

# THE TRUMP ADMINISTRATION SPEAKS ON INDEPENDENT CONTRACTORS

Attorney Shareholder Kim Stuart summarizes the current trends involving independent contractor status. On July 13, 2018, the Trump administration issued its first guidance on its views on independent contractors when it issued a Field Assistance Bulletin (FAB) entitled “Determining whether Nurse or Caregiver Registries Are Employers of the Caregiver.” The FAB, though the first substantive word from the Administration, was not its first act regarding the issue of independent contractors. On June 7, 2017, the Trump DOL withdrew the Joint Employer and Independent Contractor Guidance issued by the Obama DOL in January 2015 in which the DOL concluded in the 2015 AI that “most workers are employees under the FLSA’s broad definitions.”

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