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Independent Contractor Law

Understanding and assessing worker classification issues and tactics in the US DOL, 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

- 2:00 - 2:05 pm , Welcome and Introduction
- 2:05 - 2:50 pm, Massachusetts Independent Contractor Analysis
 - Introduction of Test
 - Attorney General Advisory
 - Scope and Enforcement
 - Notable case and summary of industries under scrutiny
- 2:50 - 3:20 pm , Federal Independent Contractor Analysis
 - Intro and effect of misclassification intended to be addressed
 - Economic realities test and updated rule
- 3:20 - 3:30 pm , Independent Contractor Law: Differences Between Federal and State Analysis
- 3:30 - 3:35 pm , Break
- 3:35 - 3:55 pm, Independent Contractor Law: Joint Employer
- 3:55 - 4:25 pm , Independent Contractor Law: Litigation and Strategy Considerations
- 4:25 - 4:45 pm , Independent Contractor Law: Recent Cases of Note
- 4:45 - 4:55 pm , Independent Contractor Law: Hypothetical

Chair

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

Faculty

- Lori A. Jodoin, Esq., Kotin, Crabtree & Strong LLP, Newton

Dates

- ON DEMAND WEBCAST (#2240175WBA): Watch starting Tuesday, 4/23/2024

Tuition

- \$245.00
- \$245.00 Members
- \$245.00 New Lawyers
- *FREE* for MCLE OnlinePass Subscribers

- Email scholarships@mcle.org to apply for a need-based scholarship.

Materials Included with Your Tuition

- *Massachusetts Wage and Hours Handbook* ebook (In-person attendees receive a complimentary print copy!)
- All presentation materials, including faculty slides and handouts, in electronic format
- Transcript emailed 2 weeks post-program

CLE Credits

- Earn up to 3 substantive

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