



OLA AUSTRALIA PTY LTD

ACN 623 472 202

Level 10, 117 Clarence Street, Sydney NSW 2000

14 May 2021

Senator Tony Sheldon
Chairperson
Select Committee on Job Security
Department of the Senate
PO Box 6100
Canberra ACT 2600

By email: jobsecurity.sen@aph.gov.au

Select Committee on Job Security - Additional Questions on notice - Ola

Dear Chair

I refer to the above matter and to the additional questions emailed by the Committee on 29 April 2021. Please find below our responses to the questions. These answers are provided in confidence and are intended for the Committee's review and use with respect to the Terms of Reference of the Committee only.

	Ola responses
Could you confirm whether the following data is currently collected by Ola Australia:	
a. Trip origins and destinations	Yes
b. Trip fares	Yes
c. Trip durations	Yes
d. Trip route, and/or the route taken to a pick-up	Yes
e. Driver pay (per trip and/or per hour)	Yes per trip, no per hour
f. Driver hours logged into the Ola app	Yes
g. Driver tenure with Ola	No, although the date of sign up by a driver is recorded by Ola
h. Driver downtime between trips	No
i. Driver utilisation (the proportion of time drivers spend engaging in orders, compared to downtime waiting for a dispatch)	No, although such data may be available through analysis of other data points collated by Ola e.g. estimated time of arrival of a driver to the pick up point
j. The number, and/or proportion, of trips rejected by drivers	Yes



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k. Complaints lodged by either drivers or passengers	Yes
l. Accidents (including on-trip accidents, accidents occurring while driving to a pick-up, and accidents occurring while logged into the Ola app but not engaging in an order)	It is Ola's policy for drivers to report incidents of such nature to Ola. If the incident is reported by the driver or passenger or any other third party (e.g. law enforcement), then data is collected with respect to the incident
m. Injuries and/or property damages occurring either through accidents, or other acts by drivers, passengers or third parties.	As above
n. Drivers' insurance status and coverage	Where legally required, yes
o. Drivers' work visa status	Where legally required, yes
p. Drivers' breach of road rules or COVID-19 rules	It is Ola's policy for drivers to comply with road rules and COVID-19 rules. If a breach is reported to Ola, we will collect data on such breach accordingly
q. Tolls incurred during the course of a trip	Yes
r. Tolls incurred while travelling to a pick-up location	No

	Ola responses
Could you confirm whether Ola collects any other forms of data in addition to those listed in Question 1, and if so, what?	Ola also collects rider details on sign up including name, email address and telephone number. In addition, riders may, if they choose, enter details of their emergency contacts and set favourite locations on their Ola app. Payment details entered through the Ola app are collected by our payment gateway provider
How does Ola collect this data, and once collected, how is it stored and used by Ola?	Ola collects data when the rider signs up with the Ola app. Ola's infrastructure is hosted on AWS servers and access to the Ola platform is regulated by access controls principles where only authorised and authenticated users have access with sensitive personal data encrypted. The data collected is used for communications with the riders



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How much are Ola drivers paid according to the following definitions:	
a. Average hourly pay, and;	Ola does not generally collect average hourly pay data as such averages may vary considerably depending on a variety of factors including frequency and duration of a driver being active on the Ola platform, a driver's work related activities elsewhere and a driver's choice to accept or decline trip requests
b. Average pay per trip	Approximately \$15 per trip exc GST, tolls and levy. Drivers may earn additional income by way of incentives and bonuses for the trip
c. Could the above figures be provided both pre-expenses, and post-expenses	Ola does not collect data relating to an individual driver's expenses as such expenses may vary considerably depending on a variety of factors including a driver's commercial or private use of the vehicle, frequency and duration of a driver being active on the Ola platform, a driver's work related activities elsewhere and so on
How does Ola calculate the expenses of its drivers?	Ola does not collect data relating to an individual driver's expenses as such expenses may vary considerably depending on a variety of factors including a driver's commercial or private use of the vehicle, frequency and duration of a driver being active on the Ola platform, a driver's work related activities elsewhere and so on
What are the peak days and times for Ola driver utilisation? (note – by utilisation we are referring to the proportion of time drivers spend earning and engaging in trips, compared to unpaid downtime between dispatches).	A driver's utilisation rate generally peaks during morning peak hours between 7 am and 9 am
What are considered off-peak days and times for Ola driver utilisation?	Off-peak days and times are generally during weekdays between 7 pm and 3 am



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On what day of the week and time is the lowest rate of Ola driver utilisation, and what is the typical hourly pay for a driver in this time?	Lowest rate of driver utilisation is generally during weekdays between 7-8 pm and 2-3 am. Where hourly pay is concerned, as previously advised, Ola does not generally collect average hourly pay data as such averages may vary considerably depending on a variety of factors including frequency and duration of a driver being active on the Ola platform, a driver's work related activities elsewhere and a driver's choice to accept or decline trip requests
What is the typical variation in the following metrics between peak periods and off-peak periods:	
a. Utilisation rate	Between 9% and 25%
b. Average hourly pay	Ola does not generally collect average hourly pay data as such averages may vary considerably depending on a variety of factors including frequency and duration of a driver being active on the Ola platform, a driver's work related activities elsewhere and a driver's choice to accept or decline trip requests
c. Average pay per trip	Average earnings per trip is generally similar for peak and off peak periods due to shorter distance and time for each trip during peak periods
d. Average trips completed per hour	Between 0.5-1 trip per log in hour. It is to be noted that a driver may be logged in on the Ola platform but not actively seeking trips during that time
e. Average unpaid downtime per hour	Ola does not generally collect information on unpaid downtime per hour as it is not possible to determine whether a driver has genuine "downtime" (looking for the next trip) or whether a driver is actively driving on another platform or performing some other activity



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10. How does the typical average pay per hour, and per trip, vary between drivers operating in Sydney or Melbourne, compared to smaller cities, and compared to destinations other than capital cities?	The difference between typical average earnings per trip for drivers operating in smaller cities compared to drivers operating in Sydney or Melbourne is minimal
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	Ola responses
11. How many accidents have Ola drivers been involved in, including but not limited to accidents with a passenger in the vehicle, accidents occurring while a driver is travelling to a pick-up, and accidents occurring while a driver is logged into the Ola app but has not accepted an order, in the last year?	Ola does not collect such information from drivers
12. Is Ola aware of the average sum spent by its drivers on accident insurance, and if so, what is that sum?	Ola does not collect such information from drivers
13. Is Ola aware of the proportion of its drivers' income from each trip which is spent on accident insurance, and if so, what is that proportion?	Ola does not collect such information from drivers
14. When tolls are incurred during a trip, are these paid by Ola, or are they passed on to the driver, or are they passed on to the passenger?	Tolls are passed on to the passenger
15. When tolls are incurred when a driver is travelling to a passenger pick-up, are these paid by Ola, or are they passed on to the driver, or are they passed on to the future passenger?	Ola does not collect any tolls outside of tolls incurred during a trip
a. If these tolls are passed on to the driver, and a driver chooses to take a lengthier route to the pick-up to avoid this cost, are they potentially subject to any direct or indirect consequence from either Ola or the passenger?	N/A
16. Ms Tann said during her evidence at the hearing that Ola takes a lower rate of commission from drivers to enable drivers to fund their own entitlements. With	



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respect to those comments:	
a. What is the rate of commission Ola takes in Australia?	15% (in a number of smaller cities, Ola has a commission of 20%)
b. What is the rate of commission Ola takes in the other markets in which it operates?	N/A
c. What is the difference in rate of commission between what Ola takes in Australia, and the higher rate it is implied Ola would otherwise take?	This depends on a variety of factors including the type and nature of benefits made available to drivers. Ola is keen to work with the Committee and the government to ensure that Ola drivers receive fair earnings in a way that is sustainable to drivers and all participants of the industry
d. What is the difference in average hourly pay between the rate of commission Ola takes in Australia, and the higher rate it is implied Ola would otherwise take?	As above
17. Ms Tann said during her evidence at the hearing that Ola advises drivers to make sure they are fully covered in relation to their insurance. How is this advice provided and could a copy of it be shared with the Committee?	This recommendation was given to drivers by way of an email communication on announcement of the withdrawal of the personal accident insurance. Ola also informs drivers of the recommendation on the Ola website https://ola.com.au/driver/drivers-guidelines/ola-driver-counselling/
18. What correspondence has Ola engaged in or received from the New South Wales Government with respect to the recently announced Opal trial with Uber?	There was no engagement with the New South Wales government on the Opal trial prior to the announcement of the trial with Uber. Since such announcement, Ola has received a proposed MOU which we are still reviewing

	Ola responses
19. What are the data inputs to Ola's algorithm which assigns orders to drivers?	The data inputs to Ola's algorithm varies depending on the macro environment including driver availability and location as well as driver-specific factors including driver and/or vehicle category, driver's distance from a pick



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	up location and whether a driver has selected Ola's Go Home feature or otherwise
20. With respect to the recent Amsterdam District Court finding that Ola used an entirely automated system to make deductions from a driver's earnings, could Ola confirm:	
a. Whether Ola Australia has ever used this same or a similar system, and if not, why Ola Australia launched with different systems to that it already used in other markets?	Ola generally applies a similar system for fraud detection in all markets in which it operates in. While the initial fraud detection engine may be automated, any matters relating to fraud may be raised by drivers with Ola's driver support team and where necessary, may be reviewed by specialist teams including Ola's fraud prevention team
b. Whether Ola Australia currently uses this same or a similar system, and if not, when this system was changed or discontinued?	As above
21. Does Ola Australia engage in any automated decision making with respect to making deductions from pay, reducing drivers' likelihood of being assigned an order, or suspending drivers?	In general, all decisions relating to suspension of drivers (e.g. for fraud or safety issues) are reviewed by the relevant team

	Ola responses
22. Uber's contract with its drivers contains a clause which requires drivers wishing to engage in mediation or arbitration with Uber must do so at the International Chamber of Commerce in Amsterdam. Does Ola have a similar provision in its contract, requiring that legal proceedings by drivers be undertaken in another jurisdiction? a. If yes, where?	The arbitration clause contained in the Driver Agreement signed between Ola and a driver states that arbitration must be: "(a) held in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law; (b) administered by the Australian Disputes Centre ("ADC"); (c) conducted in accordance with the laws of the Area of Operation; (d) held in the nearest capital city to the Area of Operation; and (e) conducted by be a single arbitrator agreed between the Parties from a panel of arbitrators provided by the ADC (or, failing agreement, appointed by the



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	<i>Secretary General for the time being of ADC, or the Secretary General's nominee)."</i>
23. What was Ola Australia's revenue in the 2019-20 financial year?	<i>[Redacted]</i>
24. What was Ola Australia's taxable income in the 2019-20 financial year?	<i>[Redacted]</i>
25. What was the nature and sum of payments made by Ola Australia to any overseas entity for the purposes of intellectual property royalties, licensing fees or any other payment made to an overseas parent company or related entity in the 2019-20 financial year?	Ola did not pay any intellectual property royalties or licensing fees to its overseas parent company or related entity in the 2019-20 financial year (although we did receive invoices for cross-charges)
26. How much did Ola Australia pay in taxes in the 2019-20 financial year?	As Ola made a taxable loss, no taxes were paid in the 2019-20 financial year. As a core value, Ola strives to be a responsible and ethical business and will, as and when required, pay fair and appropriate taxes in Australia
27. How much did Ola employees, and Ola drivers, receive in JobKeeper?	Ola does not collect any information relating to sums received by Ola drivers from the JobKeeper program or any other COVID-19 related programs implemented by the Federal government or a state or territory
28. A 2018 study by academics at Stanford University found a 7% gender pay gap among Uber drivers. Is Ola Australia aware of the existence of a gender pay gap among its drivers, and if yes, what is that gap?	Ola is not aware of any gender pay gap among Ola drivers
29. Does Ola believe that any person working a full hour on its platform should receive at least the national minimum wage, including the casual loading, of \$24.80?	Ola believes that all rideshare drivers should be remunerated fairly such that they can cover their cost of doing business and be allowed to drive with as much flexibility as they desire.



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	Ola's approach is to take lower commission to enable drivers to do so. Ola is keen to work with the Committee and Federal, state and territory governments to ensure all drivers are able to sustain a decent living while respecting a driver's preference for flexible options and the need to maintain a level playing field for all players in the industry
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Yours sincerely

Ann Tan
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