

SEMINAR

Independent Contractor v. Employee

Understanding and assessing worker classification issues and tactics in the USDOL, the MA Attorney General's Office and private litigation

Massachusetts' independent contractor regulations are among the toughest in the nation and significantly restrict the use of independent contractors. As a consequence, the state has seen significant wage and hour class action litigation focused on alleged misclassification of independent contractors. Meanwhile, state and federal agencies continue to prioritize eliminating improper classification of workers as independent contractors, both in Massachusetts and around the country. This has included concerted action to recoup unpaid wages and other benefits as a result of alleged misclassification. Multiple, sometimes conflicting, Massachusetts and federal statutes continue to pose complex problems in applying independent contractor rules. Practitioners must be up-to-date on the latest developments in an area that continues to present compliance difficulties and significant legal liability for employers.

This comprehensive, fast-moving program explores a range of common independent contractor issues—and strategic tactics for dealing with them—in a highly focused setting. The seminar is led by experienced employment class action litigation counsel and a key regulatory official. Join us online to learn how to better handle the next independent contractor issue your client faces—from initial investigation through verdict or settlement.

Agenda

- Overview of Massachusetts Wage and Hour and Related Laws Affecting Independent Contractors
- Latest Court Decisions Interpreting Massachusetts General Laws, Chapter 149, Section 148B—the Statute That Presents the Greatest Legal Hurdle for Most Businesses Utilizing Independent Contractors
- The Developing Federal Law on Worker Classification
- Intersection of Independent Contractor and Joint Employment Doctrines
- Strategic Tactics from Initial Investigation to Litigation, and Verdict or Settlement
- “Ask the Experts” Q&A Session

Faculty

Andrea Evans Zoia, Esq., *Morgan, Brown & Joy LLP, Boston*, Chair

James Glickman, Esq., *U.S. Department of Labor, Boston*

Eric R. LeBlanc, Esq., *Bennett & Belfort, PC, Cambridge*

Alex Sugerman-Brozan, Esq., *Office of the Attorney General, Commonwealth of Massachusetts*

Dates & Location

LIVE WEBCAST

Wednesday, October 27, 2021
2:00 pm–5:00 pm

Register at www.mcle.org
Program Number: 2220009WBC

REBROADCAST

Friday, November 12, 2021
9:00 am–12:00 noon

Register at www.mcle.org
Program Number: 2220009RBC

REBROADCAST

Monday, November 22, 2021
2:00 pm–5:00 pm

Register at www.mcle.org
Program Number: 2220009RB1

ON DEMAND WEBCAST

View after Monday, November 22, 2021

Register at www.mcle.org
Program Number: 2220009WBA

Tuition *(includes written materials)*

- \$245
- \$220.50 MCLE Sponsor Members
- \$183.75 New Lawyers admitted to law practice after 2018, Pending Admittees, Law Students, and Paralegals

To apply for a need-based scholarship, email scholarships@mcle.org.

Materials

The materials for this program include MCLE's practice reference, *Massachusetts Wage and Hours Handbook*, which, along with any other materials, can be downloaded via the link emailed to you upon registration.

Also, there is no need to take extensive notes. Two weeks after the live webcast, all registrants receive a link to a verbatim transcript of this program.

CLE Credits

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For course agendas, hours, fees, and discounts, please refer to the respective seminar pages. The fee includes program instruction and all electronic written materials unless otherwise noted.

To gain early access to online materials, please register in advance of the program.

Upon registration, MCLE will e-mail a confirmation.

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- Firms by number of Massachusetts attorneys:
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 - 6-10 250
 - 11-25... 500
 - 26-75... 1,000
 - 76-150 ... \$ 2,500
 - 151-250 .. 3,500
 - 251+ 4,500

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REFERENCE # 22-020

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