

Adam Sencenbaugh in The Washington Post: 'Biden Wants to Let Gig Workers Be Employees. Here's Why it Matters'

October 18, 2022 Adam Sencenbaugh

PRACTICES Labor and Employment, Litigation, Employment Litigation, Wage and Hour Litigation

Haynes Boone Partner [Adam Sencenbaugh](#) was featured in a *Washington Post* article. Read an excerpt below:

The Labor Department has proposed a rule that would make it easier for delivery drivers, janitors, construction workers and other independent contractors to be considered employees, granting them access to benefits and federal labor protections. ...

The measure would add to standards used to distinguish between an employee and an independent contractor, revising a two-pronged approach enacted by the Trump administration that focuses on the degree of control workers have over their work and the opportunity for profit and loss, according to Adam Sencenbaugh, partner at law firm Haynes Boone. That method makes it easier for employers to classify workers [as] independent contractors. ...

"It's all ultimately answering the same question: 'Is this person in business [for] themselves or dependent upon the company?'" Sencenbaugh said.

The Biden administration's approach seems to be "chipping away," Sencenbaugh said, at criteria often cited by big companies to claim contractor status for workers, such as a person's ability to work for multiple competing platforms at once and whether they use their own vehicle for work.

Excerpted from *The Washington Post*. [To read the full article, click here.](#)