



## **GIG ECONOMY LIABILITY**

Kelley Kronenberg's Gig Economy Liability Group, led by David S. Henry, Esq., provides employers with comprehensive counsel focused in the rapidly growing gig economy sector. In recent years, our attorneys have expanded their knowledge and expertise and represented some of the largest and well-known gig economy companies. As a cross-disciplinary law firm, Kelley Kronenberg's Gig Economy Liability Group has extensive experience representing businesses and insurance companies in a wide range of liability and employment matters.

### **What Is Gig Economy?**

The gig economy is a free market in which companies contract with individuals who work as independent contractors. The most common gig jobs include rideshare driving and delivery services. Most of these companies consider themselves technology companies. Opportunities for gig work is usually found online or through a smartphone application that connects workers directly with consumers. The gig economy has significantly transformed the digital marketplace and the way companies, workers, and consumers interact.

### **Classification of Workers**

Even before the rise of the gig economy, the classification of workers has been a highly litigated and complex issue. The most significant distinction is the classification between an employee and an independent contractor. No single factor determines the classification, which makes the status of a worker even more complicated. Improper classification can lead to a host of issues under federal and state laws. The consequences of even a single misclassification can be grave. Companies may be liable for back taxes, employee benefits, and workers' compensation claims. Companies may also face hefty fines and potential class-action lawsuits.

Our attorneys have experience handling a wide variety of liability and employment matters including:

- Overtime, minimum wage, and exempt classification disputes
- Hiring, discipline, and termination disputes
- Breach of contract
- Workers' compensation claims
- Intentional torts
- Negligence claims
- Insurance claims
  - Drafting, reviewing, and enforcing employment contracts, including non-solicitation and non-compete agreements
  - Occupational Safety and Health Act (OSHA)
  - Family and Medical Leave Act (FMLA)
  - Americans with Disabilities Act (ADA)

- Age Discrimination in Employment Act (ADEA)

Our Gig Economy Liability Group assists clients in understanding their legal obligations and helps ensure compliance with federal, state, and local laws. Our attorneys work closely with clients to develop a sound defense strategy to successfully resolve matters in a timely and cost effective manner.