

UBER SETTLEMENT (UBER EATS AND POSTAMATES) INFORMATION FOR PARTICIPATING RESTAURANTS

Your restaurant may be entitled to benefits, including monetary payments, pursuant to a settlement between the City of Chicago and Uber regarding conduct that occurred on its meal delivery platforms Uber Eats and Postmates. This document explains which Chicago restaurants are eligible and how to obtain these benefits.

My restaurant was listed on Uber Eats and/or Postmates without my written consent:

If your restaurant was listed without your written consent *and* does not currently contract with Uber Eats or Postmates, you are entitled to claim two benefits:

1. A monetary payment, and
2. Commission-free access to Uber Eats's marketing and delivery services for at least 44 weeks.

You are entitled to claim both benefits, you are not required to claim both. **To claim one or both of these benefits, you must take the steps noted below by January 29, 2023.**

Monetary Payment

- To qualify for the monetary payment, you must submit a short attestation to the City of Chicago. The attestation form is available and can be submitted online at [Chicago.gov/UberForm](https://chicago.gov/UberForm).
- The form will prompt you to provide information including your BACP license information, your Employer Identification Number, and bank account information. You can look up your BACP license information [here](#).
- Your payment will be paid via ACH bank transfer. The amount of your payment will depend on how many restaurants qualify. The amount of your payment will not be known until the deadline for restaurants to claim this benefit.
- The total fund from which these payments will be drawn is \$500,000. This fund will be equally divided among qualifying restaurants.
- **The deadline to submit the form is January 29, 2023.** Payment will be made by March 1, 2023.

Commission-Free Uber Eats Marketing and Delivery Service

- To take advantage of this benefit, you must email chicagosettlement2022@uber.com or call **773-839-2784**.
- This benefit entitles your restaurant to commission-free access to Uber Eats’s marketing and delivery services for at least 44 weeks.
- You may choose between Uber’s “premium” and “plus” plans. Learn more at <https://merchants.ubereats.com/us/en/pricing>
- All plans will include access to order data, a tablet loaded with Uber’s ordering software, a menu photo shoot, and customer support.
- The total length of time you will have access to the services may be longer than 44 weeks, and depends on how many orders your restaurant received while listed on Uber Eats or Postmates without consent. Restaurants that received more orders will have access to these services commission-free for a longer period of time.
- Your relationship with Uber will end when your commission-free time period runs out. Uber is prohibited from charging you any commission unless you give your express consent to enter into a contract with Uber.
- You will retain access to certain Uber order data after your commission-free period runs out, including the order date, cost, and the first name and last initial of the customer that placed the order.
- **The deadline to accept the offer is January 29, 2023.** Access to the benefit will begin shortly thereafter.

My restaurant contracted with Uber Eats and/or Postmates while the Emergency Fee Cap Ordinance was in effect:

In 2021, Uber charged commissions to Chicago restaurants that were greater than 15%, in violation of the City’s Emergency Fee Cap Ordinance. If your restaurant contracted with Uber Eats and/or Postmates and was overcharged while the ordinance was in effect, your restaurant is entitled to a monetary payment.

- **No action is required to receive this payment.** If your restaurant was overcharged in violation of the fee cap, you will receive your payment from Uber before the end of 2022.
- Uber will make these payments via direct deposit based on the information it has on file for your restaurant.
- The amount of your payment will depend on how much you were overcharged. All restaurants will receive at least \$200. Some restaurants will receive significantly more, exceeding \$10,000 for the most-overcharged restaurant.

- The total amount of Uber’s payments to overcharged restaurants under the settlement agreement is \$2.25 million.

Additionally, in September 2021, Uber refunded overcharged restaurants a total of \$3,331,892. The City alerted Uber to these violations of the Emergency Fee Cap Ordinance in September 2021, and the company refunded the overcharges to all affected restaurants immediately.

- **No action is required to receive this refund. All affected restaurants received their refund in September 2021.**

Questions and Additional Resources

If you have questions about the Uber settlement, or information relevant to the City’s litigation against [Grubhub](#) and [DoorDash](#), please email mealdelivery@cityofchicago.org.