

## “Job Killer Act” Seeks to Eliminate Worker Misclassification in California

By [E. Jason Tremblay](#)



In continuing a trend already underway in the United States regarding the misclassification of employees as independent contractors, California Governor recently approved legislation imposing strict penalties for California employers found willfully to have misclassified workers as independent contractors. The legislation known as the “Job Killer Act” provides for fines of between \$5,000 and \$25,000 (depending on the severity of the violations) on employers who misclassify workers as independent contractors, mandates certain record keeping and notice requirements, as well as provides joint and several liability for any person who “knowingly advises” an employer to misclassify a worker as an independent contractor. As a result, any company with workers located in California, especially those with workers that are classified as independent contractors, should be extremely careful as to how they classify those workers.

Should you have any questions regarding the Job Killer Act or handling your contingent workforce, please contact your employment law counsel or [E. Jason Tremblay](#) of Arnstein & Lehr LLP at (312) 876-6676 or by email at [ejtremblay@arnstein.com](mailto:ejtremblay@arnstein.com).