

Gig Workers Fight California's New Contractor Law, *SHRM*, ft. Katherine Catlos

Katherine S. Catlos, partner at Kaufman Dolowich & Voluck LLP in San Francisco, and Chief Diversity & Inclusion Officer at KD, was quoted in an article written by Lisa Nagele-Piazza, J.D. published by SHRM on January 7, 2020.

California's controversial new independent-contractor test took effect Jan. 1, but several professional associations, on-demand businesses and workers are trying to halt its application to their respective industries.

In September, California lawmakers passed AB 5, which aims to provide workplace protections to more people by requiring businesses to reclassify many independent contractors as employees. Employees are entitled to a minimum wage, overtime pay, unemployment insurance and other benefits that are not generally provided to independent contractors.

Though AB 5 targets on-demand workers, such as Uber drivers, other independent contractors like freelance journalists and truck drivers are covered by the law. Representatives from each of these groups have filed lawsuits challenging AB 5's applicability to their professions.

The litigation isn't surprising, according to Katherine Catlos, an attorney with Kaufman Dolowich & Voluck in San Francisco. AB 5 attempts to simplify a very complex analysis, especially in the context of the gig economy, she said. The new law doesn't make all gig workers employees; rather, the analysis is worker-specific.