Written Testimony of Kim Kavin

for the hearing titled "Examining Biden's War on Independent Contractors"
Committee on Education and the Workforce Subcommittee on Workforce Protections
U.S. House of Representatives
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Thank you, Chairman Kiley and Ranking Member Adams, for the opportunity to address the committee today.

I'm a 50-year-old freelance writer and editor from New Jersey. After 10 years as a staff editor for newspapers and magazines, I decided to freelance. I've been successful and happy in this career for 20 years. Being an independent contractor is my *chosen* way of working, as it is for tens of millions of Americans.

A few years ago, I couldn't have told you who all my elected officials were. But then, in 2019, California passed Assembly Bill 5. That law snowballed into a shocking series of events that include me testifying here today.

California's law used language called the ABC Test to strictly redefine who can, and cannot, earn income as an independent contractor. This ABC Test is, quite frankly, impossible for many *legitimate* independent contractors to pass. Freelancers in California immediately began losing their income and careers.

And yet, almost overnight, my own state of New Jersey tried to fast-track a copycat of the California bill. So, several of us freelance writers created Fight For Freelancers to protect our careers. We blanketed the media with op-eds and interviews. In a matter of weeks, our group swelled to thousands of members from many professions.

We then packed our Statehouse to standing-room-only capacity and testified for more than four hours until lawmakers understood that our careers as legitimate independent contractors need protection. Thankfully, the New Jersey bill died.

But then, members of Congress ignored the chaos on the West Coast, and the outcry on the East Coast, and began work to advance this same ABC Test nationwide, with the Protecting the Right to Organize Act. At that point, every independent contractor in America—tens of millions of us—had our livelihoods in the crosshairs.

It's been more than three years now since California's law went into effect, and the lesson could not be clearer: Attempts to restrict the choice of self-employment do *not* create lots of new jobs. When you rewrite the rules to *misclassify legitimate independent contractors,* you destroy our income and careers.

I'm here today to ask for your help in stopping these attacks on Americans like me.

We are grateful that a few Senate Democrats[1] joined with Republicans in the last term and refused to pass the PRO Act. But we remain deeply concerned that the same ABC Test language remains in that bill now.

We're also disturbed by recent actions at the U.S. Labor Department, which is rewriting its independent contractor standard in a way that *will* misclassify legitimate independent contractors. The current nominee to lead that department, Julie Su, supported and enforced the California law. It's remarkable to me that such a freelance-busting ideologue would even be considered for the nation's top workforce protection job.

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[1] When Senator Mark Warner, D-Virginia, saw the California chaos, as well as the 59-41% vote against the failed policy as it applied to certain types of independent contractors, he warned that the policy should not be repeated nationwide: "When there were efforts, for example, in California, to turn all independent contractors, so-called gig workers, into traditional employees, the overwhelming majority of Californians voted that bill down, what was called in the PRO Act the ABC test." Senator Mark Kelly, D-Arizona, expressed similar worries: "I do have some concerns with the legislation, specifically things about who qualifies as an independent contractor." I am deeply grateful to these senators, and to Senator Kyrsten Sinema of Arizona, for helping to protect Americans like me from the ABC Test in the PRO Act.

In the face of all these threats to our livelihoods, our grassroots, nonpartisan Fight For Freelancers coalition only keeps growing. We are now a *national* force. Our recent amicus briefs, including one that we wrote for the U.S. Supreme Court, were co-signed on behalf of hundreds of thousands of Americans.

And make no mistake about who we are: Our members have voted for everybody from Bernie Sanders to Donald Trump. All of our co-founders, and about 80 percent of our members, are women. Our members include senior citizens, Generation Z, people of color, people with disabilities, union supporters and just about every other demographic you can imagine. All of us are united on this issue.

America's citizens have had the right to hang out a shingle and go into business for ourselves since the day our nation was founded. It's a right that a third of the workforce, including me, exercises every day.

Please, fight *for* freelancers. Protect our right to choose self-employment.

MISCLASSIFICATION OF LEGITIMATE INDEPENDENT CONTRACTORS

When classification tests are designed in a way that many legitimate independent contractors cannot pass them, the goal of the tests is not to stop misclassification. It's instead to misclassify us, and to make it impossible for us to continue earning a living outside of employer-employee roles.

Consider the ABC Test in the PRO Act:

> (A) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of service and in fact;
>
> (B) the service is performed outside the usual course of the business of the employer; and

> (C) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed.

As we all learned from the California chaos that resulted from nearly identical language becoming law in that state, it is not possible for many legitimate independent contractors to pass Part B of this ABC Test.[2]

If self-employed Americans can't be in the same line of business as our clients, then ask yourself: How can a writer ever sell an article to a publisher? How can a musician perform at a music venue? How can a comedian tell jokes at a comedy club? How can a graphic artist complete a design for a graphic-design company? How can a book editor edit a book for a book publisher? How can an owner-operator trucker haul goods for a trucking company? How can a translator provide translation services for a translation company? How can a tutor offer tutoring services for a tutoring company? How can a youth sports coach serve as a coach in a youth sports league? How can a forester provide consultation to a forestry company? How can a cartographer provide services to a map-making company? How can a demolitions expert consult on a construction project that includes a demolition?

In California, *hundreds* of affected professions have been identified. Less than a year after Assembly Bill 5 went into effect, the state Legislature passed an emergency measure, ultimately exempting more than 100 of them. More are still fighting in the courts today.

This ABC Test did far more harm than good. It was a misguided idea, plain and simple.

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[2] The sheer breadth of professions affected seemed to shock California lawmakers. Articles were written about translators and interpreters, tutors, youth sports coaches, golf caddies, certified registered nurse anesthetists, music festivals, journalists, cartoonists, shopping mall Santas, financial advisers and more.

If states really are the laboratory of democracy, then California's failed experiment should have ended there.[3] But to this day, lawmakers are supporting this same policy language in the PRO Act, and regulators are cheering it from within the U.S. Department of Labor.

In its current proposal to revise the definition of an independent contractor for purposes of the Fair Labor Standards Act, the U.S. Department of Labor wrote: "The Department considered codifying an ABC test to determine independent contractor status under the FLSA, similar to the ABC test recently[4] adopted under California's state wage and hour law. … Codifying an ABC test could establish a simpler and clearer standard for determining whether workers are employees or independent contractors."

Now, look at just some of the language in the U.S. Department of Labor's proposed new definition of an independent contractor. Here's one of the factors:

> The department will consider the extent to which the work performed is an integral part of the employer's business, meaning the work is "critical, necessary, or central to the employer's principal business," and if it is, then the department will weigh in favor of employee status.

Compare the ABC Test language "the service is performed outside the usual course of the business of the employer" to the U.S. Department of Labor language "critical, necessary, or central to the employer's principal business." Changing "usual" to "principal" doesn't mask the wretched stink of the policy-making itself.

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[3] The phrase *laboratories of democracy* is attributed to U.S. Supreme Court Justice Louis Brandeis, who wrote in 1932 that "a single courageous state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country." The key phrase is "without risk to the rest of the country." Sometimes, experiments go horribly wrong.

[4] Use of the word "recently" is inaccurate. This U.S. Department of Labor proposal to change the definition of an independent contractor was published October 13, 2022, more than two years after California's governor signed the cleanup bill AB2257 into law, exempting many more professions from the harm the original ABC Test bill had already done.

Another proposed factor from the U.S. Department of Labor states:

> The department will consider the degree of permanence in the work relationship. If services are provided under a contract that is "routinely or automatically renewed," it indicates employee status.

So, any independent contractor with repeat business from satisfied clients will fail this portion of the proposed test. A freelance writer, for example, who spends less than one day a month writing a magazine column—and who has no interest in being a part- or full-time employee—could no longer be considered a legitimate independent contractor.

The goal of these tests is to create a no-win scenario for America's legitimate independent contractors. The tests are designed for us to fail.

ANIMUS AND BIAS IN POLICY-MAKING

The continuing attempts to misclassify legitimate independent contractors appear to be—as the Ninth Circuit Court of Appeals wrote on March 17, 2023, in *Olson v. California*, about California's Assembly Bill 5—"attributed to animus rather than reason."

After more than three years of volunteer advocacy on this issue, we deeply understand this animus. Some people in positions of power simply don't like the existence of independent contractors who cannot, per federal law, be unionized.

- In New Jersey, when I asked the state Senate president[5] to discuss an exemption for freelance writers in the California copycat bill, which he personally had sponsored,

[5] Steve Sweeney simultaneously served as New Jersey Senate president and vice president of the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers. He is among the highest-ranking graduates of the New Jersey AFL-CIO Labor Candidates School. In 2021, he was voted out of office by citizens who decided they would be better represented by a truck driver for the furniture store Raymour & Flanigan.

he laughed, made air quotes with his fingers, and sneered from behind his desk with a chuckle, "Freelance writers. What does that even mean? *Freelance writers*."[6]

- In New Jersey, the state Assembly sponsor of the California copycat bill told me that if independent contractors wanted changes, we had to suggest them to the AFL-CIO. Then, the assemblyman arranged for us freelancers to meet with the AFL-CIO.

- In New Jersey, when we showed up en masse—most of us being women or people of color—to testify against the California copycat bill, the state Senate Labor Committee Chairman opened the hearing by telling us, and everyone in attendance, that he didn't see any reason for us to be there at all that day.

- At the federal level, we scheduled a call with Nikki McKinney, who at the time was taking meetings on behalf of U.S. Senator Patty Murray's office about the PRO Act.[7] Our Fight For Freelancers co-leader, Karon Warren, a working mother of school-age children, explained to McKinney that her best-case scenario after being misclassified would be to go from being her own boss with 30 freelance clients a year and total control over her own schedule, to being an employee with 30 different part-time bosses. Ms. Warren asked how a person could ever accomplish anything with 30 different bosses at the same time. Ms. McKinney replied that she did not see a problem with that outcome for Ms. Warren.

- At the federal level, the U.S. Department of Labor scheduled public hearings about its plans to revise its independent contractor definition, but announced only two forums: an "employer forum" and a "worker forum." There was no forum created for independent contractors, who are in fact small-business owners. Nonetheless,

[6] According to the U.S. Bureau of Labor Statistics, 62% of America's writers are self-employed. An April 2023 study by Pew Research Center found that 57% of journalists who cover entertainment and travel are freelancers, and 46% of journalists who cover science and technology are freelancers.

[7] Nikki McKinney is now a member of the leadership team at the U.S. Department of Labor, where her title is associate deputy secretary.

independent contractors testified in opposition to this rule-making in such great numbers that some from our group did not even get time to speak. The department failed to record any of these public hearings, and in one hearing outright told participants (including members of our group) that they were not allowed to record the widespread opposition, either.

- At the federal level, we attended a Zoom meeting organized by the U.S. Small Business Administration Office of Advocacy about the U.S. Labor Department's proposed changes to its independent contractor definition. At the start of the meeting, Wage and Hour Division Principal Deputy Administrator Jessica Looman, followed by Solicitor of Labor Seema Nanda, both said they were looking forward to hearing from us all. Two co-founders of Fight For Freelancers—Debbie Abrams Kaplan and myself—were the first two attendees to speak, immediately after Looman and Nanda. We each spoke for about two minutes. Then, I asked Looman if she would be scheduling even a single meeting with legitimate independent contractors. It was barely five minutes into the part of the Zoom call when independent contractors were allowed to speak, and Looman and Nanda had both already left. I then asked for any remaining members of the U.S. Department of Labor to turn on their cameras and identify themselves. None did. It is unclear if anyone from the department remained on the Zoom call at all.

- At the federal level, the U.S. Department of Labor held private, invitation-only meetings about its current attempt to rewrite the independent contractor standard—but did not schedule a single meeting with legitimate independent contractors in the vast majority of affected professions, including most of the more than 100 professions the California Legislature ultimately had to exempt from its law. Instead, according to the Office of Information and Regulatory Affairs, the U.S. Department of Labor scheduled a private meeting exclusively for representatives of the union-backed think tank National Employment Law Project; a meeting exclusively for union organizers focused on app-based independent contractors such as Uber and Lyft drivers (even though app-based independent contractors comprise

only 8.6% of America's total population of independent contractors, according to Internal Revenue Service research); and meetings with a handful of individuals from organizations representing the construction, retail and financial services industries.

- At the federal level, when the U.S. Department of Labor issued its proposal for how it plans to redefine independent contractors, it wrote that each independent contractor would need just 15 minutes to review the proposal—which was 184 pages long. The U.S. Department of Labor estimated the value of our time spent defending and protecting our entire livelihoods at just $21.35.

- At the federal level, our Fight For Freelancers members have been unable to get a single Democratic member of the U.S. House of Representatives to sign on as a co-sponsor of House Resolution 72. This resolution's title is "Recognizing the contributions of independent workers and contractors to the American economy." It's a simple, two-page resolution that "recognizes the benefits of independent work to entrepreneurs and individuals seeking flexible hours, locations, and occupations and the benefit of additional income-earning potential."

At almost[8] every turn since 2019, it has been made clear to all of us independent contractors that policy-making *about us* is going to be done *to us* by people who show nothing but disdain *for us*, instead of in reasonable, respectful cooperation *with us*.

DISTURBING MISREPRESENTATIONS OF INDEPENDENT CONTRACTORS

We also continue to see lawmakers and policy-makers misrepresent who the vast majority of independent contractors are.

Study after study dating to at least 2015—including research by the U.S. Government Accountability Office, the U.S. Bureau of Labor Statistics and the Internal Revenue

[8] I write "almost" because, as with a few Democrats in Washington, D.C., we received behind-the-scenes support from a few Democrats in New Jersey state government. I would publicly thank them here, but one went so far as to ask us not to share a group photo we took, for fear of angering the AFL-CIO.

Service—shows that 70% to 85% of us want to remain self-employed. Even during the height of the Covid-19 pandemic in 2020, some 60% of freelancers said no amount of money would convince them to take a traditional job.

Additional research by numerous private organizations shows that the vast majority of independent contractors are happier, healthier and earning as much or more money than in a traditional job. Many of us are highly educated and highly skilled.

A few examples of this research, just from the past year alone:

- Upwork:
    - 51% of all freelancers, or nearly 31 million professionals, provided knowledge services such as computer programming, marketing, IT and business consulting;
    - 26% of all U.S. freelancers hold a postgraduate degree;
    - Two-thirds (66%) of freelancers say they feel more stimulated, and 68% say they feel happier by the freelance work they do compared to a traditional job;
    - Nearly three-quarters (74%) say freelancing has given them greater control over their life, while other benefits include attention to their physical health and work-life balance;
    - A majority (61%) of freelancers say they make as much as or more than they would for a traditional employer.

- MBO Partners:
    - 64% of independents said working this way was their choice entirely;
    - The number of independents who say they feel more secure independently is 67%. The proportion who see independent work as less risky than a traditional job rose from 29% in 2021 to 33% in 2022;
    - Nearly 20% of full-time independents earn more than $100,000 annually.

- UCLA Health:
    - Self-employed women had a 43% lower risk of reporting high blood pressure, a 34% lower risk of reporting obesity, and a 30% lower risk of reporting diabetes compared to women who work for a salary or wages. Self-employed women were also more likely to report exercise and a lower body mass index.

- Center for Economic and Policy Research:
    - "The increase in self-employment is disproportionately a story of women, especially non-white women, opting to become self-employed. This also seems to be tied to having young children at home."
    - "There were very large increases in the share of Black and Hispanic workers who report being incorporated self-employed. The shares for both increased by roughly 45 percent. … If it is sustained, it will imply substantial gains in business ownership for Blacks and Hispanics."

- McKinsey and Company:
    - Independent respondents "are far more optimistic, both about their own futures and the outlook for the economy, than the average American worker. More than a third of them say that in 12 months they expect to have more economic opportunities, compared with a fifth of workers overall who say the same. More than 40 percent of independent workers say they think it's more likely in five years that there will be continuous economic growth, compared with about a third of all respondents."
    - "Though the total percentage includes people who engage in some independent work on top of permanent employment, 72 percent of independent workers say they have only one job."
    - "A third of employed respondents who earn more than $150,000 a year … include lawyers, accountants, successful actors, writers and other creatives, influencers, traveling nurses, and a variety of advisers and specialists. … A quarter of independent workers report that they do independent work because they enjoy it. This is the top reason cited by high earners."

There are far more studies showing the same thing: The vast majority of independent contractors have no interest in being reclassified, or in seeking out traditional jobs.[9]

Despite all of this research, lawmakers and policy-makers continue to portray us all as exploited and in need of protection by way of reclassification. President Biden, in describing independent contractors, referred to an "epidemic of misclassification" and called for the California ABC Test to become the basis for all labor, employment and tax law. Lawmakers who reintroduced the PRO Act in February 2023 said they were "closing loopholes that allow employers to misclassify their employees as supervisors and independent contractors." The U.S. Department of Labor, in attempting to justify its current attempt to misclassify legitimate independent contractors, wrote that "the misclassification of employees as independent contractors remains one of the most serious problems facing workers, businesses, and the broader economy."

All of these comments show a complete lack of understanding—or an intentional misrepresentation—of who most independent contractors are.

As further evidence, consider the U.S. Department of Labor's disproportionate deference in scheduling meetings not with legitimate independent contractors, but instead with union organizers focused on reclassifying app-based workers, whom an Internal Revenue Service study refers to as OPEs (workers in the online platform economy). The IRS study found that most such people are *already classified as employees* for purposes of their primary income source: "We find that the exponential growth in labor OPE work is driven by individuals whose primary annual income derives from traditional jobs and who supplement that income with platform-mediated work." This IRS study from 2019 is directly in line with Pew Research Center findings from December 2021: "A majority of Americans who've earned money through a gig platform over the past year say they either spent less than 10 hours in a typical week performing these tasks or don't do these jobs most weeks."

[9] We continually add new research to the Data and Studies page on the Fight For Freelancers website.

The animus shown toward independent contractors in general, paired with attempts to portray the vast majority of us as exploited when we clearly are not, establishes an undeniable pattern of harm that reasonable lawmakers on both sides of the political aisle must immediately act to stop.

FALSE CLAIMS ABOUT MOST INDEPENDENT CONTRACTORS WANTING UNIONS

Much as lawmakers and policy-makers pushing anti-independent contractor policies continue to misrepresent who most independent contractors are, they also repeatedly—and falsely—claim there is evidence that most of us want to join unions.

There are two claims, in particular, that are oft-repeated and particularly misleading.

The first false claim is that most Americans approve of unions, with the implication that high approval ratings equate to a desire to join unions. Just one example of this claim can be found in a press release issued in March 2023 by U.S. Senators Robert Menendez and Cory Booker of New Jersey. In supporting the PRO Act, and in supporting its ABC Test to reclassify legitimate independent contractors, they wrote: "According to a 2022 Gallup poll, it has also been found that 71 percent of Americans approve of labor unions—the highest that Gallup has recorded since 1965."

It's true that the Gallup poll stated that fact. However, anyone who continued reading that same poll also found the following information:

> "While many union members truly value their participation, those who are not members don't generally feel they are missing out. A majority of nonunion workers in the U.S. (58%) say they are 'not interested at all' in joining a union."

I call this the "vanilla ice cream" poll. It's like asking people if they approve of vanilla ice cream being sold at the supermarket. Sure, most Americans would say they approve of

vanilla ice cream being in the freezer case—but when it's our turn to choose a flavor, a good percentage of us prefer to buy chocolate chip mint, Chunky Monkey or strawberry fudge.

It is at best disingenuous, and at worst intentionally misleading, to suggest that most Americans want to join a union. In fact, the most recent research shows that a solid majority of Americans want the exact opposite.

The second false claim we regularly hear is that about half of nonunion workers would join a union if they could. As just one example, this claim was repeated in February 2023 on the website of the U.S. Department of Labor. For source material, the department references a PBS article, which in turn references a 2018 study by the MIT Sloan School of Management.

If you actually read that study, which is called "Worker Voice in America: Is There a Gap between What Workers Expect and What They Experience?" by Thomas A. Kochan and others, you will find two important disclaimers:

- The researchers say they based their findings on a sample of people that "contains a higher percentage of low-income workers than in the national population," and;

- The researchers say that only 8% of respondents identified themselves as independent contractors (compared to current estimates that more than 30% of the U.S. workforce earns at least some income from self-employment).

In other words, it is wholly inaccurate to claim that "nearly half of non-union workers stated that they would join a union if they could." The study showed that nearly half of *low-income workers already classified as employees* would join a union if they could.[10]

[10] These employees already have the legal right to join a union.

Misclassifying legitimate independent contractors will do nothing to help those Americans achieve their goals. It will not change their reality at all, but it will cause undeniably great harm to the majority of us who are happy with our choice of self-employment.

REGULATORS CAN ALREADY ADDRESS REAL MISCLASSIFICATION

Perhaps most egregious about this entire situation is that the U.S. Department of Labor already has the ability to crack down on bad-actor companies. In cases where workers are supposed to be classified as employees, and they are wrongly treated as independent contractors, regulators have the tools to punish those bad-actor companies.

In fact, the U.S. Department of Labor continues to prosecute such cases, routinely and effectively, with its current independent contractor rule in place.

As *Bloomberg Law* reported on November 22, 2022:

> "Over at DOL, the Wage and Hour Division has had the care industry in its crosshairs. The wage division's ongoing enforcement initiative has netted $28.6 million in back wages and damages for nearly 25,000 workers since launching the effort last year. … The DOL's wage arm said common citations included violations of overtime or minimum wage requirements and the misclassification of employees as independent contractors.
>
> "Last week alone, the WHD issued four press releases touting nearly $2 million total in back wages and damages for at least 917 workers who were misclassified or shorted of overtime pay at nursing and home health care firms in Texas, Louisiana, and Pennsylvania."

Just two weeks later, on December 6, 2022, the U.S. Department of Labor issued a press release stating that it had "recovered $503,053 in back wages and liquidated damages for 227 workers of a Panama City Beach hotel staffing agency that denied them full wages and benefits when the employer misclassified them as independent contractors," and a separate

press release stating that it had recovered $28,162 in back wages for 36 workers at a restaurant in St. Petersburg, Florida. That restaurant, according to the department, "illegally paid kitchen staff, dishwashers, and servers as independent contractors."

These are just a handful of similar press releases the department has issued since the current independent contractor rule was put in place, including a September 30, 2022, press release detailing the recovery of $575,000 for 62 drivers of a Massachusetts courier service "to resolve allegations of independent contractors' misclassification," and a September 28, 2022, press release that announced the recovery of $103,979 for 55 current and former employees of an Oklahoma security company "after investigation finds employer misclassified workers."

In February of this year, the department announced that it had recovered $113,613 for 71 employees of a New York City hotel management company that misclassified them as independent contractors. Last month, the department issued a press release stating that it was acting against a Florida medical transportation company that misclassified workers as independent contractors.

Clearly, there is no need to change the definition of an independent contractor to prosecute real cases of misclassification.

THIS ATTEMPT AT WIDESPREAD RECLASSIFICATION IS RADICAL POLICY-MAKING

Self-employment has been a legal option for Americans since the nation's founding. Indeed, being self-employed was the norm prior to the Industrial Revolution and advent of large-scale factories. Some of the nation's best-known historical figures chose to earn income independently by opening their own businesses. Paul Revere was an artisan who worked in gold and silver. Benjamin Franklin's credits as a writer include *Poor Richard's Almanac*. John Adams, before being elected U.S. president, established his own law practice.

U.S. law, throughout the years, has routinely *strengthened* the protections afforded to Americans who choose to perform independent contractor work, based on the

understanding that one of the nation's core founding principles is affording citizens the opportunity to become whatever we choose to be.

Just in the field of freelance writing alone, Article I, Section 8 of the U.S. Constitution states that to promote the progress of science and useful arts, Congress shall have the power to secure for authors and inventors "the exclusive right to their respective writings and discoveries." The second session of the first U.S. Congress passed the Copyright Act of 1790, creating a set of exclusive rights for individual authors to copy, print and sell their expressive works.

Self-employment was so ubiquitous in the 1800s that "hang out one's shingle" became a common colloquialism, with independent lawyers, doctors and business concerns using shingles for signboards. The 1099 IRS tax form to track independent contractor income dates to 1918. The Taft-Hartley Act of 1947 explicitly protected the right of independent contractors to remain a part of the workforce, separate from employees. As recently as 2017, the courts have rebuked the National Labor Relations Board for attempting to limit self-employment options.

And, again, just one month ago, the Ninth Circuit Court of Appeals wrote in *Olson v. California* that California's freelance-busting Assembly Bill 5 appeared to be rooted in "animus rather than reason."

It is of paramount importance to maintain—and to strengthen—protections for America's tens of millions of independent contractors, who year after year continue to comprise an increasing share of the U.S. workforce.

Misclassifying us is not protecting us. It is attacking our livelihoods and attempting to destroy our chosen careers.

Please, focus instead on protecting the right to choose self-employment. I ask you to stand with us in the Fight For Freelancers.