

Worker Misclassification - The Game Changes and Consequences

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The Secretary of Labor is concerned with what he calls "fissured industries" and the "gig" economy which are new phrases for old concepts, outsourcing of areas and a rise in workers operating as independent contractors. Both the Wage and Hour Division and the NLRB have adopted initiatives on worker misclassification. The Wage and Hour Division has expanded its reach with 27 state departments also investigating this issue. The states agreed to share data on investigations with the U.S. Department of Labor, and the DOL has agreed to share information with the IRS, which has its own initiatives and penalties. Texas is one of the 14 states the Secretary has listed as a target area.

This presentation discusses what the client should be looking at now, the new economic realities test being pushed as the standard, and the consideration of the potential implications to their business and its liabilities and financial obligations.

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Target Audience: In-house labor and employment, benefits and tax contacts in the DFW area