

RALPH NADER RADIO HOUR EPISODE 465 TRANSCRIPT

Steve Skrovan: Welcome to the *Ralph Nader Radio Hour*. My name is Steve Skrovan, along with my co-host, David Feldman. It's episode 465, David. We're almost nine years into this project.

David Feldman: We have talked to Ralph Nader 465 times, you and me. Well, amazing.

Steve Skrovan: I don't know if he's excited about talking to us, but here he is, the man of the hour, Ralph Nader.

Ralph Nader: Hello, everybody.

Steve Skrovan: On today's show, we're going to talk about electronic surveillance, regulatory capture, workers' rights, auto safety, and that's all with our first guest.

Truck driving is one of the most common jobs in America. In 2018, there were more than 3.5 million truck drivers in the US. It is also one of the most dangerous jobs in America. Truck drivers are more likely than any other profession to suffer a non-fatal but serious injury. And they make up one out of every six workplace deaths. In each year, truck crashes on America's highways kill about 5,000 people and injuring 150,000 more. What makes trucking so dangerous? Most experts agree that the primary risk factor is fatigue. Even the most diligent driver can lose focus when they're sleep deprived. And when that driver is behind the wheel of a 50-ton truck for 20 hours straight, we've had federal regulations limiting truckers' work hours since the 1930s. But truckers and the firms that employ them have been economically incentivized to skirt the rules, even at the expense of both driver and public safety.

In December 2017, the federal government turned to digital enforcement with a new requirement. All truckers must buy, install, and use electronic logging devices, or ELDs, digital systems that capture data about truckers' activities and enforce work limits. In her new book, *Data Driven: Truckers, Technology, and the New Workplace Surveillance*, sociologist Karen Levy unpacks the history, culture, and political economies of long-haul trucking. She documents the transition from pen and paper driving logs to electronic surveillance, the problems with rollout and enforcement, the side effects of worker surveillance, and whether or not ELDs are actually making trucking safer.

Our second guest is taking on harmful technology a bit closer to home. Logan Lane is a high school senior and founder of the Luddite Club, a high school group that promotes a lifestyle of self-liberation from social media and technology. Now, we all rely on technologies to connect us to friends and family, to access goods and services, to get our work done. Technology is a tool like any other. It's meant to help us do things. But what do we do when the tool is using us?

Logan Lane and other Luddites are taking a more critical approach to technology, like smartphones and social media. They're asking, "Does this actually serve me?" And they're opting out of the tech and the habits to do them harm. For this interview, Claire Nader, author of *You Are Your Own Best Teacher!*, is going to join us.

As always, somewhere in the middle, we'll check in with our corporate crime reporter, Russell Mokhiber. But first, let's talk about how a regulation that was meant to make trucking safer has been turned into a tool of corporate surveillance. David?

David Feldman: Karen Levy is an associate professor in the Department of Information Science at Cornell University, associate member of the faculty at Cornell Law School, and field faculty in Sociology, Science and Technology Studies, Media Studies, and Data Science. Her new book is *Data Driven: Truckers, Technology, and the New Workplace Surveillance*.

Welcome to the *Ralph Nader Radio Hour*, Karen Levy.

Karen Levy: Thank you so much for having me.

Ralph Nader: Welcome indeed, Karen. People listening to this program better take it personally, because if you're on a highway and you have these monster trucks in and out and behind and in front, it behooves us all to make sure that their working conditions and their health and safety are intact and protected. Well, listeners, there are interesting facts that are rather horrific that I want to run through before we get into the surveillance – incredible surveillance – of these truckers.

One is that one out of every six workers killed on the job in the United States is a truck driver. One out of six. Number two, in 1980, truck drivers made roughly a \$110,000 in today's dollars. In contrast, in 2020, truckers' median annual earnings have stagnated at about \$47,000 per year. A figure hasn't budged significantly for about 15 years, she writes.

Just think: Do you know how many workers who are making less than half what they made adjusted for inflation in 40 years? Not many. And to drive the point home, Karen has, on page 21, a summary of their plight in terms of their own health and safety and trials of living. I'm going to read a paragraph.

"Even beyond accidents, trucking is a physically and mentally grueling line of work in almost every conceivable way. Truckers have a very difficult time eating nutritiously at truck stops or getting regular exercise; they regularly face severe health consequences caused or exacerbated by living on the road, ranging from exhaustion to addiction, from chronic pain to repetitive stress injuries, from risky sexual behaviors to post-traumatic stress disorders after witnessing gruesome accidents. They suffer higher-than-average rates of diabetes, spinal problems, cardiovascular disease, hypertension, depression, and myriad other conditions; truckers have the highest incidence of obesity of any group of workers in the United States. What's more, truckers often have no access to physical or mental health services. They can rarely attend appointments in

person, and often lack enough control over their own schedules to know when they might be home to visit a doctor, dentist, or therapist.

Driver turnover in the industry hovers, remarkably, close to 100% per year for large firms: that means, on average, nearly every trucker will leave their employer every year (the rate is somewhat lower, but still quite high, for smaller firms)."

First question, Karen, did you hit the road with some of these truckers when you were doing your research over the years?

Karen Levy: So I met hundreds of truckers. I never actually went on a long-haul trip because I have little kids. But I met a bunch of truckers in truck stops. I drove with them in the yard, so I was in truck cabs with them at the companies that they worked for. Honestly, I talked to a lot of truckers in truck stop bars because that's where they go and they have time to talk to a curious researcher. But truckers are kind of everywhere you look. They're sort of like human infrastructure in some ways. They just make everything go and get us the things we need when we need them, and so it's not hard to find them if you're looking. It's just that many of us really kind of choose not to notice them. Or if we do notice them, we maybe have a negative impression of them or there's NIMBYism ("Not In My Back Yard") about not wanting to build truck parking or not wanting truckers on the roads in our towns.

I wanted to kind of tell the story of some of these workers who were so dependent on... we love to talk about essential workers in this country. But as you pointed out, Ralph, it's really an affront to the dignity of the work to have wages stagnate in the way they have in trucking. And then you add to that the way the industry has changed over the last several years with surveillance. So I wanted to get into that and tell their story.

Ralph Nader: Well, one reason why I asked you is because years ago when I was younger, I would hitchhike a lot – short-haul and long-haul – and invariably I'd be picked up by truckers because they were very sleepy, and they wanted somebody to talk to. I learned a lot from truckers, by the way. And this was before the modern cabs where they can actually sleep in the cab. And I couldn't believe the pounding that their kidneys took on the highway. The older trucks were spectacularly of a rumble fashion, and they just go up and down and up and down, hours at a time. There's nothing like sharing even a small amount of time with workers when you study them. You don't have to be with these workers too long if you have enough empathy and you can learn from them quickly. I have a peculiar question to ask, and I bet some of our listeners are thinking about now, why aren't the railroads taking more of the trucking volume?

Karen Levy: Yeah, it's a good question and it's one that has come up before sometimes in my research. I don't have a great sense for what the political or economic relationship between the railroads and the trucking industry that has led to that situation. I'm sure there are maybe transport economists that could answer that question better than I can. Of course, there are certain types of goods that are moved. It's referred to as inter-modally, so there are companies that think about moving goods on ships and then on rail and on trucks for the last mile.

Of course, even if goods are being moved by rail, truckers still end up touching a lot of those goods, because the railroad doesn't go everywhere and truckers handle a lot of the last-mile work. So truckers find themselves embroiled in moving. I can't remember exactly what the percentage is, but truckers have the saying, "If you got it, a truck brought it." And the percentage of freight that's moved in this country that's on a truck at one point or another is really quite high. There's a very high likelihood that everything in the room you're in right now was at some point on a truck.—

Ralph Nader: Well, NPR just had a story on inadequate number of truck stops for parking, so they can park and sleep a while. What's causing that? Because I always thought truck stops are pretty lucrative business. Why aren't there more of them?

Karen Levy: Yeah, there's a lot of NIMBYism around truck stops. So, I write in the book about how the public perception of truckers back in the 1950s was really quite high. People even talked about truckers as the "knights of the highway" or the "heroes on the highway." Because maybe this is like what you've experienced when you hitchhiked with truckers. They knew a lot about the road. They were good drivers. You could count on them to help you out in a pinch. And over time, in part because of the stagnation of wages in the industry and the perception that truck stops were centers of maybe (drug) trafficking or of sexual misconduct that people didn't want in their towns; a lot of this is just stereotypes. But the public perception of truckers declined at about the same time that wages for truckers declined--from the '70s on into the '80s and '90s.

Ralph Nader: You're quite right. The early truckers were really viewed almost heroically, like they would stop and help you. They would signal right if something was going on with their shortwave radio. If you had one, you could get early alerts. And after deregulation, they begin to be paid by the mile, which meant huge problems of fatigue. You have in your book, one of the workers running these trucks 97 hours in one week violating all kinds of Department of Transportation standards.

As you know, the corporate trucking lobby is very powerful in Washington, and they blocked a lot of measures that could make truck drivers' lives better in all kinds of ways. But one of the power thrusts of these companies resulted in endangering passenger vehicles who, for a variety of weather reasons, when they had to brake, went into the rear of one of these trucks, because there wasn't a bumper guard the way they have in Europe, and the car would go under part of the rear of the truck and decapitate people in the car.

And I remember Senator Magnuson had hearings on this in the Senate Commerce Committee about 50 years ago, and the Teamsters union didn't support the truckers. For some reason they didn't want to delay when they unloaded at the dock by pulling back the protective bumper, and both the corporations and the Teamsters opposed the bumper guards. And to this day, listeners, there's just, if you look at the rear of these trucks, the flimsiest type of barrier that doesn't do the safety protection job.

So I think people would want to know, how many of these truckers are independent businesses, and how many are employed, and what's the difference in the way they're treated?

Karen Levy: By the numbers, in 2019, about 90% of the companies that are registered as carriers with the Department of Transportation were small businesses. And I think that designation is for operating six or fewer trucks. And many of them are single-owner operators. They might say, I bought my own truck, or I drive with my brother or something like that. By the numbers, there actually are quite a lot of small businesses. But it's a very concentrated industry, so by the market share, there is a very high concentration of assets among very large carriers. The statistic is that 20% of the firms in the industry control about 80% of the assets in the industry; it's both a landscape of small business and it's one of in pretty intense market concentration. In terms of how the industry differentially affects folks in both large and small businesses, and particularly how digital monitoring affects them, all truckers are required to buy what are called electronic logging devices. That's been mandatory for truckers since 2017. The goal of that technology is to keep truckers from violating the federal regulations that cap how much they can drive. The idea is you don't want drivers driving 97 hours a week. You want them driving less than what the law allows.

The issue is that that mandate has had really different effects on small carriers and large carriers. Everybody has to use those. But for large carriers, what's happened is, first of all, they're more easily able to stomach the cost of those devices that cost at least several hundred dollars. So of course, big companies are able to get those in volume. The other thing big companies are able to do is a big focus of my book. They're able to deploy additional data collection and analytics capabilities over their entire fleet.

That has meant that the federal mandate doesn't actually require that too much data be tracked about drivers. It requires that these devices track the location of a driver and how long he's been driving each day. But what companies have built onto that data collection capability the ability to look at how much fuel a driver is using, or whether he's changing lanes without signaling, or how fast he's going at any time. These big companies use that to construct a bunch of different analytics. A lot of drivers get score cards that fleets put together for them that rank them against their peers. And all of that analytic data is very helpful to those companies and helps them try to be more efficient or try to eke extra productivity out of their workers. For small businesses, that data is not particularly useful because you already know where you are and how fuel-efficient you're being. So, in addition to disproportionately being better able to bear the cost, for large businesses, these devices also give them a disproportionate economic benefit.

Ralph Nader: What do you think the driving motivation is? These trucking companies creating a new category of labor serfs. Your book goes into detail that can only be described as Orwellian, and that kind of surveillance is heading for more and more workplace categories. They're already monitoring when people who stay at home and work remotely take a break. The technology can even track how often people stretch and yawn. Now, you have a description in your book called "electronic logging devices," ELDs. And tell us what ELDs are and the little section you have on the brute force destruction of them.

Karen Levy: The electronic logging device is hard-wired into the truck to keep track of how long the trucker has been driving and where he is. It's a digital version of paper and pencil logbooks. Since the 1930s, truckers had been required to keep track of how long they drive every

day to ensure that they're compliant with federal regulations. But they've done this on paper and pencil little books that you can buy at any truck stop for a couple of dollars. And it's kind of an open secret in the industry that people weren't always telling the truth on these paper and pencil logbooks. And the reason for that wasn't that they enjoyed breaking the law; it was that truckers are paid by the mile that they drive, as you pointed out, Ralph. And in order to make a living and to move goods at the rate at which we all demand of them, truckers really needed to move sometimes more than what was weekly required. There are big structural reasons why truckers get delayed sometimes for many hours at shippers (loading) and receivers (unloading). It's a phenomenon called "detention time." That puts them well behind. So, for a long time they kind of would adjust their logs to make it appear as though they were running legal, because this is what was required of them.

So, the DOT (Department of Transportation) in 2017 mandated this digital technology, the electronic logging device or ELD, that was meant to make that more tamper proof or meant to automate this process of compliance with timekeeping rules. You mentioned brute force destruction; you can imagine that truckers were not really excited about having to install these devices in their trucks. Many of them told me that they felt these devices treated them like children or like criminals. They constitute a lack of trust in them to know when their bodies were too tired or to have autonomy over their work. And if you talk to truckers, many of them got into the industry, got into this occupation because they didn't want someone looking over their shoulder all the time. So it hits at the core of who they think they are and the work they think they're doing. I asked some of them how they would push back against these devices. And some subset of drivers said they'd just smash them. A few drivers revealed they would take a hammer to the device. Of course, this is not what most drivers are doing. But there were enough drivers I talked to that I've mentioned in the book that said smashing the devices was one way to show what you think about the device.

There were lots of other strategies people would use too, including many that were more covert or that were designed to evade detection but would get them a little extra driving time or something. Drivers, quite understandably, didn't see this as addressing the real problems in the industry and they found it really an affront to how they've conceived of themselves as professionals and essential workers.

Ralph Nader: Well, in your book you talk about the Federal Motor Carrier Safety Administration (FMCSA). They're supposed to be monitoring some of these. What's your take on that? That's under the Department of Transportation under Secretary Pete Buttigieg who has great presidential ambitions and got criticized recently for inadequate monitoring of Southwest Airlines in the holiday period. What's your take on that?

Karen Levy: I think FMCSA is quite frankly kind of solving the wrong problem. If the issue that underlies truckers exceeding their hours is fatigue, that's the reason truckers break the law and violating DOT regulations. It's not because it's fun to do. They're clearly not making any money, so it's a combination of how low their wages are and the demands of the job. There are a lot of contingencies on the road. It's hard to plan your day. People need a little bit of flexibility in figuring out how to get from A to B safely.

And FMCSA's response has not been to address the root causes of fatigue in the industry, which any driver will tell you is the pay structure. If you only pay people the number of miles that they drive, you're incentivizing them to stay on the road as much as humanly possible. And then when things are like you alluded to, Ralph, like not building parking for people to pull over and get rest when they need it; core causes of fatigue are not addressed like detention time when drivers are left waiting 3-5 hours instead of the agreed-upon 2 hours. What you're choosing to do, instead of making this a job that people can stay in for a long period of time, without being incentivized to break the law, approach has been to police harder or to surveil more when people are exceeding their hours. Under Buttigieg, I've started to see some interesting activity by FMCSA and DOT more broadly, where it seems like they're finally beginning to acknowledge that you can't build an essential industry based on turning workers out/spitting them out. You need to make this a job that people want to be in, can sustain being in for long periods of time, can feed their families doing, and can do it safely. So, if they really are concerned about improving truckers' lives, one obvious place to go, and there's pending legislation about this on the Hill right now, is potentially removing truckers' exemption from the Fair Labor Standards Act, which currently prevents truckers from getting overtime, because they're exempt from the FLSA. But that would be maybe an obvious way to start to address the fact that their wages had stagnated. And those would be the types of reforms that I think are needed rather than kind of slopping some technology on it and saying now we've solved the problem.

Ralph Nader: Well, the trucking lobby is considered one of the most powerful in Washington. We've been up against it over the years on the safety issues. They're very militant, they're connected with the US Chamber of Commerce, and they try to compromise the Teamsters. How are the independent truckers dealing with the unionization issue? How do they communicate with each other in order to mobilize a solidarity? Or are they all sort of lone wolves?

Karen Levy: Yeah, more like lone wolves is maybe the right way to think about it. I talked to a lot of drivers. I think the unionization rate in trucking is in the low single digits at this point. The Teamsters, as you mentioned, used to be quite powerful, were one of the most powerful unions in the country, but their power has really diminished over time and since deregulation. And when I talk to drivers now about whether they see unionization as a way to address some of these problems, almost nobody bit on that, so I didn't get a sense that a lot of drivers wanted to be unionized. Some of them were quite vocal about not really trusting unions or wanting to avoid potential union jobs. And I think a lot of it boils down to this autonomy and independence that's really core to the culture of trucking. A lot of truckers do not want to be told what to do. And they have a lot of distrust of bureaucracy. They have a lot of distrust of anybody who isn't behind the wheel of that truck telling them when they need to get somewhere. They perceive there's not a lot of not road knowledge. They want to be the captains of their ships. And some drivers that I talked to view unions in the same way that they view the government—as potential overreach that might impede their autonomy. So I'm not waiting necessarily for the Teamsters or for any other union to be the solution here. I think what's really needed is more top-down regulatory reform.

Ralph Nader: Do they have a communication system between them, the truckers, informal perhaps, where they can mount coordinated protests or demands?

Karen Levy: Yeah, there are definitely some ways that that happens. I mean, truckers, as you mentioned, were early users of CB radio and of other technologies for connecting to one another at truck stops are places where a lot of communication takes place. Of course the internet obviously facilitates the formation of interest groups around a lot of issues. There have been some pretty high profile trucker protests in Canada and the US over the last few years on related issues. So, the prospect exists for that kind of unified political action. But it's a very large and transient industry and a lot of people in don't necessarily last that long in the work. And many just want to do their work and go home. So I'm not as confident that all or that most truckers are thinking in those terms.

Ralph Nader: We're talking with Professor Karen Levy, author of *Data Driven: Truckers, Technology, and the New Workplace Surveillance* published by Princeton University Press. I might say, they're very picky about what they publish, so you ought to be happy with them. They just turned down one of my books on CEOs I've admired over the years.

Now here's what happened. This is really quite remarkable. (In the '70s) we got so many complaints on truckers about being forced to drive when they need to sleep, being forced to drive when the rig is unsafe in a variety of ways--we said "Okay, why don't you come to Washington and protest? And we'll try to open access to members of Congress and the media." Twelve hundred eighteen wheelers came to Washington on a weekend. They completely encircled the Capitol and obviously took up a lot of parking spaces in order to protest.

You don't see that kind of coordination now, and that was before the Internet and before email. They are so driven down in despair, in desperation to pay their bills paycheck to paycheck, not organized, not really represented by their senators and representatives, not really represented by a strong Department of Transportation, not being protected by OSHA (Occupational Safety and Health Administration).

Before we get to a really Orwellian chapter on cyborgs and so forth, how do you read this breaking, in a way, their will even though they're still proud and don't want to be told what to do. That's one way of exploiting workers like coal miners, 400,000 of them died from coal workers' pneumoconiosis in the last 120 years. It's almost the number of US soldiers killed in World War II, but they're proud of their role. It's very, very courageous to go down in a mine and they have solidarity even though they're exploited terribly in terms of health and safety, retirement, care, et-cetera. How do you read this diminishment without end?

Karen Levy: It's an interesting question and it's an interesting comparison to mine workers. I want to be clear--there is the Owner-Operator Independent Drivers Association or OOIDA. It's not a union, but it's a collective of especially owner-operator drivers--folks who drive on their own. And they have been great. I've had a lot of really positive interactions with them. In terms of communication, they have magazines and a radio show on satellite radio and newsletters every day. And they do a lot to help facilitate, and they represent truckers legally; they've

brought lawsuits on electronic monitoring that I talk about in the book. They are really fighting for truckers in Washington more so than probably any other organization that I've seen. The only other thing I'd say about it--you make this point that there was this built-in solidarity among the mine workers because they were all together at the mine. And it is hard to drum that up among folks who don't have coworkers in the same sense that a lot of us do. They don't necessarily go to the same place every day. They don't know the other folks necessarily who worked for the same companies that they do.

And you mentioned that the turnover rate is about 100% annually in some segments of the industry. That just means people are constantly either hopping in and out of the industry or hopping from job to job. And I think that also helps to deplete the potential for drumming up collective action to some extent. I think you're right; we've created conditions that are desperate enough that though it's great to see that there are some actors, like OOIDA, who are really fighting for truckers in Washington, it's also pretty difficult to think about truckers independently doing this on their own because so much of their energy is just devoted to putting food on the table.

I'm hopeful that FMCSA and some of the pending legislation around trucker pay pass. National Academies of Science, Engineering and Medicine released a study about the relationship between the pay structure in trucking and safety, the *Impacts of Alternative Compensation Methods on Truck Driver Retention and Safety Performance*.

It's really good to see some efforts like that. I'm hopeful that we'll get some movement to help protect these workers.

Ralph Nader: And a mother in Maine, as you know, lost her two children to a sleepy truck driver. They were in a car parked on the highway. I guess they had a flat tire and a truck roared down and just took them into oblivion. And she started a group.

Karen Levy: Yeah, the stakes are just unabashedly high. Thousands of people a year die in truck related accidents of which fatigue is one of the primary factors. Several billions of dollars a year are lost. I think we're actually all aligned in our interests. Truckers don't want to die on the road anymore than the rest of us do. So, if safety is really the motivation for the electronic logging device, we might all be able to get behind legislation and regulation that helps address the root causes of this fatigue. No trucker wants to be awake for 28 hours straight.

I've talked to plenty of workers who... there is a kind of cultural cowboy-ism that is a gloss some truckers adopt, but it's because they have to. It's out of economic necessity that they sometimes will talk in such a way or will kind of augment their alertness with substances. But they do that because that's what's required of them, not because they want to be doing that. And if we paid them fair wages for the work they're doing, we might help alleviate some of those pressures, which -would be good for us and for everyone who's on the public roads.

Ralph Nader: Well, automation is coming to this industry, and you have a chapter about that in your book *RoboTruckers: The Double Threat of Artificial Intelligence for Low-Wage Work*. Tell us about Robo Truckers.

Karen Levy: Yeah, that chapter. I noticed while I was focusing so much on trucker surveillance, over the last few years, as I was finishing up the book, the discourse changed a lot. Suddenly, instead of thinking about surveillance in trucking, people were asking much more about autonomous vehicles. Would we even have human truckers anymore or would those folks all become obsolete, and all lose their jobs because trucks would drive themselves. And a lot of predictions about that have been made from academic researchers as well as just the media. There was a lot of investment in self-driving vehicle technology, a lot of hype around some of the demonstration projects that folks were able to do delivering 25,000 cans of Budweiser via autonomous vehicle down the road in Colorado, things like that.

So I started to dig into what that will mean for truckers, like is it true that two million drivers are going to lose their jobs in the next two years? And I think the answer is no. And in that chapter I spell out why I think that is. Certainly, autonomous vehicle technology poses some threat for truckers, but what that threat really looks like is not that they're going to get kicked out of the cab because the technology, that trucks can really drive themselves in a sustainable way, is not there yet. Instead, what it looks like is a deepening of the surveillance that truckers have been dealing with so far including intimate things like a camera that's trained on the driver's face that looks to see if his eyelids are fluttering, or it looks to see if his head is nodding. And if it does, it might buzz his seat or flash a light in his eyes or something like that. Being explored/developed are headsets that do an EEG on truckers' brain waves to see if they're paying attention and that look at their heart rate to see if there's any sign of disruption.

So, a lot of really intimate data collection that, again, is fundamentally oriented towards addressing this issue of fatigue. But addressing it not by making sure that drivers have safe places to rest and enough money that they can rest, instead, kind of now policing their bodies in intimate ways. So that chapter is about the idea that truckers are becoming like cyborgs against their will, because of these technologies that are in and on their bodies in the cab.

Ralph Nader: I'm glad you didn't buy into the hype of the autonomous vehicle. It's a long way off. They have to rearrange billions and billions of dollars in highways and they have never talked about at their technical conferences, as far as I know, the problem of remote hacking. Autonomous cars can be hacked not just by your auto dealer to remind you that you didn't pay your installment loan on time or an upgrade by the manufacturer, it could be hacked by nefarious actors. They could hack like a 100,000 vehicles of the same Toyota model, for example, at the same time. And whether they're truckers or drivers, they want to control their cars. So I'm glad you didn't buy into that hype, which has been going on fueled by Elon Musk whose predictions are always wrong about when autonomous cars are going to take over.

I'm sure our listeners are interested in the last chapter for their own protection, called "Technology, Enforcement, and Apparent Order." Tell us about that.

Karen Levy: Yeah, so in that chapter I'm trying to broaden out from truckers to more generally how we should think about technology and policymaking. And the argument that I try to make is that oftentimes we impose technology on some environment, whether that's education or a workplace or criminal justice or some other domain, where we think there's a problem and maybe we can deploy some technology to solve it, either through an algorithm or by collecting more data. This is a pretty common refrain that's used. And it's understandable while we try to use technology in those ways. And I certainly think there can be roles for technology that are useful. But often what I think happens is that when we're using technology to solve our problem, what we're really doing is avoiding solving a bigger problem. So in the context of trucking, as I've said, by using technology to monitor what truckers are doing, we are avoiding solving the bigger problem, which is economic/not paying people enough for their labor, allowing them to be exploited. The same thing could be said about lots of different domains where technology is deployed. For example, are we trying to make the best of scarce resources? Do we have enough teachers that are well paid? Do we have enough housing? Are we constrained by the number of resources we're willing to devote to a problem? Very often, technology is kind of like duct tape on your bumper. It's not addressing the reason your bumper is falling off. Maybe it can keep your bumper from falling off for a little while, but it's not fixing it because it doesn't address the root causes of the problem. And so I think technology can play an important policymaking role, but too often we expect it to do more than it's capable of, because the problem is in a different register.

Ralph Nader: At Cornell, where you teach, is there a coordinated multidisciplinary endeavor to say to the onrush of artificial intelligence, stop, look and listen, or are they just going along with it?

Karen Levy: No, no, no. Yes, so I'm in the Department of Information Science at Cornell and the entire concern of the department is that computer science involves actually paying attention to people and integrating insights from social science and the humanities. So, I co-teach a large class that is all about this. It's about understanding how law and social science and technical fields can all learn from each other. And we can't really solve any of these problems without taking the best of all of those fields.

Ralph Nader: We're going to give Steve and David a chance to ask questions. After they've read Jack Kerouac's *On the Road*, they can't wait to ask you questions or make comments. So Steve, you want to start?

Steve Skrovan: Thank you, Karen. Let's say you are the czar of truckers or the czar of the trucking industry, and I know we've touched on a lot of things, but I want you to sum it up in a nice little package here. If you had to broker an agreement between the regulatory agencies, the truckers and the corporations, what would your package of recommendations be? I know we've talked about raising wages, but put that all in a nice package for us.

Karen Levy: Yeah, that's a great question. So, the first thing I would do is remove truckers' exemption from the Fair Labor Standards Act so that they can make money for the actual amount of time they work, which seems to me like a really basic way to address a lot of the problems.

It's important to recognize that companies have a lot of latitude in deciding how they're going to use a technology. Some of the stuff is mandatory. So, whenever we talk about workplace surveillance, we must understand that the FMCSA has mandated some of this data collection. But a lot of the stuff, as I talk about in the book, is *not* required. It's just that companies have chosen to hang another ornament on the Christmas tree. They've decided to collect a little bit more data because they've got the infrastructure to do it. So, I think companies certainly have the agency to decide, "You know what? It's more important to us to keep drivers in these positions for longer to afford them some dignity." And the irony of this is the drivers you most want on the road are the drivers who are also most likely to leave if you really change the conditions of their work. The folks who've been on the road for decades driving safe for millions of miles are the guys you want to keep in the cab. So I would encourage companies to think about whether a few extra analytics are worth potentially driving out these folks who are doing their work safely and professionally.

Ralph Nader: They don't get paid for overtime under the present exemption, right?

Karen Levy: Correct.

Ralph Nader: So that's in the same category as farm workers. Migrant farm workers are exempted from all kinds of protections, and it's due to the agribusiness lobby on the one hand and the trucking lobby on the other. I don't think a lot of people realize that truck drivers cannot get overtime. That's a good op-ed for you in the *New York Times*.

David, who has always dreamt of being a driver of an 18-wheeler wants to ask you a question.

Karen Levy: Happy to, David.

David Feldman: Hi, and that's a big 10-4. I still use my CBS (citizens band radio).

Karen Levy: Do you really? What's your handle?

David Feldman: No, I'm joking. But I did have a CB radio when I was younger. This is fascinating. We're almost a year away from when the Ambassador Bridge, that's that border crossing between the United States and Canada, was shut down by Canadian truckers objecting to COVID restrictions. And it served as a reminder of just how powerful truckers are, especially unions. So I'm curious about the Teamsters. Ralph touched on it earlier.

At one point the Teamsters were deemed so corrupt they had to operate under a consent decree with the Justice Department. How much of that consent decree that--the attacks on Jimmy Hoffa, going back to the '50s-- was about rooting out corruption? And how much was really about weakening a union that could literally shut down the entire economy as we saw with the Ambassador Bridge a year ago? And if Bernie or Ralph were president, how would you recommend the Justice Department weed out corruption in the union, but at the same time, protect the union?

Karen Levy: Wow, that is a great question that I have to admit goes well beyond my expertise. I'm not sure that I'm equipped to answer that question. You're certainly right that the

reverberations of Hoffa and of the '60s and '70s Teamsters corruption are still felt today. And a lot of that is because somewhere in the low single digits, the truckers are just not unionized and have developed a generalized distrust of unions. Unions are really important. In a lot of other industries, it's been gratifying to see some of a renewal of union activity, especially and including around issues related to workplace surveillance and automation. Delivery truck drivers have somewhat higher union presence. So like for UPS drivers and sometimes there are contracts involved looking at technologies related to the electronic logging devices (ELD), and other kinds of analytic technology. So I do think there is hope for unions to have important force on some of these issues in other sectors or in other segments of trucking. But I struggle with how to find that happy valence in long-haul trucking. I'm avoiding answering your question because I don't know the answer.

David Feldman: No, that's okay.

Ralph Nader: The cultural difference between the United States and France here is stunning. The French truckers shut down the country for their demands. And the vast majority of the French people support them regardless of the inconvenience because they know they're in the vanguard of trying to protect the safety net that covers all French workers. There isn't anywhere near that kind of solidarity here.

Okay, well, we've been speaking with Professor Karen Levy of Cornell University. She's written this book called *Data Driven: Truckers, Technology, and the New Workplace Surveillance*. It could have another subtitle called *What Trucker Surveillance Means to your Health, Safety and Psychological Wellbeing when you Travel on the Highway*. So don't think this is just about truckers. It's about what kind of environment you're going to have when you're driving your own car on America's highways.

Thank you very much, Karen.

Karen Levy: Thank you, Ralph. It's been an honor to talk with you.

Steve Skrovan: We've been speaking with Karen Levy. We will link to her book, *Data Driven*, at ralphnaderradiohour.com. When we come back, we're going to talk to a high schooler who stopped using social media and is more connected than ever. And Claire Nader is going to join us. But before we do that, let's check in with our corporate crime reporter, Russell Mokhiber.

Russell Mokhiber: From the National Press Building in Washington, D.C., this is your *Corporate Crime Reporter* "Morning Minute" for Friday, February 3, 2023. I'm Russell Mokhiber.

Big Olaf Creamery has been ordered to pay \$4 million to the estate of Mary Billman, a 79-year-old Illinois woman whose death has been linked to a listeria outbreak traced to the Florida-based ice cream maker. That's according to a report from NBC News. Included in Judge William Jung's ruling is a \$1 million punitive damage award.

In the wrongful death suit brought by her estate, Billman was described as the "matriarch" of a large family. In addition to serving as the primary caretaker of her husband, who suffers from dementia, Billman had three children, eight grandchildren and four great-grandchildren.

Billman's death was part of a multistate listeria outbreak last year that affected at least 28 people.

For the *Corporate Crime Reporter*, I'm Russell Mokhiber.

Steve Skrovan: Thank you, Russell. Welcome back to the *Ralph Nader Radio Hour*. I'm Steve Skrovan, along with David Feldman and Ralph.

Ralph, you're going to love this next guest. She started a club to liberate her and her friends from oppressive social media and technology. They call themselves the Luddite Club. David?

David Feldman: Logan Lane is a high school senior in Brooklyn and the founder of the Luddite Club.

Welcome to the *Ralph Nader Radio Hour*, Logan Lane.

Logan Lane: Thank you for having me.

Ralph Nader: Welcome indeed, Logan. We're going to have a fun time discussing what you're doing. You are one of the principals in starting something you called the Luddite Club. And just to tease our audience and give a flavor of how you're going about it, I'm going to read a couple paragraphs from a major article about you all in the *New York Times* dated December 15th, which is about a month and a half ago.

And it starts this way, "On a brisk recent Sunday, a band of teenagers met on the steps of Central Library on Grand Army Plaza in Brooklyn to start the weekly meeting of the Luddite Club, a high school group that promotes a lifestyle of self-liberation from social media and technology. As the dozen teens headed into Prospect Park, they hid away their iPhones — or, in the case of the most devout members, their flip phones, which some had decorated.

They marched up a hill toward their usual spot, a dirt mound located far from the park's crowds. Among them was Odille Zexter-Kaiser, a senior at Edward R. Murrow High School in Midwood, who trudged through leaves in Doc Martens and mismatched wool socks.

'It's a little frowned on if someone doesn't show up,' Odille said. 'We're here every Sunday, rain or shine, even snow. We don't keep in touch with each other, so you have to show up.'"

So tell us how this Luddite Club came to be and how many members you have and what you want to achieve.

Logan Lane: Yeah, so a couple years ago during the pandemic, I got rid of my iPhone. I put it in the drawer thinking it was going to be for a couple of days. But then when those days passed, seeing the benefits to my life, I really thought I was onto something. I realized that my life was so much better this way. I started reading more. I started crafting and just the hobbies that I had been interested in before I was online. I was much more able to do them and I had the time. And

so through that, I got off social media as well. And I did not really meet anyone who was doing the same thing for a while. But I got back to school last fall. I was a junior in high school, and at a punk show in Prospect Park, I met the first fellow Luddite. And I was introduced through a friend who's on the cross-country team. And she knew that I didn't have a phone at the time and that this girl had a flip phone. And so she was like, you guys would love each other. So we met. Her name is Jameson. And immediately we hit it off.

She was a freshman at the time but was incredibly well-read, like she was into Jon Krakauer and Henry Miller. And we're just talked into the night about these writers and about what it meant to be a Luddite in today's society. We talked a lot about getting made fun of by other kids. And she also went to a really big high school. A different one, Brooklyn Tech, whereas I went to and I still go to Edward R. Murrow.

And so we parted ways at the end of the night and I didn't see her for a couple of weeks. It was almost as if I regretted we were not on social media and didn't have each other's contact. But randomly, a few weeks later, I was up the Central Library in Grand Army Plaza and I was just looking around, getting some books, and I ran into her randomly as it was her home library. And we immediately were so excited to see each other and we ended up talking and walking to the park. The farmers market was open because it was a Saturday and we got apple cider doughnuts and apples. And that kind of marked our first club meeting.

And already off the bat, it was so amazing to have a fellow Luddite. I felt so alone in this for a while and alienated because I lost a lot of friends because I wasn't having my social media presence up. And so it was so weird to have a friend. And we figured there was such a need for a regulated group to meet every week and thus became the club. So we met at that following Sunday and every Sunday afterwards. And every week there's more and more people would trickle in. Usually they were friends of ours who saw the improvements to our lives and wanted to emulate that. So they started coming to club meetings; they started reading more. And then they got a flip phone or they got off social media.

And so it's been a year now and we have 25 members. Not all of them come to every meeting but nine or 10 come regularly to every meeting.

Ralph Nader: What is it that you didn't like about social media, you and your friends, spell it out for us.

Logan Lane: I found myself talking bad about people a lot more. There was a certain aspect of jealousy and inherent anger towards other people, constantly looking at how someone's life is better than yours on social media. It added to this already teenage angst that I had and I think most teenagers have. And it just elevated so much online so that I was seeing people that I didn't like but I got a sort of dissatisfaction out of viewing their lives. And it just created all those negative energy. And I found myself blatantly just unhappy in spending my hours from a very young age, like 10 or 11 and onwards, devoted to that platform.

Ralph Nader: Well, one of your friends is quoted in the *Times* saying, “When I got my flip phone, things instantly changed. I started using my brain. It made me observe myself as a person.” So is this spreading to other high schools in Brooklyn or elsewhere?

Logan Lane: Yeah, definitely. So, I come from Edward R. Murrow, but Jameson is from Brooklyn Tech. We have people coming from Manhattan, at Beacon and Essex Street Academy. And so I think we have a total of five schools involved right now and then hopefully more will come.

Ralph Nader: What do you think Facebook, Instagram and TikTok would think about what you're doing? Do you think they'd like what you're doing or what's your view on them?

Logan Lane: I do not think that they like what we're doing. We're blatantly against them and we see the way their algorithms work towards keeping us teens and us phone users plugged in., I've just noticed, particularly on TikTok, a progression of the algorithms making it just so much more detailed to what you want to consume. And they have to be collecting some level of data that I'm sure most people would not be comfortable with. And so as a club I feel we're kind of exposing that. And I definitely don't think these platforms are fond of that.

Ralph Nader: And what about the parents of your club members? They can't keep tabs on you every minute because you don't have an iPhone. What are they saying?

Logan Lane: So a lot of people in the club face difficulty first with their parents allowing them to make the jump and got a flip phone because you can't track your kid's location anymore. Already it's getting harder to text us all the time, so that definitely stood as the boundary. But I also think a lot of parents themselves are pretty addicted to technology and they understand the addiction and ultimately don't want that for their kids. So even though there's been some restraint, I think a lot of parents come around and they're ultimately really excited about their kid being part of such a club.

Ralph Nader: What impressed some of us who read the *New York Times* article was that you're real readers. You hold real books in your hands like Dostoevsky's *Crime and Punishment* and *On the Road* and other books. Tell us about your book reading improvements.

Logan Lane: So I was not a reader of whatsoever before I became a Luddite, which is crazy because as a kid I was really into reading but I just I stopped. And I think the first book I read when I became a Luddite, I felt like I started off on this reading journey. We're all on our individual reading journeys. I saw mine starting with Anaïs Nin's *Collages*. And it was amazing; it was something I didn't think I could have interacted with so much and been so passionate about if I had been on the phone.

From then onwards, I started doing this reading challenge. And so every year I would set a goal. My first year I read 50 books; the second year I read 95 books. I got really into Steinbeck, Dostoevsky and Kerouac. And it felt like although I lost the friends from social media, I picked up those related to the authors that I was reading. And even now, some books I just don't have physically and so I have to read them on my Kindle or on my e-reader. And it is not the same. I'll

read before I go to sleep, but I genuinely have so much more trouble going to sleep because of the blue light I'm getting from the pages. And there's just nothing equivalent to a good book. Reading online really isn't reading.

Ralph Nader: We must know there are a lot of studies saying that the rate of teenage depression has increased considerably with the use of the iPhone for five, six, seven hours a day, sort of like an addiction. And these companies love it because the more they can keep you on the iPhone, the more exposed you are to all kinds of advertisements and the more personal information you give them so they can take your privacies and sell them to other companies. We sent you Claire Nader's book, author of *You Are Your Own Best Teacher!* Did you get it?

Logan Lane: Yeah, I got it. Thank you guys so much. I got it in my English class and I'm so excited about it. I felt like I wish that was a book I had when I was a tween.

Claire Nader: Why, Logan?

Logan Lane: Yeah, well, I wasn't my own teacher back then. Very much my phone was my teacher. And I think it would've kind of opened my eyes a little bit sooner than they were opened if I had gotten my hands on a book like that then.

Ralph Nader: And did you share it with your friends? Because it speaks directly to tweens but it really could speak to teenagers as well, 50 topics.

Logan Lane: Yeah, I did, and they said it really speaks to a lot of the club's philosophies.

Ralph Nader: That's good. Well, if you can develop reader circles around the books, we'll send you more of the books and maybe you can have a chat with Claire who 's wrote the book a few months ago and loves to get feedback from you all.

Logan Lane: That would be awesome.

Claire Nader: It'd be awesome for me too, Logan. I need that feedback from you.

Ralph Nader: I'm sure you want to spread the word about what you're doing and get more teenagers liberated from the internet gulag, but how are you going to communicate with them if they don't respond in an old fashioned way, either in person or on the phone or by letter?

Logan Lane: So, yeah, I think it just really shakes to the club's ideals. We're a club of attraction. We want the people who are going to write us letters and who are going to reach out and go the extra Luddite mile to get in contact with us. Those are the kind of people we want to come to the club. And so if they can somehow get in touch, that's who we want to collaborate with. But definitely it's hard but I don't think we'll get a website anytime soon.

Ralph Nader: Well, we're talking with Logan Lane who's the founder as a senior at her high school of the Luddite Club. That comes from the Luddite movement in England a few centuries ago when they were being replaced as textile workers by machines. And they all read about it and they adopted that name. Is there anything else you want to say?

Logan Lane: I think all I would just say to anyone listening, in any way that you can, in the littlest way in picking up a book or putting down your phone a couple of hours before you go to bed so you have to use your time getting down. In any way that you can to just try some level of disconnecting however small that may be. And after trying that, I can only hope that you'll see some sort of positive benefit. If not, more power to you. Keep up the smartphone use. But I'll be surprised if people don't see the positive response.

Ralph Nader: We've been speaking with Logan Lane who started the Luddite Club. Logan, how would people reach you, since they're not going to be able to reach you on the Internet?

Logan Lane: They can reach me at my school address, so Logan Lane at 1600 Avenue L, Brooklyn, New York 11230.

Ralph Nader: In focusing on the Luddite Club, we're not saying the Internet has no value. It has immense value in retrieving information and connecting with people. And most people can't keep a job unless they're in the internet and they're savvy about it. But there's such a thing as going too far and such a thing as the dark side of the media, which is what we're exploring today. Thank you, Logan.

Claire Nader: Thank you, Logan.

Logan Lane: Thank you so much.

Steve Skrovan: We have been speaking with Logan Lane. We will link to coverage of the Luddite Club at ralphnaderradiohour.com. I want to thank our guests again, Karen Levy and Logan Lane. For those of you listening on the radio, that's our show. For you podcast listeners, stay tuned for some bonus material we call "The Wrap Up." A transcript of this program will appear on the *Ralph Nader Radio Hour* Substack site soon after the episode is posted.

David Feldman: Subscribe to us on our *Ralph Nader Radio Hour* YouTube channel. And for Ralph's weekly column, it's free. Go to nader.org. For more from Russell Mokhiber, go to corporatecrimereporter.com.

Steve Skrovan: The American Museum of Tort Law has gone virtual. Go to tortmuseum.org to explore the exhibits, take the virtual tour, and learn about iconic tort cases from history.

David Feldman: We have a new issue of the *Capitol Hill Citizen* out now. To order your copy of the *Capitol Hill Citizen*, "Democracy Dies in Broad Daylight," go to capitolhillcitizen.com.

Steve Skrovan: And remember to continue the conversation after each show. Go to the comments section at ralphnaderradiohour.com, post a comment or question on this week's episode. We'll pick out some standout comments and ask for Ralph's response.

David Feldman: The producers of the *Ralph Nader Radio Hour* are Jimmy Lee Wirt and Matthew Marran. Our executive producer is Alan Minsky.

Steve Skrovan: Our theme music "Stand Up, Rise Up" was written and performed by Kemp Harris. Our proofreader is Elisabeth Solomon. Our associate producer is Hannah Feldman. Our social media manager is Steven Wendt.

David Feldman: Join us next week on the *Ralph Nader Radio Hour*. Thank you, Ralph.

Ralph Nader: Thank you, everybody. Remember, if you're a Congress Club member, you got to have the *Capitol Hill Citizen*.