, etc.)
- **Indecent photography/video without consent**
- **Soliciting a sexual act** (e.g., unwanted sexual advances or invitations, offering money in exchange for sex acts, etc.)
- **Indecent exposure** (e.g., including riders conducting sext acts during a trip, “mooning”, “flashing”, public urination, etc.)
- **Verbal threat of sexual assault**
- **Masturbation**

Sexual Assault

Uber defines sexual assault as physical or attempted physical conduct that is reported to be sexual in nature and without the consent of the user. Uber defines sexual body parts as the mouth, breasts/chest, buttocks, and genitalia. All other body parts are considered non-sexual body parts. Acts of sexual assault include:

- **Attempted touching of a non-sexual body part**
- **Attempted kissing of a non-sexual body part**
- **Attempted touching of a sexual body part**
- **Attempted kissing of a sexual body part**
- **Non-consensual touching of a non-sexual body part**
- **Non-consensual kissing of a non-sexual body part**
- **Attempted non-consensual sexual penetration**
- **Non-consensual touching of a sexual body part**
- **Non-consensual kissing of a sexual body part**
- **Non-consensual sexual penetration**

Consensual sex

Uber has a no-sex rule. Sexual contact is prohibited while using the Uber apps, including during a trip or delivery, regardless of whether you know the person or they give you their consent. This includes activities such as sexual intercourse, solicitation of sexual intercourse, masturbation, or touching and exposure of sexual body parts. Violation of Uber’s no-sex rule, despite consent being properly obtained, may result in permanent deactivation of the participating parties’ accounts.

Inappropriate post-trip contact

In addition to the above behaviors, contact must end when the trip or delivery is complete, unless it’s to return a lost item and with appropriate consent. For example, texting, calling, visiting, following/friending

on social media, or trying to visit the user in person after a trip or delivery has been completed is not allowed. Inappropriate post-trip contact may also result in permanent account deactivation.

How to report unwanted behavior to Uber

If something happens while using Uber, whether it's good or bad, we want to hear about it so we can hold users accountable and continue to keep Uber a safe and positive experience for all. With this in mind, Uber uses technology to enable users to submit incident reports quickly, easily, and discreetly right in their app. While prompt reporting is encouraged, Uber will receive and review reports of any sexual misconduct and/or sexual assault incidents reported to have occurred on our platform, regardless of date, and until the case review is complete.

Users in California can submit reports to Uber in any of the following ways:	Uber also proactively reaches out to users after emergency safety products were used or triggered, such as:
<ul style="list-style-type: none">● On-Trip Reporting● Tapping 'Help' in your Uber app post-trip● Help.uber.com● 24/7 Critical Safety Response Line● Uber Greenlight Hubs (when open)	<ul style="list-style-type: none">● In-App Emergency Button● RideCheck

Uber also gathers safety incident reports from other sources such as social media mentions, news media mentions, law enforcement inbound, regulator inquiries, insurance claims, and other third parties.

What happens when you make a report of sexual assault or sexual misconduct to Uber?

Uber takes all allegations of sexual assault and sexual misconduct by our users extremely seriously and works to take appropriate action on every report quickly and fairly.

Uber first sorts incident reports using key words and phrases to identify reports that may indicate safety concerns. The most serious and urgent reports, such as sexual assault, are escalated to a specialized team within Uber's Incident Response Team (IRT). IRT agents then conduct an internal case review which includes speaking with all incident parties and gathering necessary data in order to determine what account action to take.

Sexual assault

During the case review process, IRT agents work to obtain the necessary information to make a determination as to whether the accused party's account should be deactivated (banned) from the Uber app. Uber's approach to responding to reports of sexual assault relies on learnings from partnerships with dozens of advocates and experts in the gender-based violence field. A main hallmark of this approach is to remove the requirements of conclusivity, corroboration, and survivor "credibility" in order to deactivate an accused party's Uber account.

- **Conclusivity:** Uber strives to obtain the most complete and accurate understanding of a reported event. However, we realize that it is not realistic to know exactly what happened

between users at any given time. In Uber’s case-review process for sexual assault reports, survivors are not required to “prove” their own assault. Instead, Uber’s aim is to gather the most pertinent information from the reporting party’s statement of experience and relevant facts such as GPS information, timestamps, photos/videos, etc. (where possible) in order to arrive at a resolution that best protects the safety of the Uber community.

- **Corroboration:** We know that it may not always be possible to obtain corroborating information in connection with a report of sexual assault. A lack of corroborating information is not an indication that an assault or incident did not occur. Uber can take action against the accused party’s account if the information gathered during an agent’s review warrants such action.
- **Survivor “credibility”:** Certain populations of survivors are no less worthy of trust or plausibility than any other. When it comes to sexual assault, Uber applies the same standard for drivers, delivery people, and riders, both new and tenured, without regard to race, gender identity, socio-economic status, sexual orientation, education level, or app rating or status.

When Uber’s IRT receives a report of sexual assault¹:

1. **Identifying the accused party:** First, a trained agent begins by identifying the accused party and their associated Uber account.
2. **Remove access:** Next, Uber immediately removes the accused party’s access to the Uber app so that they cannot take trips while we complete a case review.
 - a. If the accused party is a guest rider, we attempt to identify whether they have their own Uber account and, if they do, we restrict that account. If the guest rider cannot be identified, or if they do not have an Uber account, the account holder may be restricted from the Uber platform since our Community Guidelines state that account holders are responsible for their guest riders’ actions while using Uber.
3. **Block future pairing:** Regardless of the outcome of our case review, we take steps to make sure the involved parties are not paired again in the future on the Uber platform. It is important to note that this is not necessarily the only action Uber will take on a report, and that further action will depend on what the agent’s subsequent review finds.
4. **Attempt to speak with the reporting party/victim:** Next, the IRT agent attempts to contact the reporting party/survivor over the phone to learn more about the reported incident.
 - a. We respect and rely heavily on the reporting party or survivor’s statement of experience, as we know their voice is defining and important in this process. While we understand that trauma can prevent survivors from providing these sometimes painful accounts, the statement of experience is an integral piece of the case review process and has great impact on reaching the most fair and swift decision possible.
2. **Attempt to speak with the accused party:** Next, the IRT agent will also reach out to other involved parties to the incident, including the accused party and any relevant witnesses. When speaking with the accused or other parties, IRT agents go to great lengths to protect the confidentiality of the reporting party and/or survivor (see *Confidentiality* section below).
3. **Review relevant facts:** Where possible, IRT agents will also review any relevant facts gathered during the case review process—such as GPS data, trip timestamps, and any additional information provided to them (e.g., dashcam or audio recordings, screenshots of texts, etc.).

¹ Similar protocols are followed for the following urgent categories of sexual misconduct: Indecent Photography/Video Without Consent, Masturbation/Indecent Exposure, and Verbal Threat of Sexual Assault.

- a. Although these relevant facts are useful in the ultimate resolution of a report, they are not necessary for an accused party's account to be removed from the platform. In cases where a survivor is not able or willing to provide a statement of experience over the phone, we will consider all other relevant facts obtained during the case review.

For all reported sexual assault incidents, Uber agents offer survivors external support resources such as the [National Sexual Assault Hotline](#). For some of the most critical cases reported in connection with the Uber app, Uber will offer victims a referral to the Uber Survivor Resources Hotline & Support Fund, administered by the Rape, Abuse, Incest National Network (RAINN), the nation's largest anti-sexual violence organization. The Hotline will be administered by trained RAINN support specialists who will provide free, confidential crisis support and specialized services to survivors. RAINN will also facilitate Uber-funded resources to support survivors including trauma-informed counseling. Use of the Resources Hotline and Support Fund is completely confidential. Uber will not know the identities of users who use the referral.

Sexual misconduct:

Unwanted sexual experiences occur on a spectrum, as outlined in this policy. Uber's response to these types of incidents focuses on education regarding appropriate boundaries and the precepts of our Community Guidelines. When we receive a report of potential sexual misconduct, each incident is routed to the appropriate safety support team and acted on according to factors including the level of severity and user history. [Educational modules](#), developed by RAINN, share information about appropriate behavior while on the app and are sent to users whenever they receive an initial report of unwanted behavior.

Our systems are constantly evaluating a variety of factors, including user feedback, local driving patterns, fraud signals, and data science to identify patterns of potentially risky behavior. This approach makes Uber accountable and fair to drivers, delivery people, and customers. It accounts for the fact that a tenured driver with thousands of trips may have received a proportionately small number of infrequent, minor complaints. If a pattern of behavior is flagged by the system, this will trigger a review of the user's history by a specialized agent and may result in the accused party's loss of access to the Uber platform. It's important to note that no Uber user is deactivated from Uber for a safety reason without a human review.

Confidentiality

All reports of sexual harassment, misconduct and sexual assault are treated confidentially to the extent possible. During Uber's case review process, an IRT agent may speak to involved incident parties, including the accused party. When speaking with accused parties, IRT agents go to great lengths to preserve the confidentiality of the reporting party or survivor and will not proactively disclose or confirm their identity to the accused party. Despite these efforts, Uber cannot fully guarantee the accused party will not infer the identity of the reporting party.

However, to further protect user confidentiality, Uber has built technology to anonymize user information from one another where possible. For example, once a trip is complete, Uber removes or conceals a user's access to information about the trip or the other user that is no longer necessary, including the

exact pickup and dropoff addresses in the driver's trip history and rider access to the driver's photo, profile, and car information. Please refer to this [blog post](#) on how else Uber works to protect user privacy and confidentiality in the app.

Information related to an individual's report is disclosed or made accessible within Uber on a strict need-to-know basis.² Please refer to our [Data & Privacy Policy](#) for more information regarding our current privacy and data retention policies.

Retaliation

Reporting a good faith complaint of sexual misconduct or sexual assault will in no way be used against the driver or delivery person or have an adverse impact on the individual's Uber account. No penalty may be imposed on an Uber user in response to them:

- Reporting a good faith complaint of sexual misconduct or sexual assault to Uber, law enforcement, regulator, or any other authority
- Seeking support services of any kind for sexual misconduct or sexual assault
- Ending a trip in a safe location due to experiencing or witnessing an incident of sexual misconduct or sexual assault
- Participating in an internal case review or investigation with Uber Customer Support
- Participating in any external investigation with law enforcement or any other investigative or regulatory body

Support hotlines & other victim resources

You are entitled to seek any external support services for sexual misconduct and sexual assault. If you'd like to speak to someone outside of Uber about your experience, including learning about the resource options available to you in your community, please contact any of the following national confidential support hotlines.

- National Sexual Assault Hotline: 1-800-656-HOPE (4673)
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- National Human Trafficking Hotline: 1-888-373-7888
- National Suicide Prevention Lifeline: 1-800-273-TALK (8255)

Additional California victim resources

- [California Sexual Assault Survivor's Bill of Rights \(Assembly Bill 1312\)](#)
- [California Victim Compensation Board \(CalVCB\)](#)
- [California Coalition Against Sexual Assault \(CalCASA\)](#)

² Uber may share users' personal data if we believe it's required by applicable law, regulation, operating license or agreement, legal process or governmental request, or where the disclosure is otherwise appropriate due to safety or similar concerns.