Employee Misclassification Law

Course Description:

This comprehensive course provides an in-depth examination of the complexities surrounding employee misclassification law. Participants will gain a thorough understanding of the legal framework, including the objectives of the legislation, common pitfalls, and new regulatory changes.

Key topics include:

• Understanding the Act: Learn about the legislative intentions and impacts from both proponents and opponents, including how the law seeks to protect workers and level the playing field without eliminating subcontracting.

• Defining Misclassification: Explore what constitutes employee misclassification and the legal repercussions of failing to correctly classify or treat workers.

• Penalties and Enforcement: Understand the significant fines, compensatory damages, and new powers granted to the Department of Labor and Industry (DOLI) to issue stop work orders and enforce compliance.

• Wage Theft and Protections: Review updates on wage theft prevention, protections for construction workers, and new tests for independent contractor status.

• Liability and Compliance: Delve into successor liability, revised independent contractor tests, and how to ensure compliance to avoid costly penalties.
Learning Objectives.

By the end of the course, participants will be equipped to navigate the evolving landscape of employment classification, manage risks effectively, and ensure adherence to new regulatory standards.