

Gig Worker Rights Expand In Canada As Uber Drivers Unionize In B.C.



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Introduction

Earlier this month, Uber drivers in Victoria, B.C., became the first gig workers in Canada to be unionized. On July 2, 2025, the British Columbia Labour Relations Board officially certified a union of Uber drivers under the United Food and Commercial Workers (“UFCW”) Local 1518. This certification marks a significant shift in the country’s labour landscape, setting a precedent for the rights and recognition of gig economy workers.

The unionization effort did not happen overnight, which is understandable given the nature of gig work and the inherent difficulties in organizing such a broad group. However, of approximately 700 Uber drivers regularly operating in Victoria, more than 500 signed union cards, beyond the 55% threshold required for automatic certification in British Columbia. This support suggests a significant interest in union representation and collective bargaining, despite the fact that Uber drivers operate independently (and often in competition) with each other.

This was not the first unionization attempt by gig workers in Canada. In 2018, a group of Toronto-based Uber drivers sought to unionize, eventually filing certification papers with the UFCW. Despite having signed union cards from around 300 drivers, Uber successfully argued before the Ontario Labour Relations Board that the UFCW had failed to meet the required 40% threshold to hold a certification vote. The unionization effort ultimately ended in a settlement between UFCW and Uber in 2022, concluding five years after the union began pursuing the case. The settlement established a commitment for collaboration on driver-related reforms but did not grant union representation or any alteration of the employment status of drivers.

Next Step: Collective Bargaining

Negotiations for collective bargaining between UFCW Local 1518 and Uber are expected to begin in the coming months. These talks will help shape how the unprecedented challenge of bargaining with a unit of gig workers might be addressed.

While a number of concerns have been raised by the Uber drivers, which will make for interesting discussion during negotiations, the nature of gig work – characterized by

algorithmic management and inconsistent scheduling – presents difficult challenges to be considered throughout the collective bargaining process.

Gig Worker Recognition Through Provincial Legislation

Alongside the unionization by Uber drivers, recent legislative amendments have made British Columbia the first province to provide defined employment protections to workers on digital platforms. Through these changes, the province sought to formally define online platform workers and reclassify ride-hail and food-delivery workers as employees specifically for the purpose of the *Employment Standards Act* (“BCESA”) and *Workers Compensation Act* (“WCA”).

As of September 2024, amendments to the BCESA and WCA introduced a definition of “online platform workers,” which includes all workers who accept and perform prescribed work through an online platform. These changes require employers to provide minimum standards for these workers, compensation coverage through WorkSafeBC, tip protection and pay transparency.

Meanwhile, Ontario has taken more modest steps as it pertains to online platform workers. Despite being introduced in 2022, the province’s *Digital Platform Workers’ Rights Act, 2022* (“DPWRA”) only came into effect on July 1, 2025. The DPWRA applies to workers who perform “digital platform work,” defined as work arranged through an online platform which provides ride-share, delivery or other customer services. Significantly, this law applies regardless of whether the worker is classified as an “employee” under the *Ontario Employment Standards Act, 2000* (“ONESA”) but does not go so far as to reclassify these workers as “employees,” as was done in British Columbia.

Notwithstanding, certain minimum standards have nonetheless been extended to those workers captured by the DPWRA, including minimum wage (as defined in the ONESA) for each assignment, pay transparency, recurring pay periods, tip protection and protection from deactivation.

Our team previously discussed the DPWRA in three articles:

- [New Regulations for Gig Workers in Ontario and British Columbia](#)
- [Ontario Employment Law Updates: Working for Workers Six Act, 2024 Receives Royal Assent](#)
- [Working for Workers: Understanding Bill 88 in Ontario](#)

Takeaways

The expansion of increased protections in British Columbia and Ontario, alongside the recent unionization of Uber drivers in Victoria, signals a turning point for Canada’s gig economy. It remains to be seen – and will be interesting to observe – how UFCW and Uber manage the upcoming collective bargaining, and how other gig workers across the country respond to this decision.

As negotiations begin between UFCW and Uber, their efforts may serve as a blueprint for other provinces and labour organizations looking to address gig work in Canada’s digital economy. The outcome could not only define the working conditions for this group of drivers but also the future of labour relations in Canada’s gig sector.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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