



Gig Work, Contractor Status Land on EEOC's Anti-Bias Radar, *Bloomberg Law*, ft. Katherine Catlos

Katherine Catlos, partner at Kaufman Dolowich & Voluck LLP in San Francisco, and Chief Diversity & Inclusion Officer, was quoted in a *Bloomberg Law* article published June 3, 2021.

The EEOC plans to tackle discrimination and harassment faced by workers who say they've been misclassified as independent contractors, an issue that's drawn more attention with the proliferation of the gig economy.

Across industries, lawsuits alleging that contractors are employees have focused on minimum wage, overtime, and other labor violations, more so than discrimination against women, minorities, and other protected workers. Attorneys say that could change as the U.S. Equal Employment Opportunity Commission aims to participate in a multi-year, multi-agency effort to combat worker misclassification, an announcement that was highlighted in last week's White House budget proposal. The budget blueprint targets historical racial disparities, a central tenet of the EEOC's mission, and President Joe Biden's American Jobs Plan calls for up to \$1.5 billion in EEOC funding over the next 10 years.

EEOC Action

The EEOC has consistently brought lawsuits alleging that an employment pattern or practice results in discrimination against a class of workers, and this type of enforcement will be a natural offshoot for employees who are misclassified, said Katherine Catlos, a partner in San Francisco with management-side firm Kaufman Dolowich & Voluck LLP.

"With a significant budget, I would expect them to include the gig workers," Catlos said. "They could be increasing their budget to get at misclassified employees and take a different look at what is a true worker these days."