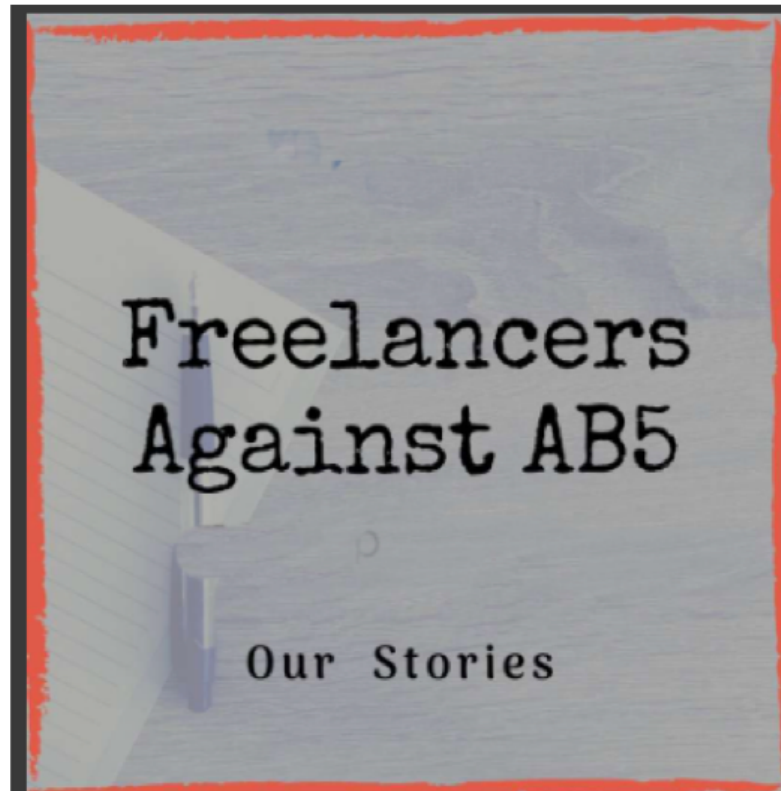


AB5 Personal Stories



Archive of testimonials from "Freelancers Against AB5" documenting the negative impacts of Assembly Bill 5 in California. For inquiries, contact Karen Anderson via FB Messenger or at 123karen@earthlink.net

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Also view online at: <https://rolls.bub lup.com/Anderson/AB5-Personal-Stories>

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Youth Theaters

Actors

- **Natalya Michelle:** I am an actress and director located in Los Angeles CA and San Diego CA. I already have been seeing a significant decline in my work, and many of the projects I was working on let me go. I'm really upset about it and still trying to figure out how I can pursue the career I love while having a flexible schedule.
- **David Nassau:** I'm an actor and songwriter. I'm also a freelance translator/interpreter in Spanish, Portuguese, Italian and German. To say AB5 is a recipe for economic collapse is an understatement. Since the suicidal law went into effect, I've applied for 160 jobs and got about 10 interviews. Finding a job, let alone holding on to one, is not a trivial feat. My freelance gigs provided me the chance to get practical experience. Now to stay on, I have to fill out a TON of paperwork. That includes a city license, proof that I own a business or LLC, a W-2 form, a business card, a Website or LinkedIn page and Proof of advertising. All that just to keep doing what I love? It's bad enough that at least 1 million Californians are thrown out of work, but what makes it worse: Nobody will want to hire ANYONE from California because of AB5. If this is not repealed, I may have to move out. I fear living on the streets. Bottom line: This law is a recipe for economic and social collapse. It shall make the homeless crisis even worse. It'll cause people of all economic strata to leave the state. Business will close up shop. The amount of paperwork makes this law environmentally unfriendly. It'll cause diseases of all kinds to spread because of a shortage of nurses. Farms will cut production or fold completely. Artists will think twice before performing in the Golden State.
- **Annie Smart:** I design for performance and teach the same. My ex-students are the people AB5 has a direct and negative affect on. When they begin to shape careers, in whichever medium (TV, film, theatre, commercial), they need to be juggling several kinds of work simply in order to meet rent. The fee payments they receive for weekend acting gigs, independent movies made with friends, making a one-off prop, helping out in a scenic shop with painting for a couple of afternoons, supporting evening load-ins; all this has become 'illegal' under AB5. None of them qualify to be unionized - that is just justifying nonsense spouted from Sacramento and the big unions. AB5 is choking the critical spring shoots of the most powerful money earner America currently has - the Arts and Entertainment Industry - and for no good reason. These young people are being disenfranchised by it. They cannot gain the various experiences they need to begin to climb a career ladder.
- **Debbie Rothstein:** Because of AB5, I had to hire my 10-person acting company. Because in the past when we were open and because we only have 1 or 2 performances a week, the actors would work maybe 3-9 hours a month. I need 10 actors to cover the 5 roles in our shows because many turn me down if they have something better happening. Right now, we only have virtual parties, which are not plentiful. I had a job come in the other day, and not one actor wanted to do it because of other things and companies they are working for. How are my people employees? In the old days of independent contractors, I would call another performer on my backup list to try to cover the gig. I can't hire any more people to cover gigs once in a while. I had to turn the gig down, and right now, we need all the jobs we can get. Also, I just sent a check in for Worker's Compensation for my actors working at home in front of their computer for the virtual visits. A Faery Hunt is fighting to stay in business. I could have used those funds to help keep us open.

Adjunct Faculty

Katharine West: I am an RN trying to be a nurse entrepreneur (RN health coach) in business for myself (treading carefully) while having also transitioned to academia. Throughout the state, all adjunct faculty must now be paid as hourly part-time employees rather than the previous flat-rate contract employee for each course taught. Hourly wages for adjunct today are terribly, unbelievably, demoralizingly low. The last time I earned this hourly wage was as a new nurse in 1978.

Afterschool Programs

Courtney Johnson: I have been a freelance (read: independent contractor) for after school theatre programs and a theatrical technical designer for well over a decade. AB5 is endangering most of those programs to close their doors. These are tiny non-profit arts organizations who give children somewhere safe to go after school, let them express themselves, give them confidence to find and use their voices. I am against shutting down after school programs that give children a safe place to go, and when these kids are left to the streets. I have negotiated my own contracts for years, and prefer being able to pick and choose where and when I contract. Out of the dozens of groups I've contracted with over my career, only two have been eligible to be union theaters, and it wasn't worth it to join since they don't guarantee you work, they just take your dues and I didn't have the hours logged to join anyhow. Read: I was not eligible to join a union. The theaters/theatre groups I have contracted with are not large enough to have union contracts. There are no unions for after school arts programs --and there don't need to be since most contracts only last a few days a year.

Tessa Cisneros: I am a movement instructor for studio and after-school programs, and refuse to become an employee so they are replacing me. My heart breaks.

Animal Shelter Consultants

Valerie Talcott Fausone: I work with large rescues and small shelters and they can't hire me. At a time when Governor Newsom made the brave and correct call to create a No Kill California, I was all set to consult on this, given I have seven years of safe, no-kill public sheltering experience. Now I cannot consult with shelters looking to improve their results. IRONY! I have to move out of California and work for other no-kill shelters in Austin, Texas, as one example. As a third-generation Californian, I think this is unreasonable and cruel.

3D Animators

Richie Blasco: So it took a while, but this stupidity has caught up to me as well. Pretty great opportunity to link up with some people higher-up in my industry. I'm a 3D animator/VFX artist. Response: "So they love your work, but their legal team wants them to stop hiring people from California." Cool beans, AB5, in the middle of the pandemic situation too.

Architects

Mike Pilarski—Nov 2022- August 2023 So, after waiting over two years I just finished my first interview with both my attorney and the auditor with EDD. I'm an architect and I thankfully only have four ICs I need to make a case on. My interview lasted approximately 24 minutes and still needs to be concluded with a follow up, so no definitive answer at the moment. My attorney and I were a little disappointed with the auditor as they didn't sound very prepared for my case and even said they were missing a few documents, even though my attorney reached out prior to ask if there was anything they needed? If it isn't already enough to have this weight on my shoulders for two years now, but then to have to have another call and then after that call wait for the results which sometimes can be a wait up to a couple of months is very frustrating. So, if they deem all four of my ICs as employees, I can expect penalties for: UI - 3.4% of the first \$7,000.00 earned per employee. ETT - 0.1% of the first \$7,000.00 earned per employee. DI - capped at a maximum of \$1,229.09 for 2020 (those numbers drop a bit for previous two years) Then you have PIT (personal income tax) for the ICs which in my case was 40k in penalties, HOWEVER.....if you can prove you distributed 1099s (which I can), then that all goes away and the real focus of damage are the first three items. In my case, IF they were to penalize me for 2019-2020, I am looking at 10k in money owed....and that is if all four are deemed as employees. I have a pretty strong case for two of them, especially since one was based out of Arizona. What I find interesting is the auditor admitted she doesn't understand the industry of Architecture that I am in which is totally understandable....but if someone doesn't understand your industry, then how are they able to determine whether someone shouldn't be considered an IC? If you can imagine, there are thousands of Architects that are single individual / single entities....it's just the nature of the business no different than an illustrator who mind you are exempt? The good news is my attorney said I hit a home run....I was very careful with my words, I mean....I've only had two years of preparing for this .

Update, April 2023 to previous post: I had my interview. I was told it would be a few months before we got an answer / conclusion to my case, so we could assume maybe June or July. Well, as of today November 15th I STILL have not heard an answer!?!? And if that's not irritating enough, guess what..... EDD sent me an email from another individual wanting to schedule an interview for January in response to my original questionnaire I filled out, apparently not knowing that my interview already took place! My attorney responded explaining that train already left the station and we have not heard back. So, imagine the irony in EDD wanting to audit and interview businesses to see if they have everything in order when they themselves do not have everything....in order Who's going to audit the auditors? The fun continues....

UPDATE August 7 2023: So, my last update was last year in November to the group (see below). Per below my last communication from EDD was November 22, 2022 from a Frank Romo trying to schedule an interview. Myself along with my attorney responded by informing Frank that the interview already took place in April by another individual. Frank got back to us and apologized and that he did find in the records that this was in fact the case. He then went on to say another individual by the name of Elaina would be contacting us for any further questions. That was nearly NINE MONTHS AGO! Well, guess who I finally just got an email from? You guessed it. Apparently my original person I did my interview with is no longer there. So, not only does it look as if Elaina wants to conduct an interview that was already conducted, but she now wants all records for 2020, 2021, and 2022.....when I already did all the leg work to gather records for 2018, 2019, and 2020 (I first received my audit letter in March 2020). If I wasn't already pissed and fed up before, now I'm REALLY pissed. It took everything I had to kick this off to my attorney and not respond myself. At this point EDD should just drop my case for their incompetence. I've said before and I will say it again....it's rather ironic that EDD is going after us to make sure all of our ducks are in a row when their whole damn pond is a mess! "Who's going to audit the auditors?"

Continued next page:

Architects, continued

Continued from previou page;

Mike Pilarski. UPDATE November 7, 2023:

(See above for this history of my story / case).

After 3.5 LONG years of anticipation, frustration, and stress I am happy to say I am FINALLY done and my case is closed!!!

Never thought I would see the day where I would be able to say that.

My fine: \$3,522.38 and I am thrilled about this.

Now, if you're asking yourself why I am happy to pay \$3,522.38 then please understand it's not a question of IF you will be paying, but more of a question of HOW MUCH you will be paying? As far as I'm concerned if this is all I need to pay to put this all behind me once and for all, I will consider it a win.

A few things I have learned....

First, I do recommend legal representation. There was certainly a few areas I could have been paying a lot more money on, which I will explain more in a bit, however my attorney caught it and addressed it to my auditor and made it go away.

Second, I personally think the interview process is a waste of time. Reality is they already have their minds made up that the ICs you're making a case for are not ICs, and they will systematically go down the list of each one and add up Unemployment Insurance, Employment Training, State disability, etc and that total will be your fine.

Third, the irony here is that EDD is very unorganized. What I left out in my last post below from August was that EDD actually LOST my entire case!!!

They wanted to not only start completely over on my case, but since over 3 years went by they now were requesting records for the latest years 2020, 2021, and 2022!

This time I stepped in and called the new auditor myself. I was pleasant and civil with her and explained to her that what was happening was wrong and this was a failure on EDDs part and that no one should be put through this. Shockingly, she didn't disagree. She asked me what I wanted to do and I said honestly, you guys should just drop my case at this point!

She talked to her supervisor and while they didn't agree to drop my case, they did drastically reduce the paper trail they were requesting from me, so I will take that as a win and my phone call was affective. Back to why my attorney was important and things you should watch out for...When I first got my audit, my mind ran wild of the possible implications. I had no idea? Could they take me for a 50k or a 100k? I just didn't know?? My attorney educated me on things and also presented my worst case scenario and this out my mind at ease a bit more. One of the other things my attorney caught, and this one is a bit of a head scratcher for me is the auditor included the PIT (Personal Income Tax) in my fines? My attorney said that responsibility has already been taken for that which is the 1099s that I distributed. He said he would call her in which he did and she did in fact agree with him and removed that from my fine! So, why would she have this in there in the first place??? And mind you, my original assessment was over 9k I would have had to of paid and this PIT equated to 6k of that fine!!! So, what was a fine in the mid 9k has been reduced down to the mid 3k....pay that and I'm done!! If any of you would like to have the contact to my attorney who was VERY reasonably priced just let me know. I'm glad this over.

END

Architectural Designers

Liam Murphy: I'm a freelance architectural designer (28 years old). I have a professional architecture degree from a top 10 program. Licensing requirements (to be an Architect) in the states include hours logged on the job, as well as passing 6 national exams, and 1 additional exam required by California. So I am in this intermediate period that all architects go through, where they are professionals (out of school, working full time), but not yet fully licensed. Two years ago I left my salaried desk job at a San Francisco firm. The primary reason was to focus full time on my exams, and I finished the national exams within the year. The other reason was to take on an addition and remodel project for my parents. We are redesigning a family home so my parents can retire and remain in their home as they get older. Managing this project is somewhere between a part-time and full-time job in terms of time commitment. I would not be able to work an additional full time and still run this project by myself. After about a year (beginning of 2019), my former employer contacted me and asked if I would be interested in freelance work. We met and negotiated terms. We mutually agreed on an hourly contract. I was bringing in far more money per hour than when I left that firm 1 year earlier. It was a good deal for me and they clearly needed someone they could trust to get work done fast without having to be trained. Mutually beneficial. As I look to complete my last California exam and become a licensed architect, I hope at some point to start my own firm and practice as an architect. Everything I was doing was in advancement of that goal. The money I was able to bring in with the freelance work was enough to support myself, while giving back to my parents with rewarding personal work. Not to mention the improvements in my mental health due to the lifestyle shift of not working long hours in an office. Now, due to AB5, my contract with that architecture firm is on "indefinite hiatus" until they feel comfortable that they can work with me legally. In addition to my existing workload, I now need to do extensive unpaid research into the law, whether I should become a corporation, how things change when I transition from an unlicensed designer to an architect, etc. Meanwhile money is not coming in, and I am back to burning savings (which for the time being is WORTH IT since I love what I am doing). I am not stupid, or a freeloader, or a tax cheat, and it's frustrating that the state would treat me as one, when I all I want to do is become the best version of myself I can be so that I can be of some service to my community.

Architectural Rendering Illustrator

Kevin Matty: I have lost over 50% of my 2018 income since the implementation of AB5 compared to my 2019 income. Now my clients that I've had for years don't want to give me too much work because they'd have to hire me as an employee and cannot afford it.

Art Therapists

Elizabeth Tobias: I'm an Artist in Residence, Teaching Artist and Expressive Arts Therapist. I facilitate therapeutic art to underserved populations. I'm a working mom and must set my own schedule so I can be available for my daughter and all of her activities. I just lost a summer teaching job that I was really counting on because of AB5 as they are no longer able to hire independent artists. I called Lorena Gonzales office to share my story and they hung up on me as I was speaking. I feel overwhelmed and powerless. The political climate has been stressful enough. AB5 is harming me emotionally and financially. I want my freedom back!

Auctioneers

Zack Krone: Auctioneers and Ringmen (auctioneer assistants) were hired on a per auction basis by various auction houses, car auctions, nonprofits throwing a benefit, estate sales etc. It truly was a gig economy until AB5 rolled around. So several Auctioneers were let go, and a handful were put down as employees. So it created a hierarchy so a few got more work where the majority got fired or the auction houses brought in people from out of state. My personal business is that of a benefit Auctioneer or I primarily focus on fundraising for schools nonprofits. Thankfully I'm Inc. and the nonprofit pays my corporation and I payroll myself. Naturally I would prefer not have to payroll myself as it certainly affects my income.

Audio-Visual Techs

JN Knotts: I work in the Audio Visual industry as a tech. Prior to AB5 implementation I was making \$30-45 an hour (based off day rates for a 10 hour day) depending on the assignment I was hired for. After the lock down and having coronavirus this year, I'm far too financially strapped to be able to afford to incorporate and continue to freelance at those rates. Since I can only work as an employee, most of the companies I can now work for have told me they will no longer pay those rates since they have to pay for insurance etc... Since I am considered an at-will and on-call employee, I do not qualify for insurance, vacation, sick leave, and other normal employee perks. All while making 1/3 less BEFORE taxes. I work like a dog and can barely afford to make ends meet thanks to AB5. Also, since I am an employee and not freelance, I cannot negotiate perks like parking and mileage reimbursement. I always work on site and parking can be \$50 or more, often with no street parking available in the areas I work in. I still work for several different companies, last year it was only 9 but it was a short year. Lorena Gonzalez calling freelancers tax cheats because we use legal means to lessen our tax burdens is as offensive as it is ridiculous. I'll stop here because I'm angry and starting to spiral. Plus: Unions are already a damned difficult thing to get in to, and if we are all expected to join or starve no one will ever make it in. I worked for one of the IATSE unions in my area on a casual basis and have for nearly 3 years. You have to work 2000 hours just to get in, but you are on the bottom of the list for calls. Then you have to be voted in and pay a fee. This is one of the easier unions to get into in CA. They know I'm interested in membership but I still don't get called enough to survive off the amount of jobs I get. If the million or so freelance AV techs here are all joining unions no one will ever get enough work to gain membership again, and unless you are close to it you won't get enough work to survive.

Authors

Jacqueline Diamond, Author: The enormous growth of indie publishing has fueled an entire landscape of independent contracting, of men and (mostly) women who work from home as cover artists, formatters, editors, proofreaders, etc. Authors, who are also little people often just beginning or reviving their careers with little income, can't afford to hire them as employees for a few hours' work. Oh, I left out the virtual assistants who make money from managing social media etc a few hours a week per client. Many of these independent contractors already have day jobs and need to make extra money, or are caring for family members, or are handicapped or elderly themselves. AB5 is a vicious, cruel attack on this entire vast group of self-employed people.

Bloggers

Cori George: I have a craft blog. I have several different "virtual assistants" who do all sorts of blogging tasks for me (writing, SEO research, admin, social media, etc.). Basically all the things that are affected by the "B" part of this law. Two of my VAs are in California (so am I). One of my VAs has more than a dozen bloggers that she works for. Which means she's basically screwed (like so many people in here). These bloggers aren't going to hire her as a W2 employee. She picked up this work so that she could stay at home and be with her daughter while picking up jobs on the side to help support her family. She doesn't want to be an employee. She wants the flexibility to work when she can and take time off if she needs. Goodbye side hustle. On my end, I don't want to hire an employee. My blog can be seasonal—I need more help during busy seasons and less during slow seasons. I change the types of work I do month to month, depending on the whims of Google and Pinterest and their algorithms. And because bloggers do, well, basically everything, the "B" requirement makes it impossible to hire any contract worker except maybe a CPA. You can add bloggers and virtual assistants to the list of people unduly affected by this law.

Professional Body Piercers

Greta Garter: Body Piercers are independent contractors. They are their own bosses. They charge a fee per piercing and that's how they make their money. Along with tips. They have to pay for all the supplies and PPE. The shops usually provide the jewelry. My significant other has lost work and clients because of AB5.

Branding, Advertising & Design Professionals

Chelsea Hardaway: Billion dollar companies that used to pay anywhere from \$50,000-\$100,000 for rebranding, positioning exercises, brand collateral, marketing pieces, blog posts, infographics, content marketing or marketing strategy are now afraid to hire freelancers and will only work with big agencies. Most of the best creatives want to be independent and come together in fluid teams as it fits various projects — without having to charge high agency fees for overhead. These people will lose their livelihood. I already have a business license and \$1M business insurance. Am now going to have to hire attorneys and accountants and set up a corporation that pays payroll and holds worker's compensation insurance for a desk job I do from home (and I already carry the aforementioned biz insurance). It's an unnecessary burden for a sole proprietor and will make my costs of being in business much higher ... in order to do business with billion dollar companies and make them feel safe? Unfair burden on the sole proprietor. Additionally, most tech companies (all companies!) in the Bay Area have a voracious need for content they can email and put on the internet to attract new clients. They don't have the resources or expertise in house so they outsource a lot of that to freelancers.

Bridal Accessory Makers

Justine Murray: I make bridal veils and accessories for 20 years selling wholesale to boutiques and department stores globally. I got audited by the EDD for my ICs — it was during Covid — it took them over 18 months to make a decision; nothing from the EDD during that time. They kept me hanging; it was so stressful. It came back barely owed anything and what I did owe was a farce. I outsourced all IC work overseas. I had no choice as it wasn't full-time work and sporadic. I had a fashion model made an employee for 6 hours of work by the EDD which is just not practical and completely stupid - changed the way I did business and sadly resulted in no new hires within California I am just too nervous following the whole EDD experience. My business is doing great post COVID but I will not rehire in California while the laws make small business owners the target of some vicious unworkable laws designed to kill business in the state rather than encourage growth independence and supporting business owners.

Burlesque Dancers

Lili VonSchtupp: I am a 54-year-old disabled female burlesque dancer, emcee, magician, and producer. AB5 has cut me off from income as a performer and as a producer. With 8 minutes work as a dancer on stage, it's impossible to characterize me as an employee. I work for some companies one a year. I create my own acts, should be allowed to own the intellectual property of my art, and write off my costumes and business expenses. As a producer, I can't hire anyone either as they are all like me. You are killing the arts. AB5 has devastated my coming back to work after being diagnosed with a degenerative illness. I can't be hired at 40 hour a week job as I can not have the flexibility to deal with my illness or receive an hourly pay rate to survive part time. I also can't drive. I am the textbook small business entrepreneur. AB5 has effectively made it impossible for me to work and support myself with dignity. I ran LA's number one weekly burlesque show for 12 years and now I sit home writing my elected representatives begging for the right to work. # repealAB5Now

Businesses Moving Out of State

Alan Hysinger: Given up on business as a freelance software developer, taken a job for about 1/3 what I'm worth temporarily while working on my startup. Cancelled my CA Corp and reincorporated in Delaware. Planning on exiting the state as soon as feasible. Will not be employing any other Californians

Fred Ashman: I personally know independent Executive Producers who are developing a (funded) new tv series and decided to move the whole thing out of California in great part because of this misguided law. The extra cost is in cash and in additional accounting & production staff to handle paperwork (far more than 1099's) and big hassle to simply hire a small crew for an occasional one day shoot, let alone for a week to shoot the pilot.

Willow Polson: I'm an indie Executive Producer with an LLC production company. Strongly considering moving out of the state, and I'm a proud 3rd generation Californian. I haven't pulled that trigger yet, waiting to see what happens with the amendments.

Heather Mason: Had to move - went to Utah... We can't hire many of our freelance folks back in CA either. Heartbroken to leave LA. We had all sorts of help for events, in the lead up and on-site. There are exemptions for some but AB5 is such a mosh pit it didn't seem worth trying. Really disheartening because I hired so many women and it was a lifestyle they all liked, and made a lot of money with it too.

Mary Jordan: As a sole-proprietor entertainer and face painter, I am now unable to perform for my client's customers. I was used by other local small and large businesses for Grand Openings, Customer Appreciation Days, Resort/Camp entertainment, and drawing potential customers to their Tradeshows/Marketing Booths, Elementary/Preschool Educational Programs, Libraries' Summer Reading Program Entertainment, Daycamp Entertainment, County Fair and Festival Entertainment, etc. I've lost 75% of my income so far this year and I'm being forced to move out-of-state to prevent my business from closing.

C-7 Low-Voltage System Contractors

Travis Malek: I am a C-7 communications contractor. We work on low-voltage wiring, computer networks, access control security, sound systems, phone systems, microwave radios, CCTV, and much much more. I do work through a platform called Field Nation for independent contractors. Some buyers on the platform will not allow me to bid on their work because I am not an LLC. I am licensed, but the California State Licensing Board does not allow single-member LLCs for contractors' licenses, therefore I am an SCorp. Unfortunately, the buyers won't do business with me even though I am registered SCorp with the Secretary of State in California. Here is the wording one buyer uses (they change it around sometimes): "Our legal staff has suggested it is in our best interest to require any resource working within CA be a registered LLC holder from a CA authority."

Camera Operators

Jenna Pool: I am a camera operator for film, tv, corporate, commercial, documentary, and event content. In January and February, jobs that are usually offered as 1099 jobs were switched to employee jobs (or dried up entirely). They also require that I provide all the equipment and insurance for the gear. This does not work for me, because I can't claim my gear investment when my work is classified as employee work. It's a complete mess. I'm very scared for my future. I put myself through college and now have worked professionally in my field since 2013. That degree was a serious investment of every last dime I had after being laid off by my company of 15 years. This is the field I planned/plan to dedicate my life to and retire from. By mid-January 2020, with AB5, my work opportunities were already running dry. Before the March shelter in place order, I had only had two 2-day jobs in 2020. Some productions simply are no longer locating their shoots in our state because they cannot afford to make every short term worker an employee. My typical year consists of @ 40 clients, most of whom hire me as a contractor, thereby supporting my ability to keep updating my equipment and training as needed. Unless AB5 changes, I may have to give up everything I've worked so hard for. Employee positions in my field, in the SF bay area, are extremely rare. Everyone operates in 1099 world. You have to relocate to LA to find employee jobs and in order to get an employee job, it typically requires you to join the union. IATSE Local 600 requires a \$10,000 initiation fee for camera operators last time I checked. I'm so far in debt from the lack of work this year, I don't see how I would ever afford that initiation fee. Not to mention, I cannot relocate to LA as my elder parent needs me here in the bay area. Another non-negotiable reason I cannot take a full-time employee position (and yes, almost ALL of those rare employee positions are full time) is because I need to be available part-time to support my elder parent. Please, help us! This is crushing everything we have worked so hard for. We want to work in the fields we have been educated and accumulated great knowledge in.

Cancer Registrars

Pegi Scarlett: I am a cancer registrar and own my own company. I contract with hospitals to provide services so they comply with the California Health and Safety code 103885 (mandatory reporting of all cancer cases). My company and all the ICs are at risk and so is the cancer reporting system, as many hospitals contract out this work. REPEAL AB5!

Cartoonists

RL Crabb: I may end up being a part timer if we can't get an exemption, but that will mean as an employee my commentary (cartoons) won't be just "my opinion" anymore. I value my independent voice as much as the income I receive.

Jim Thompson: Why I'm not cartooning for the LA Times anymore: AB5 is a monumentally stupid and poorly drafted law that put me on the sidelines. My editors at @latimesports supported me but their hands were tied. To those who look forward to my cartoons each Saturday, thank you.

Kira Davis: I'm an editor and was set to hire a new cartoonist for our national blog. She got a letter from the parent company at the beginning of December welcoming her to the team. 12/31 she got a letter from our NY-based parent company that she can no longer be hired as she is in California, and AB5 makes doing business with contractors here too dangerous. Bye bye job. Some people have theories and legal opinions about this bill. Some of us have real life experiences. Guess who's is worth more?

Lisa Rothstein: The stigma for companies against hiring California based outside contractors has definitely cost my business because so many companies are unclear about the law and will simply choose to avoid any issues and hire outside contractors from other states. I believe AB 5 has made California based creative freelancers the "lepers of professional America"

Casting Assistants

Sandi Grossman Buehner: Most casting assistants work only if there is work and like to decide on the projects they accept. I just finished a "real person" casting at the end of 2019. Now, I cannot offer my services because Casting Directors would have to hire me as an employee. The last job I worked a grand total of 14 hours. A bit less than two eight-hour days. I set my own hours. I worked from my home. No one was looking over my shoulder and directing how I do my work, and yet, I still wouldn't qualify for the conditions of business to business!

Caterers

Dana Buchanan: We do all sizes of events, mostly in the 50 to 200 guest range. Every now and then we'll have a 1,000-person event. I bring in independent contractors to work one day and this law says I have to bring them into my payroll. For ONE EVENT, I would have to bring on 100 people into payroll. Insane.

Children's Theaters

Karen Jackson-Fox: I work with East Bay Children's Theater in Oakland. We are a group that does a tour once a year to title one schools in Oakland and Richmond. We have been around since 1933. We are a non-profit that relies on donations, volunteers, and the tickets we sell for the few public performances we have. The board is stressing about AB5, we don't have a lot of extra cash. Next year we may cancel for the first time in decades. I'm hoping for a miracle, as this is the only opportunity most of these kids have to experience live theater. I love the flexibility of freelance work and working for many companies that bring theater to kids.

Cat Kenison Erickson: I am a Freelance Costume Designer in the Inland Empire and work with local community theaters. On average, I design 4-5 shows per year. While not my primary job, it does make up 10% of my annual income and was vital in maintaining my family when my husband was laid off in 2013. I am required to fill out a W-9 for each theater company and pay my taxes accordingly. AB5 has already cost me one job opportunity and may cost me the rest. Much of the work I do is for Children's Theater and typically I work with 50-80 children on each show. Many of these children are involved in theater for the first time and these experiences enrich their lives for a lifetime. Art is vital to a vibrant community and so is my part in creating that art. I have my MFA in Design from USC and am trained to be a professional Theatrical Designer. I choose to work in community theater and share my training and talents with these kids. If these Theater Companies are forced to close because of AB5, the access to the Arts for these children is in jeopardy. More than my paycheck is at stake here. AB5 would reduce the opportunities for communities in the Inland Empire to experience live theatre. My work as a Freelance Designer does not pass the "ABC test", While I negotiate my fee and can negotiate my time as well, as a trained professional, I know what is needed and expected of me as a designer and there are dates and times I must attend. I am heartsick over the possible loss of these opportunities, not just for me but the very real possibility that a mall, community based theater companies, dance companies, and music groups may be forced to shut down. Many young designers cut their teeth in community theater and summer programs before going on to become professional theatrical Designers. Limiting their opportunities to hone and improve their craft ultimately harms the industry at large. AB5 is like cutting off your hand because you have a bad paper cut; it does more harm than good.

Chiropractors

Dan Fung: Doctors of Chiropractic are not exempt so basically they discriminated within the healthcare system. I just lost a contract where I would ironically treat injured workers and help them get back to work. 😡

Choruses/Choirs

Barbara Eisele: I sing in a community chorus of approximately 50 members. We perform two concerts a year with an orchestra and often use outside soloists for the classical pieces. We are almost an all volunteer organization, but do pay our director and accompanist a small amount throughout the semester, and give the orchestra and classical soloists a single payment for the last few rehearsals and the performance. We are very concerned about AB5. We've kept our costs down so people can afford to sing with us, but after 20 years of offering music to our community, AB5 has potential to cause us to shut down.

Leeave Sofar: I run the Urban Voices Project, which includes a performance choir of men and women of lived experience of homelessness. I pride myself that we always try to pay the artists when they sing, even if it is more of an honorarium. As many gigs go, when we split the pay of bookings, sometimes the split comes to less than minimum wage depending on how many hours we've been onsite. If we're paying our singers as contractors, is it legal to still distribute pay even if it falls below that threshold? Many performances require us to be on-site for many hours but the pay only splits to reflect one or two hours of performance. Before this AB5 fiasco, I, myself, was well used to showing up to a gig that only pays \$50 but I'd be there for 6 hours... that being said, I don't want to advise my non-profit organization to disperse payment that is not ethical. Ironically, since it's a community level choir plus the fact that they are provided free classes, training, and more for free...more than often the pay does not rely on income but more as a token/honorarium that adds to the commitment of professionalism. Please note: a larger goal for the organization is to be paying our choir members more substantially with subsidized fundraising/endowments, etc. But since we're not there with our fundraising yet and since AB5 drama started, we have NOT been paying them at all and only asking for volunteer participation since we were so unclear on what is even allowed anymore. I don't want to allow this to continue and I would like to get back to at least paying out SOMETHING to these wonderful people again.

Chronically Ill

Elizabeth M. Adger: AB5 is why I had to pack up my very ill husband with stage 4 cancer and autistic son and leave the state. There is no way I can take care of our family and work a “traditional” type job. I have always worked for myself and paid my taxes. I was terrified of becoming homeless.

Alan Massengale: Well, as a cancer patient, I figured the AB 5 “no independent contractors” disaster of a California law would eventually effect vital cancer services. So, now, my wife Elizabeth can’t work in this state because she HAS to be independent in order to schedule around my twice weekly doctor visits and she has also supported and raised an autistic boy, my wonderful Evan. AND now, if I stay in this state, and when I beat the crap out of this disgusting disease, I am still an independent broadcasting contractor and therefore can’t work.

Dena Hamama: I've been freelance for the last 20 years, with the exception of a 4-year full time position in between. I planned to take a couple months off as I was getting very sick (chronic illness and autoimmune issues). Covid had just started and I wasn't working. I followed the news and the freelancers group that you run and decided to hold off on doing anything until I got more information. So in the meantime I thought about teaching online since I'm credentialed. Well the company wouldn't hire me because I live in California. Being unemployed for so long and having chronic illness has made things very difficult for me. I may have to leave the state to make it.

Haley Grim: I have been doing freelance writing since I finished my master's degree in May of 2018. Since April of 2018, I have been dealing with unexplained health issues, with nausea and vomiting in the morning and a myriad of other symptoms that could be indicative of fibromyalgia. I lost the career and relationship I was building with a content writing company

Ongoing Content: I've never been able to work full time due to my health issues. Before I discovered freelance writing, I was cleaning houses 2 days a week for minimum wage and barely surviving. :
(Freelancing was the most empowering thing I've ever done.

E Alan Hyman: As a personal fitness trainer at a retirement community's gym facilities that was diagnosed with stage 3B colon cancer 10 years ago, 6 months of sever chemotherapy back in 2010-2011 has left me with physical issues that just don't allow me to work full time. Being an independent contractor gave me the ability to set a work schedule that my body could handle and make enough to support myself by only working a few hours a day. Now I have to change to an hourly employee which is forcing me to raise rates to accommodate all the withholding that is taken out, at the same time, restricting me to less then 30 hours a week so my employer doesn't have to pay full time benefits. There are a bunch of other ways were AB5 seems to adversely affect my job, but that would take too long to go into.

Chronically Ill, continued

Phil Rowland: Musician...Semi retired..from full time. I get a very small SS check and need the extra work to make ends meet. I also have Leukemia...this could possibly affect my ability to afford treatment and medication. This bill will take away what little work I do get...I'm a band leader who pays everyone equally...we all pay our taxes (what more do you want?...blood?...jokes on you...mine is bad)...I can NOT afford to be an employer!...This is cruelty!

Monica Fontes: I am 61 years old senior female and cancer survivor(maybe still patient). AB5 destroyed my life, taking my 8years over the phone interpreter job. Who will hire a sick senior like me? I was making a good money, taking my breaks when I feel like. During my chemotherapy this job was my salvation against depression, made me feel useful and when I was interpreting I not even had time to think about any bad things happening in my life. Helping people in hospitals, pharmacies, hotels, rental companies, immigration agencies and much more. Since January I live depression, somedays I don't have strength to get up in the morning, I just crawl and cry, bc for 8 years I been waking up to log in and start to work. Sometimes I wish I could die. My name is Monica and this is my #AB5 story.

Mary Bronson: Here's a story. I lost my client on 2/12/20 because of AB 5. I am a legal transcriptionist working from home. I have worked all my life. I am 69 years old and due to health problems I can no longer work outside of my home. Speakwrite gave me the chance to continue to work by allowing me to work my hours at home. It also supplemented my social security and paid for ever increasing costs of insulin and other medical bills not covered by Medicare. I am devastated emotionally and financially over the inability to continue to work and support the economy.

Nikole Wilson-Ripsom: I have a chronic health condition and parent a teenager on the ASD spectrum. On nights when my health allowed, I worked from home a few hours at night as a transcriptionist for Rev, and researching and reviewing search engine results for a company called Lionsbridge. Other remote jobs that I held that were also done on an "as available" basis included reviewing submissions for GreatSchools.org; reviewing voter signatures for SigTrack; typing for MegaTypers; website content management for SportsFan.com; and reviewing real estate photos. I used the income from those jobs to be able to afford to live in the hyper-expensive Bay Area. That income paid for my son's music therapy as well as for dietary supplements for me, as my chronic condition includes nutrient malabsorption. I am now unable to afford those. As I noted, what these jobs had in common was being internet based and being network portal-based: there were no set hours, no requirements to let anyone know when I would or would not be working (unless there was an anticipated work stoppage of more than two weeks). Work like that is ideal for people with disabilities who are not disabled enough to qualify for disability, but who cannot withstand the daily physical rigors of getting to and from an office daily. It is ideal for parents and caregivers who have to fit their work into schedules that are always in flux. Without a way to supplement my income in light of the high cost of living in California, I am now looking at being forced to leave the state that I have called home for 40 years in favor of other states where remote contract work and thus, financial survival, is still possible.

Christmas Carolers

Anonymous: I run a Christmas Caroling company and will probably have to let about a third of my carolers go and make the rest employees. I will have about 50 employees that I pay one month of the year. And 2020 will probably be the last year I operate this business since I will have to raise rates at least 20% to pay those additional costs, and so I expect to book much fewer gigs than the 160 gigs I booked in 2019.

Churches

Michelle Risling: I am a temporary, interim choir director at a church while they look for a new permanent director. I am not at all interested in being permanent and I like the flexibility of being a conductor by the “gig.” I’m only there for 6ish weeks. I still have to go through the whole song and dance of payroll to become an actual employee, costing the church an additional approximately 40% to hire me. I’m fortunate they’re willing to do it, even though I don’t want it and neither do they. This law is SO dumb.

Christina Alexopoulos Smith: I am a paid singer at a church and it is my only source of income currently. I am a freelance singer so basically I will not be hired for any gigs going forward. So much for bringing arts to the community and enriching people’s lives.

Sharon Devol: I can speak from the church/synagogue side of things. Musicians who are paid an honorarium to play at services and special events are not exempt and must either play for free (not fair), become employees of the church/synagogue (don't qualify). I recently retired from working in the music department of a church and have been in touch with some of our orchestra players. Some of them still think they are “independent contractors” which is now not the case. Most of them cannot afford the fees, taxes, and paperwork to incorporate, and they cannot be classified as church employees. One option is to hire a company that is set up to be the “middleman” and pay musicians as their employees and we pay the company. I have no idea what the fee is for something like that, but it seems to be the only solution if the church wants to continue its current music program.

Debbie Uecker-Keough: I work for a large mega church as a production manager. So I’m already on staff. But all the contractors are having to be brought on staff. As an example our video director for weekends this is what happened to her, she charged a flat daily rate. Someone in HR placed her in a tier, which became nearly 60% of her day rate. HR wouldn’t budge as they said she was an entry level part time worker and thats the highest tier she fit into. Now this video director (who we are giving more hours to to let her make up for the pay loss) has to make less, work more, and all her deductions to travel to and from the job are no longer write offs. AB5 has screwed anyone who was an independent.

Comedians

Alicia Dattner: I just got my first notice that I won't be getting paid for a big comedy gig I'm doing because of AB5, but of course I need to do the gig anyway if I want to be considered for a run at this venue. This could be just the start? I do more theaters now than comedy clubs, but I imagine this will be extremely complicated for anyone wanting to do any one-off comedy gig - how would that even work? And for the clubs? One-offs and weekends are their whole biz! I also can't even imagine a law now telling me that a company or person I work for one night is now the IP owner of the hour of jokes I just wrote. That's beyond insane.

Debi Durst: I have been living in a "gig economy" for almost 40 years. As a comedian, actor and improviser, many gigs are only for one night. Many non profits will not hire now because of this new law. I'm way too old to go to any kind of vocational school. Again, artists get the 💩 end of the stick.

Commercial Producers

Rachel Dorsey: I'm a commercial producer and I bring on self-employed specialists for every job I produce. We work with extremely tight (read: no) margins. Every single one of us is a small business owner. We've been able to make it because we support each other by bringing on the right expert for the right project in a growing community of self-employed creatives, artists and technicians. None of us want to be employed. We've worked so hard for so long to "make it" as a self employed person and finally — now that we are — we're being told that we actually aren't business owners and we actually can't have the American dream of self-employment. Our customers aren't going to be willing to pay 30% more, and the experts we bring in shouldn't have to take 30% less. At a time when creative services are finally having their moment, we're being snuffed out.

Community Theater

Sheri Lee Miller: AEA and the California legislature invented a problem that didn't exist. Here is the reality: The vast majority of small theaters are community theaters working with artists who have day jobs and do the theater work as an avocation, not a vocation. These artists were generally receiving stipends of a few hundred to maybe \$1,000 to do a show. Not because it was intended to be their livelihood, but to help with gas and show respect for their contribution. That system worked. People were happy with it. As far as I have seen, the vast majority of non-union artists hate AB5. For AEA and the legislators to say they just want people to be paid is disingenuous. Community theater artists have actually lost money because now they have to work as volunteers and can't even receive the stipends they were getting. It is now an "all or nothing" situation. They must be put on payroll or work for free. Since most theaters can't afford to put them on payroll, they are now working as volunteers. No one is getting rich in community theater. No one. The theaters are not making a killing off the backs of the artists...most are barely keeping their doors open. If they could afford to pay everyone an hourly wage, they would have done so long ago. This horrible law (AB5) was poorly conceived and based on inadequate and inaccurate information. To try to find ways to live within a law that shouldn't even exist is madness. Another grant application? Another mountain of paperwork and hours and days and weeks of work on it? And it is only even offered for three years. Then what? So many mistakes have been made around all of this it's crazy. I believe in Unions. I have belonged to quite a few of them over the years. I have been a member of AEA since 1985. I have always been very proud of my Equity card. Not so much now.

Mysty Luis Stewart: Youth Theatre choreographer here that has a day job so it is literally something I do for the love of theater and mad money. Our model is affordable theatre education and we've never turned a child away for inability to pay. We work on a shoestring. Putting 3 teachers and our tech team on payroll would likely end us. So good job Dems - the very people you want to serve - disadvantaged youth - lose the only youth theatre in the county that has this model. 🙄 I wrote both of my congressmen and neither has responded to my email, although one did tweet me to call his office next week to discuss. We aren't impoverished area, but there are working families that just cannot afford the other theaters. In my area, youth theatre costs \$800+ to be in a main stage show and many families just can't afford for their kids to do that three or four times per year - in some cases we have siblings so the cost elsewhere is just too much for many. At \$350, with scholarships always available, we are very approachable for families. The other theatres that charge more have their kids and do great work too, but we level the playing field with our program. Arts should be accessible to all.

Alicia Dattner: I lost payment for a performance at a theater I'm doing in February - though I'll still need to bring all the people and do the performance - because the venue has decided AB5 has made it too complicated and expensive to pay anyone for their first show - they will no longer pay any performer for their first show as a result of this law, and they do about 30 of these shows per year, so that's 30 performers who just lost paying work.

Community Theater, continued

Lisa Anne Nicolai: Heavily damaged every small California theatre. Seasons had to be scrapped. Small two or three person plays only. Most semi professional theatres have to use all volunteer non-equity people now. Travesty.

Katie Wickes: 🖐️ — Producer, Choreographer, and actor in non-profit community theater. AB5 has the potential to be very detrimental. My company is at the point where we can start offering actors a stipend - a HUGE step forward for us in terms of the quality of actors we can cast. Unfortunately, AB5 means we're going to have to stick with volunteers. AB5 is going to force us to go from 100% volunteer to essentially an equity house. That's not only impossible, but also crazy. It doesn't take into account those companies that help make professional actors. We hire the teachers that haven't been on the stage since high school, and the college kids from the local JC looking to work with an adult-oriented company... we're not hiring professional actors by any means. I work full time as a nurse - great benefits. I do community theater work and run a non-profit theater company on the side. I literally have no reason to want or need benefits or employment protection from my theater and non-profit work (let alone minimum wage - I like my gig stipends)... yet here we are.

Cráig Vincent: I have been the contract technical director at the Woodland Opera House for the past couple years. I have been paid a monthly stipend as an independent contractor. As of today, that has come to an end. The theater can no longer pay any stipends and is reverting back to an all volunteer organization. Many of California's community theatres will be hurt by this and some will actually close their doors.

I make my living as a freelance lighting designer, or I did until today anyway.

Simon Eves: Board member and tech person for small non-profit amateur community theater. No employees. All volunteer-run by retired and/or hobbyists. We hire individuals as director, music director, stage manager, lighting designer, sound designer, sound engineer, set designer, costume designer, actor, musician etc. as single stipend or payment-per-appearance with 1099 (mostly in the three-figure range). Almost all (except pit musicians) are therefore grossly underpaid in hourly terms (the creative staff will put hundreds of hours into the full process of a show), but nobody minds because we're in it for the art. Few of us rely on those stipends as primary income, but some do, and the rest of us still appreciate being rewarded. NONE of these disciplines are currently exempt under AB5, so it's now illegal for us to pay anybody this way. The only options (as I understand it) are to have them volunteer and be paid only expenses (impossible to justify paying the same amounts), to make them employees and pay them minimum wage for every hour (more complicated and totally unaffordable for the company as we just don't have enough income from tickets etc.), or to oblige them to incorporate in some form and then pay them as B2B (impractical for most). There is no practical way to sustain such a company under the new law.

Community Theater, continued

Christina: I am a paid singer at a church and it is my only source of income currently. I am a freelance singer so basically I will not be hired for any gigs going forward. So much for bringing arts to the community and enriching people's lives.

Simon Eves: To answer your actual question, all those roles have been IC/stipend/1099 at our theatre (amateur community non-profit, low six figures annual budget). As well as being on the board as a volunteer, I am a sound designer/engineer/mixer although AB5 affects me differently because I actually have my own 501c3 which I formed with a friend about 18 months ago in order to simplify how various local groups pay us (although we only charge for gear rental, not for our time). I am assuming that we can continue to do so under B2B arrangements, but even that is not entirely clear, and all the other individual IC roles are officially up the proverbial creek. To answer the other part of your question, we have no plan yet, other than a mounting effort to get together with other local companies to decide what to do, and hope for safety in numbers. We and several of the other groups have already attempted to contact our local reps, but with no response so far.

Meghan Michelle McGovern 🙌 I've been an MD, keyboardist, conductor and theatre educator for 15 years in the Bay Area. Luckily I have a FT job teaching (employee), but unfortunately it doesn't pay all my bills. Which is why musical theatre/teaching projects are vital for me. I have a project lined up in Marin starting this month - I wrote to the coordinator last month about AB5 and haven't heard from her in weeks about what they will do with payment. Obviously no one will come into work first rehearsal if we don't know how we'll be paid. I'm sure everyone's trying to scramble. I'm sure that this won't be the first time I'll lose out on work. What's sad is, I've had to tell theatre companies about AB5 the entire month of December! You'd think the state would have done their due diligence about getting the word out if they're gonna go through all the trouble of enforcing this inane law. 😞

Sylvia Amorino Gonzalez: The musicians and entertainment industry will be much harder to get numbers for. And then each performing organization and all the people they hire/ singers, dancers, actors, designers, etc. The numbers in the SF Bay Area alone will be staggering. My lawyer said she thought there were about 100 organizations under \$500,000 budget that would be affected in our area alone. And all that are in their shows. These are the small to midsized organizations. Not even the larger ones. TBA and Ca for the Arts may have some number.

Michele Sullivan: I have worked for community theater companies for 30 years. As an IC, with flexible hours, I was able to supplement the education of my two kids with learning disabilities. Now, as a retiree, with my IC income, I need to supplement my SS so I can afford to keep my home.

Community Theater, continued

Anonymous: I am a minor example of this class. I have been working in the non-union environment of the arts for close to fifty years. I have my financial house in order with respect to benefits and retirement plans from my previous day job. I have always worked independently from any day job with a traditional employer, and I am currently able to supplement my basic income with monies provided by working independently contracted jobs. In a typical year, I will receive most of my wage information on 1099s. For 2019, I will receive 3 1099s and one W-2. I have worked for eight separate organizations. For four of those organizations, my employment lasted one day (or less); since I obtained those jobs through my licensed talent agent, income from those spot jobs (aka “gigs”) will be reported on a single 1099. Two employers needed me on a periodic, irregular basis. Only one (the one employer providing a W-2) employed me for a period of seven consecutive weeks. I also picked up a couple of gigs which provided stipends below the threshold for 1099 reporting (although I will report the income as required on my tax return). The passage and implementation of AB5 will have a chilling effect on this part of the economy. It certainly shouldn't escape your notice that the entertainment industry is a significant portion of the California economic picture and, to a lesser extent, the local economy of this district. I'm not talking solely about film and television, although the non-union side of that industry is worth regarding. I speak primarily as an actor, an onscreen or onstage presence; members of other parts of this industry may have similar perspectives, but I cannot speak for them as confidently. Most of us aspire, at some time, to be on screen or on stage in a fully professional venue. Some of us are content to work in the non-union environment. All of us want to work in rewarding, challenging pieces that help us refine our craft and communicate artistic truths to audiences of all sizes and compositions. In order to refine our skills, to move to higher levels of influence and income, to earn the increased income and benefits provided by union membership, we have to have venues and organizations available to provide the experience and skills. An AB5 environment runs the risk of putting any number of these organizations out of business, unable to meet the financial and regulatory requirements. Many theaters provide stipends or honoraria for performers—these forms of income will be the first to go. Certainly, actors will continue to provide their services for free if necessary. We know that the only way to improve performance is to perform, and if the only way that will happen is if we volunteer, we'll do that. The good news is that a greater portion of theaters nowadays will still treat us honorably (this is a significant change from the past, and welcome). And those of us who don't depend on this income will most likely take it in stride when the stipends and honoraria disappear. But it's not just actors and performers who drive a production. Directors, choreographers, and designers are also essential to the equation. Unless they're on staff—and most of them are not—they're also independently contracted, either for a specific production or a season. It's a truth that their job for any one production is more expansive and time-consuming than most others; I won't go into detail, but it should be self-evident. For other self-evident reasons, they are also much less likely to be inclined or able to work for free. My understanding of independent contracting was always that one was hired to complete a specific task, just like a regular employee. However, the contractor was left to their own devices as to how the time was allocated (no time clock or standard hours), and the method of completion was not regulated by the employer (except in the broadest sense of keeping within the entity's brand and applicable law). It's the independent nature of the work that provides the creative spark, and that's why it's attractive. I can't think of any industry that exemplifies independent contracting more than the performing arts. Circling back to AB5 and its unintended (at least, I hope it's unintended) consequence, I believe that a good, hard look should be taken at this aspect of the California economy that's going to be very significantly affected by its implementation. The cost of additional required benefits and the paperwork attendant on making an individual a W-2 employee for one day (for example) will break the bank on many worthy organizations. Perhaps in the short run, there will be some benefits derived on an individual basis and it's also possible that some organizations that have been getting away with less than honorable practices will either meet their obligations or remove themselves from the marketplace. In the long run, though, one of the major components of this economy will be damaged. The next generation of performers and producers and staff will not be trained. Jobs will be lost, and they won't come back. Please consider an amendment to the current form of AB5. Keep the benefits and protections that it does provide, but prevent it from doing unnecessary damage.

Composers

Larissa Lam Chiu: I'm a composer and musician and many in our industry have major concerns. I spoke to a major film composer friend of mine today who is now reluctant to hire independent orchestrators and musicians in CA for his projects because of AB5. He plans to turn to people outside CA or even outside US. Also heard about an arranger/musician who regularly contracted with a theater company for all their productions for over a decade in L.A. they have officially cut ties with him because of AB5 and they did not want to risk failure of complying. it was not practical to bring him on as an employee since their productions are seasonal.

Anonymous: I'm a sole member LLC in CA working as an independent composer arranger. and producer. I've had my business 25 years. I'm also the mom of a 7 yr old son, I'm the primary caregiver during the week. I cannot get a full-time salaried job with my responsibilities to my son. I have a client whose mom is an attorney. I've been working with them 5 years and they said they're unable to use me until this mess is cleaned up for the music industry even though I'm an LLC. And for every job I lose it represents 2-30 other jobs lost for players, singers, engineers. Income lost for commercial recording studios. I'm forced to go dark for a while and try to live on my passive income (50-60% of my total income) because I can't figure out how to comply with the law and hire the players. I've spoken with two lawyers and two accountants over the last two weeks and they all have different interpretations of what AB5 means. If the professionals who are supposed to be experts in interpreting the law can't even definitively understand it, how on earth can a small business owner understand it let alone comply with it? My only recourse is not to work on anything that requires hiring anyone for a month and hope and pray this mess gets sorted out. This is like living in a surreal scary novel. This law is anti-small business. The huge corporations in the music industry can afford to proceed with business as usual. They have powerful legal departments who can and will fight this for as long as it takes in court if they get slapped. I can not afford this risk.

Computer Validation/ Independent Testers

Laura Rogers: Typically we specialize in a specific set of regulatory requirements, and then validate that a system meets those requirements. I specialize in GxP requirements in which computer systems are classified as medical devices. Some of the projects I'm contracted for take years to complete. Some states have laws that make companies wary of hiring contractors for more than a year, so I have already had to work with lawyers and go through all sorts of hassle. The ABC in California test puts those problems on steroids! Which is ridiculous, since the whole point is that I provide an outside perspective on operations.

Conference Producers

Heather Mason: Had to move - went to Utah... We can't hire many of our freelance folks back in CA either. Heartbroken to leave LA. We had all sorts of help for events, in the lead up and on-site. There are exemptions for some but AB5 is such a mosh pit it didn't seem worth trying. Really disheartening because I hired so many women and it was a lifestyle they all liked, and made a lot of money with it too.

Construction Special Inspectors

DE Rob: As a special inspector. I would not be an employee of each contractor I do inspections for I would be independent, LLC but now those contractors will contract with out of state independents so they do not have to hire for just their company.

Consultants

Angie Paterson: General Consultants are impacted. I tested data technology, machine learning, evaluated social media, and ad content. I was a subcontractor to a company hq'd in Australia who contracted with other very large companies to provide project support. I was a general consultant working on all sorts of unique projects. It allowed me flexibility volunteer in my community and my children's school, support our other businesses and provide additional income while also being able to care for my school aged son. All CA contracts were cancelled for all projects and those contracts were just taken to individuals in other states. Exemptions won't cut it. My company will not rewrite their their contracts for exemptions as frankly, they don't have to because they can just blackball CA-based ICs and not deal with the risk and ambiguity of this crap law. So even though I am a sole proprietor by definition and even if I were to get an LLC or even S Corp, the company won't touch me. Again, I have no idea how many are out there like me but we're here too! It's about any type of project you can imagine.

Briana Sharp: I'm a management consultant, focusing on organizational effectiveness and mergers and acquisitions. I was presented with an opportunity today to bid on some work. It is a work-from-home project, which is ideal given the pandemic. The project was an opportunity to collaborate with a long time friend and colleague, who is also an independent consultant, with an adjacent expertise. We each have our own businesses (separate LLCs), clients, and market ourselves separately. The client wanted to leverage both of our areas of expertise. The client would like one statement of work for the project (reasonable). To make that happen, one of our businesses would be the lead, and the other the subcontractor. The problem: AB5 still prohibits subcontracting under Business to Business. As you may know, ALL 12 of the B2B criteria must be met. But one holds up subcontracting: "The business service provider is providing services directly to the contracting business rather than to customers of the contracting business." The CA Legislature thinks they have fixed this situation, by including consultants as those that can work under a referral agency. This is the ONLY way we would be able to have a single contract, by adding a layer over. But that comes with a financial cost, increasing the cost of this contract, and the client doesn't want that. So, thanks to the law, and the legislature failing to take any action to improve B2B, we could not bid on this project and be in compliance with AB5. Small firms often subcontract to one another to go after bigger pieces of work, or to serve an existing client who needs skills/capabilities beyond what they maintain in house. Now, due to AB 5, we can either employ each other, or pass the administrative burden to our clients via multiple contracts and invoices for a unified piece of work.

Costume Designers

Miriam R Lewis: I costume a lot for Lamplighters in San Francisco. They and companies like them are like farm teams for singers who are working their way into the next phase of their careers and also places for good singers with day jobs to have principal roles. It's kind of crazy to subject companies like this to the same kinds of protocols as SF Opera. I read the TBA analysis--when I costume for companies, I set my own hours (with the exception of production meetings and dress rehearsals), usually use my own tools, often work in my own space and basically deliver a product, so that seems like it fits the criteria for an IC. Also the companies aren't in the business of costume design. As a costumer/costume designer for small-tier companies, if they can't operate, I'm out of a job, even if I CAN continue to classify myself as an IC.

Sylvia: The performers and designers we contract with will be out of work because we as companies can't comply....and that middle tier company that gives experience to singers/actors/dancers etc as a stepping stone to more professional work will be gone...

Cat Kenison Erickson: I am a Freelance Costume Designer in the Inland Empire and work with local community theaters. On average, I design 4-5 shows per year. While not my primary job, it does make up 10% of my annual income and was vital in maintaining my family when my husband was laid off in 2013. I am required to fill out a W-9 for each theater company and pay my taxes accordingly. AB5 has already cost me one job opportunity and may cost me the rest. Much of the work I do is for Children's Theater and typically I work with 50-80 children on each show. Many of these children are involved in theater for the first time and these experiences enrich their lives for a lifetime. Art is vital to a vibrant community and so is my part in creating that art. I have my MFA in Design from USC and am trained to be a professional Theatrical Designer. I choose to work in community theater and share my training and talents with these kids. If these Theater Companies are forced to close because of AB5, the access to the Arts for these children is in jeopardy. More than my paycheck is at stake here. AB5 would reduce the opportunities for communities in the Inland Empire to experience live theatre. My work as a Freelance Designer does not pass the "ABC test", While I negotiate my fee and can negotiate my time as well, as a trained professional, I know what is needed and expected of me as a designer and there are dates and times I must attend. I am heartsick over the possible loss of these opportunities, not just for me but the very real possibility that a mall, community based theater companies, dance companies, and music groups may be forced to shut down. Many young designers cut their teeth in community theater and summer programs before going on to become professional theatrical Designers. Limiting their opportunities to hone and improve their craft ultimately harms the industry at large. AB5 is like cutting off your hand because you have a bad paper cut; it does more harm than good.

Court Reporters

Heidi Johnson: I'm a licensed court reporter for the state of California, and court reporters did not make the exempt list. I went to school for four years and took one of the hardest tests to become licensed in all of US. So licensure is not a guarantee.

Paulette Vanton: Independent court reporter all my adult life. Now getting screwed out of my career by this law. Don't understand the damage they're doing to so many people.

Lorri Spencer: As a freelance court and deposition reporter, I work for several firms in different cities throughout Northern CA. I do not require benefits or workers comp. I love the flexibility of my career and setting of my own hours. As of the 1st, we lost a court contract due to #AB5. Poof. \$3000 a month gone. Uncertainty everywhere. This state has become an actual living, breathing nightmare.

Dee Dee Baker Hoffman: I was a freelance deposition court reporter. I worked for over 50 separate agencies each year. It's ridiculous to expect them to make me an employee for a one-day assignment. Several agencies stopped using me because of AB5. So between that and COVID, I decided to retire and be done with the whole thing.

Cultural Musical Groups

Lindsay Wright: I am on the board of a classical Indian music group with a similar budget and almost 50 year history. I really don't know what we are going to do. Our musicians or singers typically perform one night with us. They are often world famous and cannot (and do not want to) become our "employees." We also try to hire young CA musicians on occasion to give them valuable experience and resume credits. I guess no more?

Dance Companies

Deborah Brockus: AB5 Destroyed my field — nonprofit dance — only the rich can afford to transition to employee and even then they are hiring less than half the dancers they formally did. Dancers are changing careers due to AB5 on top of Covid. Our income from grants and performing / teaching jobs has not gone up to cover the expenses in a way that would allow the artists to have the same take home pay to cover their bills.

Judith Flex Helle: For dance companies in CA, we rarely have more than 10-20 weeks of rehearsal/show in any given year, and therefore always hired our dancers as independent contractors. Sometimes dancers get hired for only 1-3 days. AB5 now requires them all to be employees which requires a minimum of 2 month payroll, plus the service, plus workers' comp (minimum 1 year), and the dancers have 25-35% taxes taken out and can no longer deduct their standard expenses. In simple math, if I pay a dancer \$1000, it costs my company \$1300+ and the dancer gets about \$675. It would be different if we worked 30-40 hours a week 40-52 weeks a year, but not even the biggest dance companies in the US dancers have that luxury.

Joe Savant (Jan 2020): I am a dance studio owner in San Diego. We have followed the rules very closely with our IC instructors. Most who only teach one or two classes a week. All who teach their own choreography/intellectual property. We've been audited by the EDD two years ago and were told don't change anything, you are compliant with the IC guidelines. Now this bill. I don't know what we're going to do. I've called Lorena Gonzales's office a few times to express my concerns but they don't care. But, I've been invited to meet with Gonzales next week. The staff member who invited me said they want to see "how the transition is going". I'm not transitioning anything. I really don't know how we will continue if this is forced on us. I also thought that arts organizations were exempt. But they are very fuzzy on that. I'm terrified we will lose this business that has been a part of San Diego's dance community for over 16 years.

Erica Angeles Tarasoff: I'm in the middle of a worker's comp audit. Insurance company wants an additional \$10,000 in a nonprofit. Under the ABC test they are cookie cutting our business claiming that all of our contractors are in fact employees without taking a deeper look into our business model. Basically they're taking advantage of the situation. We are a Modern Dance Theater. We have company dancers that are employees, an executive director, an ops manager, and an artistic director. The rest are ICs. Accountant, Marketing, Production Tech, guest artist, Dance teachers, etc...

Dance Companies, continued

Peter Kalivas, PKG Dance Project: I have recently relocated from San Diego (District 80), after 20 years to Orlando. As I have told you, I have had in office meetings directly with Lorena Gonzalez-Fletcher on 5 occasions with her staff taking notes regarding her floating inaccurate and inflated data to qualify AB5 -. During deliberation of AB5 when still only a bill - opposition from other politicians on the house floor exposed her for using inaccurate data provided by unions. AB5 became a law - nonetheless. NOW, as recent as this past Monday - May 23rd Lorena sat on a panel for the California Advisory Committee to the U.S. Commission on Civil Rights - to once again, and now as the Chief Officer of the California Labor Federation argue the relevance of AB5. MY CHALLENGE to her remains: Where is the "real data" that shows - INTENTIONAL Misclassifications and wage theft across California by LEGITIMATE businesses registered with the state vs. the data she floats. How has the State of California yet benefitted with the implementation of AB5? Finally, Civil Rights exist in the pursuit of equity and equality - particularly since 1964 with the Civil Rights Act. AB5 is a construct - created by unions - thru a political platform in order to bolster union power and influence. Self-Employment and Small Businesses that rely on professional skilled contractors (the Self-Employed) are an ESSENTIAL BACKBONE of the U.S. Economy. The majority of our U.S. Presidents have been Self-Employed. AB5 via its implementation of the ABC test specifically intentionally gets to ASSUME that ALL Small Business are unconditionally guilty of the potential to commit intentional Misclassification and Wage Theft of workers. AB5 flies OFF the RAILS from how the Federal Internal Revenue Service defines how a person is an employee or a contractor strictly on the basis of time: one is indefinite and the other time based (beginning and end). The ABC Test as implemented in AB5 does not consider time whatsoever but instead conditions Self-Employed persons and small businesses have NEVER HAD to MEET BEFORE and most often cannot. THIS is INTENTIONAL, prejudicial and therefore an infringement on CIVIL RIGHTS.

I EMPLORE you that the review of AB5 with the intent to engage in a process to RID California of this law be, remain a priority for you. Kevin Kiley in the CA Assembly alongside many others continue to seek its REPEAL. AB5 has ALREADY Shut down minority owned Small Businesses and organizations - including nonprofits across California. These newly unemployed have NOT FLED to union jobs as the sponsors of AB5 had hoped. They have LEFT California and or merely located back to their garages and kitchen tables to continue to run their Small Business ONLINE representing LOSSES in payroll taxes and other earnings for the state. Also, persons with PTSD, people caring for ailing family members and many others who for vast reasons CANNOT work directly in traditional "employee" scenarios but ONLY as a contractor where they create their own conditions can no longer thrive or survive.

AB5 ultimately disenfranchises NOT just people but the State of California itself with the massive loss in payroll and state taxes it no longer earns. How did the projections by Lorena's office - NOT SHOW ALL of this? Because they were never really done - despite what Lorena said. Lorena is NOT DONE - especially now that she works for her former sponsors of AB5. Signed: Peter G. Kalivas, The PGK DANCE Project

Dance Teachers

Faith Knappenberger: AB5 has impacted the dance studio business in a HUGE way. My studio was audited (somebody called in a complaint, likely a competitor) and we were going to be on the line for over 150k in penalties because we were not paying our teachers as employees... 2 YRS BEFORE AB5 WAS A LAW!!! Needless to say, we were forced to close with that hefty pending fine along with Covid and being forced to close for so long. We were successful for 17 years. Pray this can be repealed STAT.

Ellen Katz: I'm a dance teacher and choreographer working as an IC thru a wonderful organization that is threatened by AB5. I've been doing this for about 30 years; I may need to change careers in my 50's?!?!? How wrong is this!?

Andrea Sparkles: As a dance teacher, I teach, which is the purpose of a dance studio. But as an IC, I set my own hours at the beginning of the season, set my own rates for private lessons, make my own curriculum, choose my own music and costumes for the dancers, use my own tablet for music, and have purchased materials for the studio for my dancers to use (hand weights, resistance bands, etc.) This law just sucks. If I'm W2, I can conceivably not be able to set my hours for the season, be told what and how to teach, and may not have the flexibility to go perform elsewhere, as I am also an actor/director/choreographer.

Sam Katz: I rent space at a dance studio, to teach dance classes. I teach my own classes, no one oversees my classes or content. I do not share common students with the general studio classes, they actually don't offer the classes that I teach, but since they are in the same business... which includes renting studio space, it looks like right off, I can't pass the ABC test. I also a friend who has run a dance company for many years, who is in a panic. AB5 is ENDING many dance companies...

Dancers

Deborah Brockus: Dancers in CA work for multiple groups over the course of a day/week/month. Nothing steady just choosing what gig to work when offered. Turning the dancers into employees is crazy some I only have for a few hours in the entire year but they will all be listed as employees for the entire year for accounting purposes as employer making my small dance company a mid sized employer - and those extended costs will price is out of the market. Additionally lawyers can give no clear answer on business to businesses 1099 so we are in a holding pattern in terms of jobs. Currently dance and the performing arts are dying in LA - no pay checks since Jan 1, 2020.

Judith Flex Helle: Self employed dancers and musicians (yes, us millions) in CA are going to be gutted by this thoughtless law, and it is WRONG to support it. CA AB5 is poorly researched and will wipe us in the dance community and performing arts out. I'm all for a steady job but in my industry, there are only a few locations that provide it for dancers in the CA/US: Las Vegas, Broadway, and theme parks (Disneyland/ Universal). For everyone else in dance, we cobble together an income from a wide variety of jobs from dance teaching to performances in various concert groups, chamber groups or rock tours; to music videos to the odd commercial, SAG/AFTRA union gig etc. Its a mix and there is really no such thing generally speaking in CA for a 52 week per year 30-40 hour per week dance job with benefits. So, we are self employed independent contractors if we are dancers. Update 2022: This is definitely a concert dance company killer. For a place like Los Angeles, that FINALLY after decades of no dance scene developed with blood sweat and tears a vibrant (but still very economically fragile) concert dance community, AB5 is the death sentence. There is no way small but culturally deserving companies. most run by women and minorities, can financially comply with this law and still produce and present anything anywhere. The dancers all want to work on a W9 so they can dance with as many companies as possible and grab any other dance opportunities. The dancers on W9 do not want to sacrifice what little they make, and are too poor and uneducated to do anything about this cruel and punishing law. No one has a lawyer. As if the dance community wasn't already on life support after 2 years of covid lockdown in CA. Buh bye LA dance.

Day Spas

Kali Kealoha Coultas: I am a female business owner.

Ab5 is making having a day spa incredibly challenging.

We don't meet the ABC requirements and massage

therapists don't want to work more than a couple hours

a day. It's hard labor. They're used to being independent

and want it that way. We are flexible people who make

our own schedules and often they work at a few spas.

The abc rule has killed me. I'm turning away tons of

business because I cannot meet the ABC requirements. I

cannot call in a therapist to do a deep tissue massage if I

offer deep tissue on my menu as a service. The have to

offer something I don't offer, but that makes no sense

because you cannot advertise what they do offer either.

It's too much. You're killing this industry with ABC.

Please stop.

Dental Billers

Burnin Merni Vogt: 66... Lost my at home remote dental billing job that I was using to supplement my Social Security... I'm too old and tired to go out in the workforce but now I have to! I guess it will be Taco Bell since my chosen profession will not hire anyone my age anymore!

Maria Quesada: I am a dental insurance biller and accounts manager. I work remotely with dentists and do the insurance billing, posting of insurance payments and work the aged accounts. I am an independent contractor and can work at home while my little ones go to bed or are in school. I am a single mom and this is supplemental income from my regular job. With AB5 I am not able to make ends meet with the extra income I earn working remotely as an independent contractors. Even a 9-5 job with a single family household and living in the Bay Area is not enough to cover rent and bills.

Dental Consultants

Teresa Hutchinson: The more I read about California AB5 the more angry I become! It was put in place to protect employees from being cheated out of benefits however if they knew anything about private practice dentistry they would know most practices don't offer benefits and are exempt because they have fewer than 50 employees! So this really doesn't make ANY sense what-so-ever! The reason I ventured out of the office and into contracting my consulting services was to be my own boss, decide my own pay and be able to afford my own benefits. As a Dental Consultant with over 20 years of experience, AB5 took away my ability to provide for my family in order to "protect me" so now my options are to perform the work for SIGNIFICANTLY less pay (45% less to be exact) as this ridiculous hybrid LLC 1099 Employee status (where I also pay the expense to be the employee) OR I can put my kids in full time daycare, still take a pay cut of approx. half my income (because this area of CA does not pay well) AND STILL NOT HAVE BENEFITS! #RepealAB5

Dental Technicians

Karolina Sahba: I'm a dental technician; I actually manufacture dental restorations, ie., crowns. It's a dying art to begin with, as a lot of us are already being replaced by milling machines. I have worked in the profession for 33 years now and for the last 20 as an independent contractor. Because of Covid-19, I have found myself out of work since March 2020, but even when more dental offices are able to reopen and patients feel comfortable enough to see a dentist again, the lab I contract for may not be able to afford to hire me back as "an employee." This AB5 law is destroying my ability to make a living in a profession I have enjoyed for 33 years.

Disabled Persons

Amy Buzin: I'm partially disabled. I could not work a full-time job that doesn't have flexibility. How many full-time jobs are going to allow you just to takeoff to go to your doctors appointments? They don't. As an independent contractor, I have that flexibility to make my doctors appointments, if I were to try doing that with a full-time job they would fire me. I know, because it's happened to me. That's why I am an independent contractor. AB5 affects people who are partially disabled, as well as moms, who need that flexible time and a flexible job.

Tim Kunze: I was working as a Realtor until my neuropathy interfered to the point I could no longer stand, walk distances or show houses that didn't have furniture so I could sit when needed (hard to take a walker into a home showing. I went on SSDI and the only thing I had left in the way of work that I could do with my disability was to play in numerous 501(c)(3) orchestras. Thanks to AB5, that is no longer available. I think all us musicians, thespians, dancers and singers should push for a carve-out for 501(c)(3) performing arts groups.

Jennifer Kristine Clark: I cannot work "full time" or my disabled son will lose his services. So I freelance. Keeps us in compliance with his services and I can support my family.

Mary Jordan: I homeschool my learning disabled child and entertain part-time to make ends meet. I usually bring in about \$40k per year because I am paid well for my services, but this year I lost almost \$30K in contracts. The stress is having a major toll on my mental and physical health, as my adrenals can't keep up with the stress level and my anxiety is through the roof.

Anonymous: AB5 is an attack not only on IC's, but almost certainly on the disabled. I've been disabled off and on for many years, finally being declared permanently disabled by my doctor a few years ago. I never allowed that to stop me from trying to work (and I never applied for or accepted a dime of disability from the state or federal government.) Being an IC was a way for me to maintain my work, my profession, and my dignity while I struggled to relearn how to walk, how to write, how to use a fork and knife. I fought tooth and nail to get to where I am today, a month now without even having to use a cane. And what does California have to say? "Sorry, but we are going to overwhelm you with so much paperwork and additional fees to sort through this mess that you'll never be able to legally work again. But don't worry, this is going to help so many other people!" If I had a nickel...

Dene Newman: I am 61, disabled, single female who needs to supplement her income doing Rideshare. I need the flexibility so I can watch my grandchildren for my kids who are Employees but dont make enough to pay for expensive childcare.

Michele Sullivan: I have worked for community theater companies for 30 years. As an IC, with flexible hours, I was able to supplement the education of my two kids with learning disabilities. Now, as a retiree, with my IC income, I need to supplement my SS so I can afford to keep my home.

Disabled Persons, continued

Elvira Barjau: INDEPENDENT CONTRACTORS WITH DISABILITIES and INVISIBLE DISABILITIES impacted by AB5, as well as Caregivers of people with disabilities (visible or invisible). Independent contractors with disabilities, INCLUDING invisible disabilities (like those who are functioning with chronic invisible symptoms from autoimmune disorders). MOST DEFINITELY AFFECTED by AB5! Many cannot easily run out into the world and become traditional employees (full time or part time). We work at what we can (what we are ABLE to do), when we can (when we feel well enough), for as long as we can (when we feel well enough). Not everyone can qualify for permanent disability – or even wants to or elects to – go down the permanent disability road. It's a matter of survival. It's a matter of dignity. It's a matter of many complex and different things to many different people. Don't tell them there's not a disproportionate effect on people with disabilities (visible and invisible) working part time OR working from home because they are doing what they can to make a living in the best way they can, when they are able to. We are just trying to live and survive like everyone else. We WANT to work. We NEED to work. Being an independent contractor (sole proprietor) for MANY YEARS, has allowed me to set my own schedule, and get the work done my way, while accommodating my physical and health needs. The only exception to that is when I work as an actor/singer/dancer.....but I'm AEA, so that always falls under an employee situation anyway. That type of work is temporary and doesn't pay well enough for me to depend on, so I depend on my independent contractor work to make my living. I am a singer, actor, dancer, producer, director, choreographer, photographer, videographer, artist (painter), recording session artist, voice-over artist. This is how I've made my living for 20+ years. I've already been told by one major client that they may not be able to hire me for upcoming projects because of AB5 if I don't comply with AB5. This is infuriating. I've been a tax paying sole proprietor for many many years. I will do what is necessary to "comply" so that I can continue to work under a "business to business" scenario. However, many are not sure how to interpret AB5, so they are choosing to not hire ICs, to be safe. I was also a caregiver for my grandmother who had Alzheimer's. Being an independent contractor/sole proprietor allowed me to dedicate myself as one of her Caregivers for almost two years. She passed away at home, with dignity and unconditional love.....because I was able to provide the extra care and help that she and my mother (her main Caregiver) needed.

DJs

Alan Au: As a single-op DJ I can't hire roadies based on availability. Anyone and everyone becomes an employee, whether it's one gig or ten gigs. Insurance costs included, prices me out. So I am forced to stick with gigs small enough to handle myself.

Marty Glassman: I'm a DJ and I've owned an entertainment company for the past 27 years. This new law is so overwhelmingly detrimental to small businesses and so utterly unnecessary. All my DJs are independent contractors with their own DJ companies. We all work for each other...and it's been this way for over 35 yrs since I've been in the business. AB5 completely changes all companies such as mine to the point where for MANY, it will no longer be sustainable economically to keep the doors open. Honestly, our whole industry is worried about the impact this will have on the hundreds of small companies and thousands of DJs who work as independent contractors.

John Anthony Arnett: I run a small mobile DJ/production company.. i always hired any extra hands as independent contractors. We pats day rates of \$250 to \$300 a day for techs on our gigs problem I'm having now is clients don't want to pay for the higher rates to cover new costs associated with my business hiring employees... it's honestly going to put my small company out of business 😞

Dakota Sottosanto: I am an Independent Contractor working as a DJ, and wanted to share how AB5 negatively affects our industry. To sum it up, I have trained to be DJ so I could pick and choose the gigs and dates I want to work. I own all my own equipment and Sub Contract for a number of Companies. In addition, I also Sub-Contract other DJs to work for me. As a Freelancer I can negotiate pay based on each gig. However with AB5, DJ companies are now hesitant to contract each-other because the ABC test seems to force us into an employee/employer position we don't want to be in. It seems to make it impossible for 1 DJ / DJ company to subcontract another DJ / DJ company, which normally happens quite often. Please change the "B" part of the test, so freelancers can subcontract other freelancers as needed in the same industry. Otherwise you are really hurting a ton of DJ workers in an industry that is already gonna have a hard time recovering from Covid-19.

Rebecca Desiderio: I am in the Arts. I run a DJ MC/Announcer & Photobooth biz.

Sometimes I need to scale and bring in professional subs to help me get the job done. My subs love it and make great money while working other jobs as they please I have happy customers it's a win win and we all pay our taxes. With this new "Law" I won't be able to afford to hire them and meet all of the requirements of work comp / HR & Payroll services. Which will all have a monthly service fee even if someone only works for me a few times a year. Not to mention the other burdens of employee status ie. paid leave sick days the list goes on. It's not possible. I feel like we are the by-catch of dolphins & sea turtles that have been caught up in the commercial fishing net. We did not even have a say so in this mess. We did not even get to vote on the "Law". It's a complete business killer! I'm at a total loss how I am going to service my repeat events that I have booked for years and my subs are also devastated at the loss of gigs they love doing and loss of income. AB5 needs to go Away!

Dog Walkers

Delia Burdeyney (Oct. 2023): The auditor from EDD didn't know about the referral agency exemption for dog walkers; after we told her it was codified into law and she left the room to Google [the cleanup bill] AB2257 and came back with a copy but still handed us nearly a \$100k fine for a handful of dog walkers, who had own insurance, business licenses, worked for other agencies. A couple were LLC's. We're appealing but they keep moving the goal posts. They are bureaucrats. It feels pretty ruthless. I think they're being so ruthless and unreasonable trying to scare businesses from attempting to navigate the minefield of hiring legally exempted independent contractors and freelancers.

Draftspersons

Brittany Cobb: Got terminated from my amazing, well-paying part-time dream career due to being paid hourly for a 1099 contract, which is illegal under AB5. The project lost their drafting team, and I lost the ability to build my portfolio and skill set. The work was an as-needed basis, and we set our own hours, but was paid hourly due to the nature of the work. The flexible nature of the gig was crucial for both the business's needs and the needs of the draftspeople who are all Independent Contractors / freelancers and are maintaining outside connections and one-off gigs. I am a theatrical designer and technician, and this was my stepping stone to doing more design-focused jobs and less technical-focused jobs. Since losing this client, I'm at a loss for a path forward and don't know how to make my dreams come true.

Editors

Candy Goulette: I am a medical editor who lost all my clients with the passage of AB5. I don't want an exemption, I want a repeal of the entire law. I want the right back to live my life and run my own business the way that works for me and my family. I am 66 and am a niche editor. How many employers do you think are lining up to hire me full time?

Christine Steele: I'm a career copyeditor with 25 years of experience. Last year I started my own editing business and gained two main clients who became my monthly source of income for paying rent and food. Both dropped me because of AB5, and now I have no monthly income. I am not able to make rent next month and just applied for food stamps.

Debbie Overman: I'm an associate editor who works W-2 from home full-time for a company based in Kansas. There is a home office in Kansas, but myself and my co-workers (many based in California, but others who live in other states) all work from home. I also freelanced as an editor with Textbroker to supplement my income to help with rent costs, pay down bills, etc. I have benefits, etc, with my full-time W-2 job, so I don't need to become an "employee" somewhere else. This was just a side gig to make extra money, which was easy to do since I already worked from home. I have now lost that extra money due to AB5, and that will put a tremendous strain on my finances.

Entertainers

Dave Stephens: Entertainers' business models will NOT be able to sustain HIRING fellow entertainers as employees especially because we hire each other, which means ALL entertainers would simultaneously be employees AND employers, all the time... And this would be true of countless other business models as well, a completely unsustainable situation and it has nothing to do with the complexities of setting up payroll.

Environmental Engineers

Cynthia Gabaldon: Environmental inspectors, building inspectors, draftsman, technicians. If you get a chance please let these elected know there are many more people really affected. I know of many building, environmental and other types of inspectors. We move from building to building...working for multiple companies at the same time. There are also many who are retired but work a day here or there. Lastly, what about those who do this just occasionally...for extra money. All building inspectors were told to either join a company before 1.1.20 or they wouldn't have a job. When we work for one company that means we can't work full time. We are not allowed the flexibility to fill in our time so we can have a full week. Please reach out concerning all workers affected by this terrible legislation.

ESL Teachers

Jan Marie: Online ESL teachers. One company has over 40,000 teachers in the US alone. They sent out a memo stating they'll no longer contract with new CA teachers as of Dec 1, 2019. I was in the hiring process when this announcement hit and I had to stop everything. Current teachers are sweating it when their contracts expire; they assume they'll be cut loose. Most are women: older women passed over for jobs, the disabled, stay at home moms, and caregivers. Currently other smaller ESL companies have yet to make an announcement but it's thousands of people who are affected. I'm an older woman (57) who cannot find teaching (or any other employee based) work in my county so I run a pet sitting business while caring for my disabled husband. The relentless 24/7/365 schedule is impossible to continue health-wise myself so I began the transition to online teaching until Lorena decided she was our Great Mother. Hence her swooning ecstasy at offering us cheaper diapers.

Event Planners

Sheryl Shane: My industry colleagues are receiving notices from agencies no longer contracting with CA independent meeting planners and independent onsite meeting managers because of AB5. Instead, these agencies and companies are choosing to use our colleagues from neighboring states to employ to do our jobs here in California. These agencies and companies I contract with, are seriously considering no longer holding future meetings based at CA hotels and CA convention facilities. They are starting to book future meetings and take their very handsome spending budgets along with them to Las Vegas, NV Scottsdale, AZ, Dallas, Texas, and high-profile cities in FL. The fact that this legislation did not even consider how many millions of dollars are spent by companies, trade associations and non-profits traveling to California to hold small to large scale corporate meeting or conference/conventions was not thought out. Do you want to lose Comic-Con? What about the ballot measure the City of San Diego is trying to pass to expand the convention center? If this law is not repealed or amended, Big Business will continue to boycott California. It has already begun because of AB5. Meeting Planners are the ones that makes these high-profile meetings happen.

Holly Reming Churchill: I had been consulting for the nonprofit arts field for a decade when AB5 forced me to become W-2 at the beginning of 2020, only to be furloughed a few months later with the pandemic. Neither the company nor I had wanted this change. Also many arts employers prohibit their employees from working elsewhere concurrently, and recessions / times of loss of discretionary income hit the nonprofit arts sector hard. Prior to AB5, arts organizations' budget challenges were eased by occasionally contracting event planners who had other clients. Now in many situations, we are forced to accept a job as 'one and none' (as in no other gigs). Or... 'one and none' ...as in we are at the mercy of only one company, its fiscal viability, and of the economy as a whole. Supporting the arts is our passion, but it becomes an uphill battle after AB5.

Shawna Dawson Bear: I'm a marketing / PR professional and have been for a decade. I've been in front of the labor commission twice this year (for the first time ever) and based on Dynamex we lost every time. Per our attorneys (at Akerman if you'd like them up) we have more of the same to look forward to. As a result, fewer clients are hiring us, and we're hiring NO CA ICs. Even if they're their own business entity, it offers no protection in front of the labor commission. Consult your own attorney.

Peggy Phillips: I'm a woman owned small business providing event and party planning services since 1986. I've always hired contract labor talent. I've always issues 1099's, paid my taxes, liability insurance, and medical insurance. I hire all types of performing artists; actors, dancers, lookalikes, stilt walkers, musicians, caricature artists, magicians... the list goes on. I provide jobs for the performing arts community. AB5 taking jobs away from the performers and those who hire them. It's ridiculous to call people who work only a few hours a year or month an employees. No one comes to my office. They all go to the places the parties are being held. Please recall this bill or exempt us as well as the exempt lawyers, hairdressers, manicurists, fine artists, and travel agents. They too are told "where to go and when."

Face Painting Artists

Clementine Lee: I'm a face paint artist who contracts out work I'm unable to cover, or gigs where I need more than one artist. I will either have to hire my contractors, which work very part time, or lose my business.

Cindy Park: I'm a face painter/balloon twister. Almost all of us either sub contract extra help or have worked events for others when we are available. There are thousands of us in CA. For me, outsourcing is 50% of my income.

Nina Greville: have a face painting company and a DBA. Like Cindy I use a lot of IC's. Some a few days a month and others once a year for a few hours. I've been returning my 1099 forms and paying taxes for years. My IC'S are predominantly women with regular "day jobs". This is extra money they rely on. They earn 4 to 5 times an hour more at these gigs than at their regular jobs. Neither I nor they want to become employees. The flip side is I'm afraid large corporations who book my teams for large events just won't bother in the future. We all loose. There are hundreds of professions impacted but it seems to me it's hitting the arts pretty hard. Movie makers, musicians, entertainers, photographers, writers artists. California is going to be void of the arts, and it's the tip of the iceberg.

Vanessa Mendoza: I am a face painter (sole proprietor) who subcontracts out fellow artists as IC's for events requiring multiple artists or for events that I'm unable to do. The amount of money these artists are currently making is substantially higher than minimum wage. No one on either side wants this. I'd be forced to pay artists less, and my artists will be forced to decline the events I offer, which then means I'd have to decline the events I need covered.

Family Caregivers

Nikole Wilson-Ripsom: I am the parent of a special needs teen, have some caregiving responsibilities on weekends for an elderly relative and myself suffer from an invisible disability - I'm not disabled enough to qualify for disability, but I'm too disabled for 90% of the jobs out there. In recent years, as my son got older, I was able to take a traditional desk job for a non-profit that mostly accommodates my physical needs and used my freelancing to earn the supplemental income needed for my son's therapies and nutritional supplementals, but when he was younger, all of my work was freelance and as others have said, it allowed me the flexibility to be there for 20 hours a week of behavioral therapy and occupational therapy and speech therapy and so on. Now, I've taken him out of music therapy (the only one he was still participating in at this age) because I can't afford it, and there will be no nutritional supplements next month. And I've already written my story to Governor Newsom, my Assemblymember and State Senator. Funny enough, the non-profit that I work for is a member of our city's Chamber, so I have to tread carefully there, but...the non-profit is also going to be impacted by AB 5 because we're a youth arts, education and performance organization and we're struggling with how we're going to handle hiring our contracted accompanists, stage managers, etc.

Aimee Benavides: My daughter has autism, and being a freelancer means I can schedule appointments, therapies, assessments and even just relaxing down time with her whenever I want. It also means I can do work that starts at 10:00am instead of 8:00am on those days she decides not to sleep until 3:00am.

Cheryl Osler: I'm the caregiver for my 85 year old mother who lives with me & I need to work from home to take care of her. I had just started my business as a Virtual Assistant when I learned about AB-5 and now cannot get any clients. When they find I'm from CA they say no thanks. My attorney says as long as I'm careful of what kind of work I take on I'm okay but they don't want to risk doing business with anyone in CA. I have to make another \$1000 a month to pay her expenses and I don't know what I'm going to do. Looks like I'm collateral damage from AB5.

Marguerite Kusuhara: I am a variety artist\ entertainer who needs a flexible schedule in order to care for my 82 yr old husband. He has recently had a stroke. I do not have much work coming in since AB5 has scared away most of the people who book me and now cannot afford to, or are confused by the bill. Last year I was busy at this time. Now, what can I do? I am 63.

Elizabeth M. Adger: AB5 is why I had to pack up my very ill husband with stage 4 cancer and autistic son and leave the state. There is no way I can take care of our family and work a "traditional" type job I have always worked for myself and paid my taxes. I was terrified of becoming homeless.

Festivals

Virginia Hankins: We just lost a major county fair client because although our ICs have been run as employees under our LLC for years, since the whole "similar or affiliated industry" thing and "can't work for clients of the client" is way too broad in AB5 (I create kids entertainment for public events, a fair entertains the public), the fair has chosen not to contract us again. Three of my actors just lost their main show that they depend on each year. That's a huge hit to them, and a sore spot because we were in compliance for running them as employees, but the industry / type of work has too much room for interpretation.

S.J. Antonucci: Beer and wine festivals are getting cancelled. I have been setting up booths at these festivals and selling my art for a decade! SO MANY SMALL ARTISTS will lose their entire way to make an income. There are many artists and vendors who rely on big and small festivals for their livelihoods.

Film Composers

Nicolas Repetto: As for me, I'm a film composer and I was able to form my LLC this year, but being able to hire musicians for just a few hours to record my film scores will be untenable with this crazy new law. I've had to look out of state to find alternatives which is terrible since I want to hire the musicians I know in LA. I will keep doing my best so freelance musicians get an exemption.

Sebastian Örnemark: I work in film scoring and every project and set of people are different. Very often you have to call in help at the last minute for writing music, playing music, conforming music to new picture, help contracting musicians, help finding a recording studio that is available, someone to tune the piano, someone to rent instruments and gear, orchestrate the music and create a score for the conductor, take the score and create parts for the musicians/orchestra, proof-readers to check score and parts for errors, librarian to print, sort and hand out correct parts to the sometimes 50+ musicians and 20+ pieces of music, help to assemble the computer files to send to the studio, engineer to record the music, someone taking notes during recording, help comping the recorded takes and assemble with the rest of the music, help to mix, master and export separate stems for the dub stage where the music is mixed with the rest of the film (sound fx and dialogue). Even taping the sheet music papers together for the musicians is a huge process for an orchestral recording and often need people to be brought in. Add assistants to all of these people too and that you often get whoever is available on tight deadlines. The number of people you contract can reach hundreds in a year for a single or a few times of contracting. I bet similar scenarios exist for other people than just us film score composers. Thanks for taking this into consideration

Film Crews

Dan Cheatham: In 2022 all of my work as crew for film sets went through payroll companies who sent me W-2s as required by AB5. Now I cannot write off any of my office costs, vehicle usage, fuel, software or hardware, self-advertising or even my office space for any of this work. Now all of the costs associated with maintaining, enhancing and conducting my work must be fully reflected in my cost to “employer” otherwise the business concept fails. I am now too expensive or I must be willing to drop my per diem at my own operating cost and at a loss of operating margin. Money availability in the film market has not increased for independent film as expected. AB5 is poison for self-employed trying to work in California unless we are willing to just volunteer our services and turn this into art for arts sake.

Andy J. McQueen: I have been a Freelance Independent Contractor for 20yrs from Camera Assistant to Camera Operator to Audio Mixer/Location Sound Recordists, grip, gaffer, utility and technical supervisor. Some work for a client is 1 day (day player), some may be 4 to 10 days and yet others 3 months, really there is no set amount of time. After that particular job I may work for that client months later or years later or never work for that client again. It's all gig to gig employment that is 1099 based. With AB5, even owning my own business (sole proprietor), I am in jeopardy of losing everything! Production companies hire their crew members for the duration of the project. Once that project ends, effectively we are fired (end of show) and are looking for our next gig. It's a constant hustle to find more work. I am not an employee of the production company, in fact technically we are considered being employed by the payroll company. No network hires us even though the project may be for a major network, studio and/or on-line streaming service. There are a lot of independent contractors in TV/Film/Internet/Live Production/Sports/Concerts/Conferences/Meetings/Weddings/Birthdays/bar mitzvahs bat mitzvahs...the list goes on and on(Reality TV included) that simply won't qualify for the B2B exemption.

Jen McCleary Allen: San Diego Film Production: Large group project where 100% of folks were to get paid has now turned into 90% volunteers with remaining trying to set up B2B so project can at least still continue. Second film project: Volunteers only now but we get IMDB credit & food.

Film Producers

Willow Polson: I was working on an upcoming project that I will now not be doing as planned because of AB5. Catering, crew, SAG actors, hotels, props, costuming, special effects -- they are all getting NOTHING. AB5 has cost the state economy over \$30,000 from my one small film production alone. Instead of hiring people, they will all get zero, because I can't afford to get fined out of existence for making a mistake due to arbitrary moving and possibly retroactive goalposts. Did it force me to hire actors as employees or use union crew? No, because the money isn't there. Congrats, Lorena, you've just set \$30,000 on fire. About two dozen people I was going to help with freelance film work are getting \$0. Here's part of the problem: I can't just do half a project. If I can't use cast and crew members in a way that makes sense for my micro-budget, I have to scale back EVERYTHING including food, locations, props, etc. According to AB5, I have to employ my editor, even though he works out of his home six hours away, and I don't dictate his hours. The fact that his skill set is integral to completing my project is what flips him over into the AB5 mire. I had several thousand \$\$ set aside in my budget for him alone, but no more. He gets \$0. Now my husband is probably going to have to edit my show in our living room on our home computer. The quality will suffer and the entire situation is a hot mess, but what choice do I have anymore? If I try to raise \$30K on Kickstarter, Probably \$10K of that has to go just to payroll services, accounting, and taxes alone before my crew would see a dime. And if I make a mistake? God help me. I can't risk destroying my company.

Rachel Garcia-Dunn: I'm a small business owner who's retirement savings was completely wiped out trying to keep everything afloat. I have a small two person film production company who does short films and commercials, and was also used as a loan-out Corp for visual effects (vfx) projects on the side. The Vfx loan-out clients forced me to go w2 which left significantly less overall revenue into the business to fund the other film projects. In addition, the new the payroll and insurance requirements necessary to hire freelance crew when needed has become cost prohibitive. So the steep increase in the cost of doing business coupled with skyrocketing rents and the drop in revenue from losing loan-out clients forced me to dip into my retirement savings just to stay afloat. Looking seriously at dissolving the business or moving it out of California.

Film Producers, continued

Jen McCleary Allen: San Diego Film Production: Large group project where 100% of folks were to get paid has now turned into 90% volunteers with remaining trying to set up B2B so project can at least still continue. Second film project: Volunteers only now but we get IMDB credit & food. Caregiving: 2 cancellations and one asking if I can volunteer time as they can't hire IC. Cleaning: An entire month was cancelled and unsure if client will need services following month. Single-mom volunteer can't feed the hungry youth and am visiting every food bank in the region already as it is. AB5 is an abomination.

Kevin Chiu: “I am writing to express support for the rule clarification as an independent filmmaker that chose to operate as an independent contractor and benefits greatly from the flexibility and control that it affords me in my work. I, like many sole proprietors, am perturbed by the great degree of uncertainty that recent proposals for legislation by states and the federal government towards forcing businesses to reclassify independent contractors as employees. I share the DOL's opinion that employing an ABC type test nationally will have a disproportionate effect on a group of individuals that have either voluntarily built strong businesses and careers as ICs or rely on the flexibility of the descriptor due to age, family, or medical/disability reasons. Legal clarity that allows businesses and true independent contractors to safely and confidently contract nationally will provide a great degree of economic opportunity and security for people across many demographics. On the contrary, a nationally divided legal landscape of classification laws make for perilous grounds for contractors and their clients to conduct business. I fully acknowledge that misclassification both intentional and unintentional can occur when workers who do not wish to be classified as ICs are misled into independent contractor arrangements, but the current push at a state and federal level to proactively declare via ABC type tests all independent contractors, including bona fide ICs, as misclassified unless proven otherwise is in my opinion the wrong approach to address such an issue. This has the effect of severely damaging or destroying many small businesses who do not have the resources to defend against such claims, be they legitimate or not, and eliminating many opportunities for bona fide ICs to do business for oneself, without providing equivalent employment opportunities as such legislation intends to do. For background, I am a sole proprietor that has invested in, owns, and operate my own equipment, handle my own health and business liability insurance, and charge my clients prices that offsets these costs, ensuring that I can derive profit while still protecting myself from risks. I can easily deny a job request based on any budget or safety concern, negotiate terms, and have a strong network of clients that affords me stability throughout the year due to consistent, simple, and straightforward arrangements that my being an independent contractor allows. Moreover, I am making at or above the income level that I would derive from a similar employment scenario at my level with all the benefits of setting my own schedule and choosing the projects and clients I wish to be involved with. I find this arrangement to be more efficient and satisfactory for my own working experience and that of my clients. This is all to say that all of this hard work can be severely compromised by state or federal regulations that employ an ABC type test as seen with California's AB5, the ProACT, or the Senate version of the bill. Many of my clients will not be compelled to hire me as an employee due to their budget or their needs for a flexible arrangement and will most likely end their relationship with me in order to comply. This has already been demonstrated in California for much of 2020 as demonstrated by article citations 150-152 and supplemented by anecdotes from many individuals that have lost their livelihoods due to the legal ramifications of an enforced ABC test, a portion of which I have included a sample of in attachments submitted through a Facebook group called 'Freelancers Against AB5' - even if the IC relationship manages to pass through the test. Even independent contractors who try to register as LLCs or S-Corps are not enough for many clients to risk taking on the liability of accidentally hiring a misclassified employee, and those few proprietors who are forced to reclassify as employees report receiving significantly reduced pay. Citation (147) noting the decision to analyze California's AB5 as an alternative to proposed DOL rules because of employers choosing to comply with the most stringent of rules in a patchwork of different nationwide rules in order to ensure consistency is of significant concern as inconsistent federal and state standards with regards to classification may render the DOL rules ineffective in practice for those independent contractors and businesses affected. Regardless, I believe that rules that set a clear and reasonable alternative to draconian and damagingly basic rules following an ABC standard is important to set as an example to protect true independent contractors from harm while still ensuring that proper working arrangements are made for workers that cannot in any way be considered an IC. As such, I reiterate my support for the efforts currently being pursued by the DOL for rule clarification.”

Film/TV Production

Jim Orr: This bill has chilled many in the TV and Film industry. Gone are the days one would get a call from the BBC or some entity to “shoot an interview or segment this week and please contract a sound and lighting person”. Now, one has to be a specific company and each person must be an employee - very difficult to do with all of us freelancers and on such short notice. So they fly in the crew, or hire a company to do it - taking more money away from local industry freelancers.

Sandi Grossman Buehner: [There are many independent contractors in our industry], not in the big union houses, but in the small production houses that produce industrials, commercials and some short film projects. They might be a sole proprietor, but on these short shoots (a day to a week) they contract for services to ensure the client is serviced quickly. They might contract for lighting, sound, camera, and whatever else the small project might need. Many of these contractors support each other. If Company A has a job, they might contract with Company 1, 2 and 3. When Company 3 has a job, Company A might be available to help. These are small independent businesses looking for a way to ensure they are not breaking the law. Do their fellow independent contractors need to be LLC's? Will that protect them? Do they meet all the requirements for business to business or will something in the bill they misunderstand cause them to be penalized. The sad thing is, there is plenty of coverage for the union crews. Except, all the unions within the Film/TV/Commercial industry are closed. Even the theater industry has a closed union. The only way in, is with experience. How do you start building experience? Working nonunion projects. Even actors are harmed by this bill, because they need lots of experience to gain access to either SAG-AFTRA or AEA. Without that experience, no one would consider auditioning them for a union project. The unions shot themselves in the foot on this one! You can't get new members, if you union is closed and you make it near impossible for others to gain experience to work on a semi/professional set—in front of the camera, behind the camera, in post production, in every field, that isn't working a union project.

Julian Robinson: I'm a film editor who has been incorporated for years, and have all my own benefits as a small business owner. Clients are suddenly refusing to hire my BUSINESS and instead forcing me to file as w2 employee, deducting payroll and other expenses I already pay for under my business, causing me a nightmare of work in reassuring them they won't get sued if I can just invoice them normally like a business.

Fitness Instructors

Phil Lollar: My wife is a freelance Senior Strength Trainer and Fitness Instructor. She has done this successfully, on her own terms, in Pasadena for 20+ years and in Duarte for 30+ years. Even before this reprehensible law went into effect, lawyers for the Pasadena facility where she teaches came to pressure the facility to change her status to employee. Neither my wife nor the facility want this, but on Monday, she has another meeting with the lawyers, who will no doubt intimidate the facility into compliance. The facility is not in a position to make her an employee, which she doesn't want to be in the first place. So after 20+ years, my wife may be forced out of the work she loves and turned into a success, just because some know-nothing bureaucrat thinks she knows how my wife should live her life better than my wife does.

Florists

Monica Wyman: I'm an Event Florist who only works seasonally and hires freelancers to complete our jobs. AB5 keeps me from bringing in the help I need. My helpers are moms who want the flexibility to work at their own schedules and say no to any gig they don't want. I don't make enough or do the volume to form a company with employees.

Shufina Knoebber English: My sister is wedding florist. When she has a large event, she will frequently subcontract out part of the production (putting together the floral table arrangements for example) to one of her local competitor / colleagues. She lives in a rural area, people like to support each other —when 2 florists bid on a wedding, only one gets the gig. In a rural area, there's not a whole lot of qualified, skilled help and people appreciate being brought in. Temp Agencies don't really exist either. In a good month, she might have 6 weddings and might only need support on one. This flawed legislation favors urban areas where a small business can presumably draw from a regular supply of "temp" workers via an agency. It is disrespectful to rural populations to assume that what may work in San Diego or LA will also work in Mendocino, Humboldt or any rural area of our beautiful state. And - it takes NO consideration for the fact that competitors ALSO collaborate and support each other.

Fly Fishing Guides

Greg Edward: AB5 negatively affects fly fishing guides in CA, because most of us are independent contractors. We can't possibly all be our own business or soul proprietor, because we move around fishing and use a "placement" service (outfitter) to work under their umbrella for insurance reasons, permits, etc.

Forensic Nurses

Anonymous: There are many forensic RNs who work on a 1099 basis for private nursing companies and hospitals providing sexual assault forensic medical evidentiary examinations. All of this work is at risk due to AB5. Patients who have been sexually assaulted will suffer long wait times and may receive substandard forensic medical exams if provided by untrained medical personnel in an emergency department. It is not feasible for many hospitals to have a forensic nurse on duty 24/7 so they contract with us to come in when needed. We are paid per exam, and receive a 1099. The forensic nurses are free to sign up for work around their other jobs or family commitments. We also have patients who were assaulted in skilled nursing and adult care group homes. We have worked very hard to increase the number of forensic nurses in California. I also do consulting and training on best practices for forensic nursing. Vicarious trauma among forensic nurses is a huge issue in this work."

Foresters

Stephany Wilkes: Like writers, many foresters are contractors for multiple companies at a time (i.e. say, fire clean up for PG&E, and possibly 1-2 other companies on the same site, and cruising timber on a private plot in the same week). They have expensive equipment and mileage costs they need to write off as business expenses. They don't meet the A-B-C test. That's about it. I know there are some in this group who can speak for themselves. :)

Matthew Gilbert: I'm not in his district, but I just shared a letter with him that I wrote: AB 5 is a terrible idea. To show you why I would like to share 3 reasons with you. The first is a business I started, as is the second, and also the third. When I was 13, instead of building a lemonade stand, I started running a business shearing sheep. It is hard to overstate how amazing it was to run a business as a teenager. It was fantastic. I learned skills and abilities many never do. At 18 I had my private pilot's license (ASEL). In college while most people were working low wage summer jobs, I had a seasonal business. I had my collage loans 100% paid off less than a year after I graduated with my BS degree. I worked as an employee for about 6 years after that, but never stopped shearing on weekend, and that weekend business was something to build on when I quit my job as an employee. Since then it has been a steady couple of months of work each year reaching a high of about 5500 animals sheared in 2018. When one is growing a business, making sure that the customers are taken care of is critical. I had several flocks of about 1200 sheep, which is too much for one guy to do. I would team up with another shearer and contract with him so the two of us would get the job done together. For me, his help helped me keep my customer happy and let me grow my business. For him, he ran his own business shearing and didn't want to be my employee, but he appreciated the extra week of work. Under AB 5 this kind of sole proprietors collaborating could never happen. Hiring an employee requires having a steady business. Having steady business requires having happy customers. Getting those happy customers often requires small businesses being able to contract with each other and build each other up which is now illegal.

The second compelling reason why AB is a terrible reason is the second business that I quit my steady job to start. We have 4 employees and make yarn out of sheep's wool and other fibers. It was a very labor intensive business to start and I could not start it while being employed, which is why I quit. I did not need the protections of an employee, I needed a way to make money when I wasn't shearing sheep that was incredibly flexible and left me with enough time to build machines. I could only do that with contract work. If AB 5 had existed 3 years ago, I would have had to get a job somewhere and would never have been able to build the wool mill. Even now, if I can't figure out how to work as an independent contractor, it is highly likely that because I won't be there making the needed mechanical improvements the mill will fold along with all our employee's jobs.

The third compelling reason is my business Gilbert Forestry. I graduated with a BS in Forestry and am a Registered Professional Forester (license #2972). When I quit my steady job as a forester to start the wool mill, I simultaneously started this business. My business model starts with the realization that every business ever has unexpected short term needs. I provide expensive, high quality short term work. My first contract was a forestry firm that had lost an employee and needed some help for a few months. Since then I've cruised up and down the west coast for 2 weeks at a time, been flown to Alaska for 3 weeks of work, and worked in the immediate aftermath of the Ranch, River, Camp, Carr, Pocket, Tubbs, Nunns, Atlas, and Redwood Valley Complex fires among other work. My work as a forester is rewarding, and I enjoy it; most importantly however, as a contractor I get to choose when, where and if I work. For me, this is important because I am building machinery to for an unrelated business. For many others, it is because of health conditions, dependent care, or a lifestyle choice that values freedom more than consistency. AB 5 outlaws this freedom and is forcing many to find work as an employee that ill suits them. Depending on how the courts rule, the only income that is legal, is from out of state.

I don't need an exemption to AB 5. All that would mean is that I get to live the lifestyle I want while many in other sectors can't. I believe in a future where small businesses form a vital component of the California economy. Where government policies level the playing fields and ensure that small businesses and large can compete on equal footing. AB 5 tilts the playing field hard in the direction of big businesses. This bill is irredeemable and needs to be repealed.

Sincerely,

Matthew Gilbert RPF #2972

Co-Owner of Mendocino Wool and Fiber Inc.

www.mendowool.com

Funeral Officiants

Jeffrey Lemasters Tahir: The pastor at a funeral is an independent contractor brought in by the facility, similar to any performer for an event. I didn't realize this until I was asked to do a funeral. I am a magician and an Evangelist, which means, in part, that I am brought in, as an independent contractor, by churches and other organizations, to do the kinds of things a pastor would do, but on an occasional or one time basis--essentially a freelance pastor. That is partially how I fund a lot of the non-paid Evangelism work. [Question: What about all the many different denominations of religious leaders that may be asked to preside over a service? Would a mortuary now have to employ just a single "one-size-fits-all" pastor?] Exactly. Another hugely negative consequence of this terrible law, that wouldn't really be on most people's radars. No one is going to think about such an impact

Genealogists

Ruth Lang: I am a Professional Genealogist. Last June my father passed away and I needed to find work I could do from home to care for my elderly mother who lives with me. At the end of 2019, I quit my job at our local historical society to start two part-time businesses: freelance writing and a genealogy/historical research business. I wasn't aware of AB5 at the time. For my genealogy business, I accept clients, but due to AB5, I cannot contract with local museums, historical societies, law firms (for heir searches) to research and develop special programs, exhibits, websites, blog posts, and social media as these services are part of the company's business. I am proceeding with plans to start my writing business with the hope that freelance writers eventually receive a full exemption or AB5 is repealed.

Graphic Designers

Kevin Barnard: I'm a graphic designer and have been working in California as a freelance independent contractor since 1997. On Jan 1, 2020, AB5 caused an out-of-state client to drop me from their preferred vendor list. That client was a potential \$25k-\$35k income source for me. I explained to their HR dept that as AB5 is written, graphic designers are exempt. The client refused to reinstate me as a preferred contractor, saying "the risk of legal action and fines brought by the State of California prevents us from accepting any further invoices from you." AB5 is poorly written, being irresponsibly implemented in its draconian methods, and has all but destroyed our work environment as freelancers in California. Update 2022: Kevin Barnard: Since AB5 reared it's hideous maw, I have not seen a single work offer that is even 1/2 the hourly rate I was getting before this AB5 shitstorm hit us in our collective faces. I pay taxes. Lots of taxes. #RepealAB5

Hair Stylists

Scorpiana Xlynn: I want to clear up a misconception. I am a hairstylist who has been an independent contractor for 21 years. Folks keep saying that hairstylists are exempt. That isn't exactly true. It's not that we aren't allowed to be independent at all but there are a bunch of new rules in place to put the burden of proving we are independent. Ab5 doesn't affect an independent beauty professional who rents a suite at a place like Sola salons where you rent an individual suite with a lock on your door and you provide 100% of everything yourself. It affects people like me who rent stations at regular salons a.k.a. booth renters. Previously, salon owners who rent out stations as opposed to running employee based salons were allowed to offer whatever rental perks they wanted to attract and keep renters. Where I currently rent at, these perks included: free coffee for me and my clients, use of towels, robes, capes and the laundering of said items, use of the salon landline, free shampoo and conditioner at the backbar, free disinfectant for our combs and brushes, use of the salon receptionist if we chose to book our appointments. The owner sells hair products and accessories and if my client buys anything, I got 20% commission. We are not in any way, shape, or form employees. I pay rent at the start of every week, my clients pay me directly, I am not required to share my tips. Apparently this is no longer enough for the state. As of January 1st, the salon owner is no longer allowed to provide anything but the station itself. She is no longer allowed to give us commission on the products our clients buy from the salon. I now have to come out of pocket for towels, shampoos, coffee, etc. They will be sending inspectors around to check that salons like mine are compliant. The new laws also affect my ability to take short term contract gigs like doing hair for fashion shows and photo shoots for companies and businesses. It affects my hairstylist friends who have side gigs doing education and hair shows for major product companies.

Healthcare (Executive) Recruiter

Kellie Gee: I was a 1099 Executive Healthcare Recruiter that all came to an end January 1 2020. I was earning a 6 figure income working for myself on my terms. I recruited MD's and Healthcare Executive's for hospitals, assisted living and skilled nursing facilities throughout the country. I'm devastated and feel fortunate to have found this group.

Home Healthcare Professionals

Anonymous: There are many allied health professionals that work in home health as ICs: Speech Language Pathologists, OTs, PTs, and LCSWs. The number of home health patients often spikes in FEBRUARY... this is when the holiday stress that contributed to heart attacks and strokes sends patients home from acute settings still needing a level of care to prevent deterioration and readmission. I predict we will see a documented increase in readmissions and demise around the middle of February. There's already a shortage of these providers. This AB5 along with PDGM that took effect 1/1/2020 is already having a devastating effect on therapists, who work in this way BY CHOICE. There are more than enough jobs available to us, working as an IC is a choice. One company nationally laid off over 4000 therapists due to PDGM. There are at least 28,000 therapists/allied health professionals who are furious nationally. I don't know the California numbers. I suppose this is a clever way of fixing the pensions problems? 🤖🤖🤖

Nowak Esmeralda: I was a Home health Clinician for 11+ years. As an IC, it allowed me the flexibility of raising/attending to two children, assisting in the care of bedridden mother, and later included MIL. Assist with finances, and YES, paid my taxes! Health care covered by husband. Would never have happened if I had an 8-5 job.

Bronwyn DeHavilland: I'm a home health therapist, or I should say was a home health provider until this law came along and decimated my career of 10 years. I am furious.

Arpineh Keshishian: I'm a LCSW with 26 years of home health social services experience. The employment model just does not work for home health services that are considered secondary services. Speech therapists. Occupational therapists work in the home health industry, and as a social worker my colleagues who provide physical occupational and speech therapy to home health and hospice agencies have all been affected. I contract out social workers all over CA. My social worker in Sacramento just told me she's not going to stay with me. Now there are elderly patients who need a social worker visit that I cannot provide I had to inform the agencies to find another source for their social worker. The elderly and disabled homebound patients will suffer. Not every patient will require a physical occupational or speech therapist or a social worker. Those are normally contracted out. Also, most of us work with a number of home health agencies since not every patient gets referred to our disciplines and therefore we need to work with multiple agencies to have a steady income. It absolutely will increase costs. I think it will also result in less care for patients as agencies might switch to the per diem employee status and just not send referrals for services as much....so for example, if a patient would initially get 6 to 8 physical therapy visits might be told that they have to do it in maybe 3 to 4 visits.

Shonney Tropper: I lost contracts with 12 home health facilities due to AB5 losing 90% of my business of 15 years. I had a registry where I hired occupational therapists, physical therapists and speech therapists to see home health clients. None of them wanted to be W2 employees so I was forced to close my business.

High School/College Sports Reporters

Kyle Rae: Today (February 20, 2020) was my final day as a sports reporter at my publication, barley 2 months in to the new year and I met my 35 articles a year quota. I reported on all local high school & college sports for the inland empire (mostly Hemet, Temecula, Menifee, & surrounding areas) also occasionally professional sports when something major happened. The kids are heart broken! As a sports guy, I really made it about them and made them feel as special as possible. I went out of my way to help them, the community loved me, they are devastated. The publication offers to bring me on a staff, but the offer was a joke it would turn into less wages and more hours. Plus a fixed schedule that wouldn't work for me as I am a full-time dad and aspiring fiction author.... I'm a man who wears many hats.

Home Organizers

Bekka Fink: I have a small biz working with multi-generational families, small biz owners, and individuals. We support people in many ways around internal and external clutter. I have 12 people on my team (including me). Due to AB5, I can no longer afford to hire any of them except three. All of my contractors survive on a variety of gig jobs in the arts, teaching, healing arts, restaurants, and other jobs. I love giving them work. I love each and every one of them, and I have spent many hours teaching and mentoring them. I am really sad about this, and haven't told all of them yet, as I'm still figuring out if my main crew will continue, with a pay cut. All of them had great potential in my company, and will be impacted in a very large way. Based on what I know, I and the three others will have to take a large pay cut to cover payroll and other expenses due to the law. I have always paid my contractors well and reimburse them for gas and tolls. Sadly no more. As a Professional organizer, life coach, relocation specialist, I have been doing this for 14 years, building my business slowly, and have just begun to have a solid stable existence in the Bay Area the last three years. This law is going to make it very difficult to survive here. AB5 puts limits on the support I can hire, and perhaps the inability to write off expenses. This could end my beautiful business that I and my clients adore. The work is a much needed and loved business.

I am also a professional performing artist and I haven't even begun to look into how my work will be impacted there. I just turned 50 and need support in my business because physically it is very demanding. I was in the process of setting up my business to be sustainable and carry me into retirement. Now sadly I fear this will not be possible. I also work with outside vendors (design, haulers, landscaping, moving, painters, contractors, architects, handymen/women, electricians, computer folks, media transfers, etc...), and I have questions about how the law sees these people in my network.

Horse Ranches

Paisley Phelps: I own a horse ranch. I contract with eight independent contractors to all help my business: Independent riding instructors, grooms, fruit pickers, landscapers, etc. NONE meet the 'ABC' checklist, all are 10-99'ed, and ALL have other jobs and sources of income. I can NOT afford to put them all on payroll. These people will have to be let go, therefore forcing my ranch out of business.

Hull Cleaners

Matthew Peterson: There are at least 1,000 hull cleaners in California (those who provide boat owners with in-water hull cleaning services and related maintenance tasks) and the great majority of them either work as independent contractors or use independent contractors to get the job done. I have six divers working for me in varying degrees but none of them are anywhere near full time. I simply cannot afford to hire them as employees, and I guarantee many other dive services are in the same boat, no pun intended. This could put me out of business.

Indie Film Producers

Willow Polson: I now have to hire my crew and actors as employees, even if they only work a few hours, which has at least tripled my production costs, if not more. I now have to hire a payroll company, pay payroll taxes, and hire a production manager just to handle the mountains of hiring and payroll paperwork. What used to cost maybe \$30K to make is coming in at \$100K or more, and keep in mind most of these very small projects are crowdfunded or pieced together with investment/angel funding. AB5 not only hurts non-union actors and crew, it hurts small production companies too. This is crushing the micro-budget film industry and will only encourage companies to operate illegally without permits or insurance. And I may add the "B2B will fix this" that gets tossed around does not help my business -- they need to understand that this hurts the businesses who want to hire contractors too. It's cutting both ways.

Jen McCleary Allen: I am a mother (46) with an adult daughter in college and a teen son. I have a chronic condition, am a domestic violence survivor and being a single-mother, am the only one available to drive my son to school, hence the need for flexibility. I'm a daughter of a sign language interpreter. I am a caretaker of 2 (91yo) women and a couple in their 70s. I am a cleaning lady for elderly folks, including a widower. I am also a degree holder in video, editing, film & design and my passion is filmmaking. A huge recent project of the year for our small local town and we were told to either become LLC ASAP or volunteer. 90% of us volunteered so it would still be produced but were left out of the opportunity to actually get paid (SD has very few paid film gigs and the one time I get one worthy of my time, this horrible bill messed it up). I'm now considering selling jewelry at the swap meet & farmers markets to get by along with having to claim unemployment. How can I explain this bill to my guitar playing son that has a dream to be a musician? Our family and many of my IC friends and colleagues are heartbroken.

Margarita Reyes: I'm an indie filmmaker/actor/creator and also film mentor for youth. For 5 years I mentored URM students within two separate youth film programs. In my own productions, I choose to create opportunities for the next generation as a way of, not only giving back to my community, but as a way to support our youth in their personal and professional growth. These are communities who do not have traditional pathways into the entertainment industry. Most start creating their own projects, many times collaborating with each other on passion projects, with micro budgets. Now there is a very real risk of being audited & fined for collaborating with each other. As my fellow freelancer stated, "AB5 is killing the arts".

Insurance Adjusters

Lee Baker: My wife and I are 1099 Independent Property Adjusters. AB5 combined the current tax laws are devastating. We drive a huge amount of miles inspecting property claims throughout the state. Unless there is a loophole I'm missing we can no longer deduct those miles as a W2 employee? As independent adjusters we do not work directly for the insurance carrier. Instead we work under contract for one or more Independent Adjusting (IA) Firms. IA Firms handle insurance-carriers' overflow claims by employing independent insurance adjusters such as myself. In the past we have operated as a Sole Proprietor and have been paid as a 1099 independent contractor. The IA Firms that we work for have now taken the stance that they will classify and pay us as a W-2 employee. This in itself may not sound like a huge deal except that employee business expenses are no longer deductible on a federal tax return, including vehicle mileage, due to the tax code changes that took effect on January 1, 2018. It may be the final straw that forces us out of California! The sad thing is that it appears that an out of state adjuster could come into California and take our work and the law would not apply to them. It's not a stretch as it already happens on a regular basis. Especially during times when there are not enough resident adjusters. During times of catastrophe such as wildfires, earthquakes, flood, severe weather etc. As adjusters we have a huge amount of business expenses it is not uncommon to drive over 6,000 miles per month and in some extreme cases over 14,000 miles per month. Add in our subscriptions, software, hotels etc... etc...etc.... and you can see that our expenses become substantial! Adding to the confusion is that the vast majority of IA Firms are located out of state and they all seem to be interpreting the law differently. My hope that we would be able to avoid the whole AB5 debacle by forming an LLC. The firm that we get the majority of our work from has said no. Other firms have said the opposite and have advised us to form an LLC. A few others are taking the stance that we/ they are not subject to AB5 and at this point are not making any changes. I honestly think the law is so new and poorly written that nobody really knows how to interpret it.

Lee Baker: My wife and I are both independent insurance adjusters and travel is a huge part of our expenses. We average several thousand miles a month. Fuel and maintenance expenses alone are tremendous. In 2018 we had \$70k in expense deductions. As a W2 those would go away. We would/will take a huge financial hit by being classified as a W2 employee

IT Contractors

Sepulchralis Le Guard: (April 2021) I was a very successful contractor in the IT business as business analyst and subject matter expert for 20+ years. AB5 flat out put me out of business! Colleagues in the industry are in the same position. Many of them closed their businesses and involuntarily fled into permanent positions, with only a fraction of the pay and stuck with a dull support role instead of the variety of exciting projects for all kinds of end clients we used to work in. In 2020 I wanted to work C2C with one of my ex clients and they told me that California has made it IMPOSSIBLE for them to give me work as a contractor. My last contracting job ended in Nov 2017. I have been struggling since then to secure work and I feel that employers are taking advantage of the shift in the

Lactation Consultants

Alice Clark: As a lactation consultant receiving 1099s from insurance companies and billing services, I am terrified of what may happen. How can they decide that some medical professions are exempt and not others? If myself and other IBCLCs can't work for these companies anymore that means that thousands of women will be paying for breastfeeding support (which is covered under the ACA) out of pocket or be forced to go without help.

Landscape Designers

Nan Sterman: As a landscape designer, I am facing the dilemma of no longer being able to use IC draftspeople to measure projects and create baseplan drawings for me. Nor can I tap different design colleagues for different projects — our skills overlap somewhat but we each have different specialties so we come together in different groupings depending on the project. There aren't enough projects to justify hiring anyone as an employee, and besides, I would have to raise my rates significantly to cover employee costs. In the end, then, I can't serve my clients with the service they need, can afford, and deserve. What happened to the concept of "right to work?"

Lighting Directors

Cráig Vincent: I have been the contract technical director at the Woodland Opera House for the past couple years. I have been paid a monthly stipend as an independent contractor. As of today, that has come to an end. The theater can no longer pay any stipends and is reverting back to an all-volunteer organization. Many of California's community theatres are hurt by this and some are actually closing their doors. I make my living as a freelance lighting designer, or I did until today anyway.

Nate Mills: I'm Sole Proprietor in the entertainment event lighting industry and there is no permanent placement style for my work. There are too many dark spots between work, multiple vendors in the mix, and the standard employment laws that protect employees stifle large last minute windows of production. So the independent workers are how it's accomplished. AB5 is more about reeling in lost taxes than protecting misclassified employees. That's the sum of this bill.

Lighting Techs

Lloyd Dickson: AB5 is so bad that I have moved my self and the business out of state. The B prong of the ABC test is the problem, and a lot of the work in IT is B2B. Many clients simply said, "oh you're located in CA, sorry we do not do work in CA any longer." Also threats from .state saying that we are not compliant, etc., even though as far as we knew we were. It's truly the most toxic law out there.

Loan Agents

Mark Fausner: I'm a mortgage loan agent and I have been IC for 30 years why now should I be forced to go w2 and have no business deductions . , and when a realtor who conducts their business the same does not ?? Not honestly fair?

Location Scouts

Catbird Scouts: I have worked as a Location Scout/Manager for over three decades for a range of clients in the film/photography realm. Sometimes on a larger gig I am put on payroll, but mostly I am an IC and submit an invoice as a sole-proprietor. I have made a career and supported myself doing this (feast or famine sometimes), and prefer the flexibility to choose my own schedule and projects that suit my availability, skills and preferences. Oh, and I pay for my own health insurance. I'm experiencing a real downturn in requests for work which very likely is attributable to AB5.

Luthiers

Robie Canlas: I've been a luthier (someone who makes and repairs stringed instruments) for almost 13 years. It's a very tight circle of luthiers/builders and it's not uncommon for us to contract/hire each other for work since hand building a guitar from scratch takes a good while. From cutting tone woods, hand shaping bodies and necks, bracing, fretting and finishing, it sometimes gets out of hand especially when you have a good amount of orders in the pipeline. We luthiers hire each other for specific work as well because certain luthiers have a higher skill on a certain aspect of guitar building or repair. For example, my forte is restoring and refinishing high-value electric/acoustic guitars. AB5 has made us weary and worried on how to comply with the law and also stifling our guitar building. It's already a very competitive and cutthroat industry already, and it's going to destroy a lot of the smaller builders.

Jonathan Eric Wilson: I have a small (S-corp) firm that specializes in an instrument (GuitarViol, a guitar formatted viola) I invented that is used by a lot of Film/TV composers around the world. (300, Game of Thrones, John Wick and tons of Netflix, Showtime, HBO). 30+ years ago, I embarked on this journey to make an instrument I wanted to exist and never a thought that it would become my living and I would have to ditch that W-2 "job" in 2008 to keep up with demand! This was developed on my own moonlight hours and nobody was handing me a W-2 job to do it! Over the years, I have trained people who now operate their own firms and have lots of their own clients. It is not uncommon in the boutique custom guitar and violin building space for there to be cooperative B2B IC business. Many of us are not competing with each other and it is a culture of kindred spirits who specialize in certain things! I incorporated on advice of my CPA in 2009 because it was real awkward being 1099s by media clients accountants (for my own freaking invention!). My garage business was a victim of its own success and I was zoned out of LA. Had a commercial shop space in another county for 4 1/2 years until that got tangled in red tape and I moved November 2019 to a space closer to home (Valencia, CA) but with increased overhead! Now, welcome to 2020 - an expensive move - now AB5! UGH!!! I'm tasked with setting up payroll and rethinking everything! I may not be able to call on specialist IC's. We are not some mega factory, we make small batches of super high quality tools (specialty instruments) for the movie soundtrack industry. I am concerned for the post production industry (my customers) in California (1/3 of my business is California, 1/3 the other lower 48, and 1/3 international). AB5 is insulting and its proponents heartless and condescending. We are operating/complying the best we can! Concerned for this American nightmare unfolding.

Magicians

David Skale: As a magician, I work for many different event planners. Under AB5, each event planner will have to make me their employee, even for a single gig. I also own an event planning company. Under AB5, I will have to make every performer I contract an employee. Again... even for a single gig. These added costs will destroy my business and those who have a similar business model. The Magic Castle is on the front lines of fighting this. Like most comedy clubs, they rotate the acts each week. This law means that EVERY PERFORMER becomes an employee. They are working on getting letters from major celebs to write to the legislatures.

Scott Tokar: As a magician, typically we book a gig for several walk-around magicians and then hire other magicians to join us. Now I have to hire magicians from out of state to join me because it is less expensive for them to drive from Las Vegas for a two hour gig than it is to have PIT workers comp and UI taken from their checks.

Bill Perron: I'm a magician and my work has ceased because of Lorena Gonzalez who would rather dictate than work for the people who pay her wages.

Dawn Morgan: I get it. We call ourselves the "Walmart of Magic". We do an amazing "In and Out" show and we do 2 - 4 shows a day. We have had the same 10 venues for 8- 25 years. We have such a rotation of magic that I keep lists of which venue gets what show each year and change it since most of our venues are timeshares. We are not on cruise ships, we are not in Vegas, but we do shows we are proud of every day and make good \$\$...a little bit at a time.

Dawn Morgan: I will say this all started for me in 2012. I did freelance public relations and media. I worked for the ice rink taking care of the Nationals skaters and their donated monies and sponsor donations into a fund where they could send their bills. I went with them to Nationals and wrote the articles free lance for the local paper, I worked at the City as a TV editor, producer, reporter and would tape the City Council meetings and Planning Commission meetings and put them on the air for all to see.. I worked for UCR and Charter Cable because we had just moved to the Big West Conference and I would tape the games and also edit packages for half time breaks, I substitute taught, I made wedding videos and other videos on the side because this was before people had video editing capability on their phone, and I also worked fo amusement park and the magician. I paid my own self employment tax, I chose my own hours, used my cell phone on all business cards, but yet this was still not good enough for the State of California. They dinged the magician for paying me as an IC, fined him \$6000 for what was originally 3 years but dropped down to 2 years of employment tax (despite me paying my own employment tax), and made him switch all assistants, sound techs, roadies to employees. I now only work for 3. They are all taxed incomes. Substitute teaching, the Magician, and the Amusement Park. Some weeks when we are working on a cruise ship, it is hard to work the amusment park because I have to clock in at least once a week. because he was booking all the time and I was the person booking him, then he had a gig at the Improv and both of his assistants went down and he was going to cancel so I did the assisting and did it better than the other two girls. We had each assistant sign and independent contractor agreement, a non disclosure on the magic, a photo release form, we really dotted our i's and crossed our t's. We let each assistant know they had to pay taxes at the end of the year on their income and we would send them a W9. Then we let one girl go who had been with us for all of 6 weeks and she went down and filed for unemployment. This is what started it all. And she was a horrible employee. We tried to let her go 3 weeks before that and she cried and begged for one more chance but she just didn't get it....so we let her go and then a few months later....WHAMMIE.

Makeup Artists

Rachel Lusk: I am an independent and freelance makeup artist and hair stylist working in commercial, bridal, film and editorial. Not only do I own my own business (an LLC) but I am contracted as an independent contractor for multiple other bridal companies and commercial agencies. Since AB5 has been set into place, my opportunity to work has been greatly diminished as no one will hire me as an employee, nor do I qualify to work as a part of the union. The nature of my work is strictly independent contractor, and freelance. As a makeup artist, I may ask a colleague to come help me take a few extra faces if my bridal party is too large for me to tackle on my own. I will pay them their going rate, and 1099 them. I usually do this once or twice a year, if that. Bringing them on as employees, hiring payroll, and offering benefits is simply not feasible in this regard. The nature of my line of work is simply freelance contractors. Additionally, I am unable to take bookings for weddings because I do not have the ability to hire one or two people to help me a few times a year as employees. My business is suffering greatly, and I'm afraid of what lies ahead. PLEASE, please do what you can to repeal this law - My livelihood depends on it.

Kelly Robertson Makeup: No reorganizing for my salon; My 5-yr lease ended & I did not renew. We are leaving CA for Southern Nevada and I look forward to freelancing at three large casinos and 18 golf courses, being the event managers' favorite go-to beauty business. I will have to find a new crew but I know the Universe will bring me the perfect passionate pros.

Francia Cohen FX Mua: As a Mua (makeup artist) I've always been an independent contractor. I work in films, theatre, and editorials. I billed my clients with an invoice. Now who ever hires me has to be an actual business. It's crazy. I'm a licensed cosmetologist. It might exempt me because I am licensed but then the people hiring me had to be a business. I have always paid my taxes. By doing this California will lose money.

Alicia Barry Rosen: I'm a commercial makeup artist (television/advertising). I was being hired as a IC from production companies. I'm 34 with 2 kids 14 and 7. My 7 year old is autistic and needs more care than your average 7 year old. With me being originally an independent contractor I was able to set my rates at a livable wage and pay my bills and provide but also set my schedule around my children which saved me in childcare and be with my autistic son. With AB5 in place not only is it putting a lot of small production companies out of business others can't hire me at my original rate or now it's got to be even lower due to payroll.

Mariachi Bands

Cindy Shea: I am a bandleader of over two decades, two-time Grammy Award winner, and 11-time Grammy nominee. I have played trumpet since I was 8 years old and I am 45 years old now. I am a music producer, engineer, composer, arranger, music publishing owner, record label owner, and a corporate business owner of 20 years with Mariachi Divas Inc. where I have provided work for hundreds of successful musicians. I wear many hats and play many roles in order to make the ends meet as a SINGLE mother of 2 sons with NO child support help! Thanks to this not only myself but hundreds of hard working TAX-paying musicians will now be forced to go back underground for cash gigs, and leave me here to figure out and question why I ever followed the law and created a small business to create the American dream and create jobs for so many others. Two decades of my business destroyed because I have no one who wants to work for me now. Thank you for destroying successful Women's and Men's dreams across the globe Ms. Lorena. Maybe you can explain to my children why everything in their lives is about to change ?!?!?

Marketing/PR

Shawna: I'm also a marketing / PR professional and have been for a decade. I've been in front of the labor commission twice this year (for the first time ever) and based on Dynamex we lost every time. Per our attorneys (at Akerman if you'd like them up) we have more of the same to look forward to. As a result, fewer clients are hiring us, and we're hiring NO CA ICs. Even if they're their own business entity, it offers no protection in front of the labor commission. Consult your own attorney.

Jay Elliott: I am a female PR and marketing consultant. I've been working independently for 30 years. And over that time, the rules have gotten worse. The ABC laws aren't realistic either, but AB5 certainly turns the screws on those. And while most of my work is project based, I have had many opportunities to work with clients for many years, filling in on teams as needed or taking projects on when teams are overloaded. Large clients have been creative on the ABCs, but of late, they require I become an "employee" of a services company, who they then engage with. In March of 2021, after working with a large corporate client on and off for 15 years, I was let go. The reason was my fee had gotten too high. And despite not having raised my fee in years, the third-party company that I was forced to work through as their "employee" was tacking on their fee, nearly doubling what my client had to pay for my services. The misguided and truly ill-informed mandates that require us to work with third party "employer" firms that do absolutely nothing for us except to make us look like employees on paper is ridiculous. The system is broken and it puts my services in jeopardy. Early on I wrote to Sen. Feinstein, Gov Newsom, the White House, etc. only to get responses back that they support AB5 & the Pro Act. Clearly forcing everyone to become an employee is not freedom, it is indentured servitude. Not everyone aspires to work for someone else or finds a regular paycheck fulfilling. I often work with other freelancers as projects require. But I have no idea how we'll be able to do this in the future. And smaller companies who use our services will lose out too since a team of independent consultants can provide senior services without big agency overhead.

Amy Losak: That's the problem, I'm not sure. PR and marketing complement each other, but they are not the same. I specialize in healthcare media relations, and PR firms hire me on a project basis to provide this specific service and skill, because the media relations pros on staff may not be strong in or focused on working with healthcare journalists for clients such as pharma and biotech companies, hospitals, other healthcare groups, etc.

But PR firms may not want the hassle going forward, because their business is PR — as mine is, even though my skills are specific and focused. Same with other healthcare clients that have marketing/PR departments. If I am perceived as being in the same business, they may be afraid to hire me for their projects where they want/need a boost of the customized expertise I offer. I'm in NJ, where a similar law is pending, as you know. It's all ambiguous to the point of being scary.

Therese Pope: I am a copywriter and this is how I view it--a victory for one industry is a victory for us all. I am still very confused how this law impacts me. I have one of my clients, a local biz owner, who is talking to his tax guy to see if there is wiggle room for me to continue working with him. I also can't afford to go the LLC route and don't want to. I am resourceful and worked a perm PT job last year so there are options out there. I just get so angry to hear about my fellow writers who have built longstanding careers and after 20+ years their working relationships with clients have completely disintegrated. Ms. Gomez needs to realize how this bill also impacts the way we do business as ICs. I pride myself on the strong relationships I have built with my clients and this bill has ripped that away for many of us. I contracted on retainer for a Texas marketing agency for five years. Without that experience, I would not have landed (and negotiated) contracts with national companies. If anything, freelancing has allowed me to work with diverse industries and clients over the years.

Marriage Family Therapists

Anonymous: We are 36,000 licensed therapists negatively affected by ab5. I just worked my last day at my clinic and my clients were crying who I was forced to leave behind due to this law. I guess mental health is not a priority in Sacramento—unless you are homeless.

Gina Peck-Sobolewski: I've been in contact with our local reps and advocacy groups for mental health. I'm a MFT who can no longer contract therapists or work as a contracted therapist. A large part of the behavioral healthcare industry is built upon the contractor relationship. We, in essence, contract with commercial insurance providers. Again, a major part of AB5 that was not thought through and it is affecting the mental health accessibility of millions of Californians. This undermines the affordable healthcare act and affects the mental health of many. I know I'm preaching to the choir but I'm advocating on all ends.

Massage Therapists

Stacey Fellows: It's forced my 14-year business to close and now my family will be leaving California come Feb 2022. I was a massage therapist....I used to contract with Chiro offices and Day spas as a base supplement for steady pay and did mobile massage for my small clientele. But now with AB5 I refuse to accept minimum wage. I walked out of an interview at the Spa at the Westin here in Sacramento when they said it paid minimum wage + additional \$3.00 when booked with clients. I made \$40 an hour straight out of school back in 2006....Now in 2021 with AB5 they want to pay \$14-\$17 an hour, but I still have to pay for my massage license + liability Ins etc.

Casey Platt Roleffson: I am a corporate chair massage therapist. I have contracted with numerous companies in my 16 yrs. of service. My industry will go belly up if this law isn't repealed! One of my jobs is with interpreters for the deaf.....they are in the same boat! This is the #1 most horrible law ever to pass. Me and my colleagues have already had contracts pulled and are losing money daily. The number of us affected is in the thousands if not hundreds of thousands.

Veronica Lin: I am a single mom massage therapist who breeds artists. This is beyond devastating for my family. If it weren't for wellness and music, I wouldn't have made it thus far. The future is bleak without a full repeal.

Carolyn Guerrero: In my profession as an IC, I made 50 percent of what the spa charged. As an employee, I make \$18 per one-hour session. I have to do six in order to make \$108. As an IC, I earn much more and am also not subjected to on-the-job mistreatment in front of clients and other workers. I've been in business for 22 years. The laws should be easier on us, not harder.

Medical Interpreters

Razieh Mostafavi: I am sitting here at my house trying to stay calm and focused to rescue myself from this sudden tsunami of job loss that happened to me as an independent contractor working as a medical interpreter. I suddenly lost my contracts with agencies throughout the country and down to near nothing job. I am freaking out due to not having much luck getting calls from places I applied for assignments and not hearing any good news for repealing AB5. I have registered as a company LLC, got a tax ID number, yet they don't want to sign contracts with many folks whom reside in CA. Another stressful notion is the law backfired on Democrats and as a Democrat I sure don't like to see people be upset with them, especially at this crucial election year. I am 61 years old with 15 years of independent work, hard to go back to job market and hard to find the job.

Medical Transcriptionists

Rachele Shelley: I am a medical transcriptionist, working from home. I lost CA clients on Jan 1st, 2020 due to this new law. I have been working from home for 10 years. Doing so has allowed me to be home with the twins. This new law will not allow me to continue to be home. I've been looking for employment now and the boys will need to attend before and after school care.

Meeting & Event Professionals

Steve Gale: I am the owner of a meeting and event entertainment company living in your district. I am writing you in regards to AB5 and how it affects myself and other meeting and event entertainment companies. I am hoping to be exempt from AB5 as I have no part time or even full time employment for the independent contractors I currently hire. I am an entertainment producer who creates and puts together various one-off entertainment shows and events for companies that put together fund raisers, galas, product launches, and award shows. I create one of a kind events for companies that bring in people in their industry from all over the world that funnels money into restaurants, hotels, transportation, airlines, convention centers, as well as many other companies I am associated with. This includes the Meeting Planner Network, Destination Management Companies, Hospitality and Tourism among others that are being impacted due to the confusing nature of AB5. Our company brings in specific high end specialized talent such as acrobats, singers, dancers, actors, magicians and musicians. As we design and put together these events we create various themes and content that may or may not exist until we create it. The majority of the time we hire an independent artist about 1-10 times a year for a single day event based on the entertainment we provide. They work about 4 hours maximum in the particular day I hire them. We cannot afford the to classify these performing artists as employees as our industry is competitive and budgets are tight enough. A lot of the times the artists do different acts, characters and performances. These artists also work for all of my competitors and their events as well as casinos, theme parks and many other companies as independent contractors. We choose to be Independent as well as the talent we bring into our events. In my industry colleagues as well as talent across the state are receiving notices that they will be losing work because of AB5. As I read the bill it seems that it will force me to hire other talent from outside the state and force people in state to move or become out of work completely. AB5 did not contemplate how many millions of dollars are spent by all the companies involved in the event industry. I humbly ask for the bill to be repealed or amended as big business will not come to California as well as hurt the arts and entertainment industry. Meeting Planners, Destination Management Companies and Event Planners are the ones that makes these high-profile meetings happen and they hire us who brings in the talent and creates the entertainment for their guests and events. We are professionals in our field and hire people like Mario Andretti to drive at an event, not the hourly minimum wage workers this bill targets at Uber and Lyft who are regular drivers. AB5 has put us all together with a broad brush and more clarification needs to be discussed and handed over to the companies such as mine so we can move forward and continue to do business. My company has local clients as well, companies such as NAVWAR and Intuit that I create specialized shows for such as their holiday party and awards show. I have an LLC and EIN number and I am registered with the State of California. I pay all the required taxes and fees, insurance, banking fees, and have a business consultant as well. Recently my business consultant feels he may be affected by the AB5. He has told me that if the bill is to be taken in regards to the fear it has created then I should hire a consultant out of Las Vegas as his job could be done remotely across state lines. This seems to be the same in regards to sports writers and other remote jobs. Lorena Gonzalez the author of AB5 wants me to make everyone I bring in an employee and that is just not practicable based on my business model as well as other event companies. My business is the true definition of being and hiring independent contractors and feels that AB5 creates ambiguity and leads business away from California. Please reconsider this bill and the ramifications it has in regards to not just my business but many other businesses in the state of California.

Meeting & Event Professionals, continued

Sheryl Schane: I am a 25-year Independent Meeting and Event Professional: Hospitality and Tourism Industry, this is for you...it's time to act, please. Meeting planning colleagues have received notices from agencies or longtime clients making a tough call to no longer contract with CA based independent meeting planners because of AB5. Instead, these agencies and clients have chosen to hire our colleagues from neighboring states to manage the meeting operations here in California because they are not willing to deal with the risks of AB5. Another concern, serious consideration is being given to no longer host future meetings based at CA hotels and CA convention facilities, taking handsome spending budgets to more friendlier cities like Las Vegas, Scottsdale, Dallas, and FL. This is very sad and disturbing. An unintended consequence of what is happening to us in CA and so many other professions. The ripple effects of AB5 are astounding.

AB5 seems to have blindsided several of the industries and vendors we call upon. Not all clients are direct clients. We must contract and hire live entertainment, celebrities, sports personalities, emcees, local musicians, professional speakers, catering, car services, tarot, magicians, caricature artists, various dancers, comedians, authors, Audio Visual and Engineering Techs, Photographers, Interpreters for international conference delegates, Videographers, and production and rental companies. Under AB5, this would make us instant employers of each one of these industries, even for a one-off three-hour hire for our client. Wow!!! I have sent a 3-page letter to my Assemblyman Brian Maienschein (77th District, San Diego) requesting and needing an exemption and carve-out for all of Meeting Professionals. AB5 needs to be repealed or a fair compromise to re-write the language and restore entrepreneurial business enterprise.

Sheryl Schane: Meeting Planners have a seat at the "C" level table and have the ear of a CEO or Chairman, as to where to hold a meeting or convention. We play with big budgets, have significant influence on the cities we consider, the hotels, the venues and the local vendors we contract. Meeting Planners are decision makers in our profession. We are the ones who do the heavy lifting in filling heads in beds in hotels. And, lastly, how do politicians think they are going to spin the upcoming ballot measure the City of San Diego is trying to get passed to expand the convention center? No jobs will be available for independent contractors who are losing their livelihoods. We need our politicians to hear us. I understand what AB5 was trying to accomplish with Uber/Lyft/Postmates.

This is not the way forward. I do not feel politicians understood the ramifications and trickle-down of the real life affects and industries that are being decimated daily. Repeal or Amend AB5. Sheryl Schane Travel agents are exempt meeting and event planners are not. We not only managed the logistics for meetings and conferences/conventions, we are asked to hire live entertainment, musicians, professional speakers, caterers, car services, magicians, caricature artists, AV companies, Photographers, Videographers, furniture rental companies for staging, the list is vast of contractors that I would be forced to employ or my client would.

Meeting & Event Professionals, continued

Dear Assembly Member Maienschein,

My name is Sheryl Schane. I work as a Meeting and Event Planner living in your district. I am writing to tell you how AB5 is already affecting myself and other meeting and event planners, and to get your help in amending and or repealing AB5. I am a 25-year meeting and conference planner. AB5 is creating lots of confusion in the language of this bill and the unintended consequences of the domino effects of loss of work and contracts. I understand there are many unclassified employees in the State of California, but we are not those people. We belong to a large Billion Dollar Hospitality and Tourism Industry in California. We are qualified and certified professionals who are in control of our work and fees. We must and need to remain independent to continue to do corporate and trade association meeting planning logistics. We choose to be Independent. We choose to claim exemptions and many business expenses for the vast amount of travel we must do to several hotels, convention facilities and other onsite business locations. And, the continuing education that we do to keep our industry certifications.

Would you risk losing big money business and revenue from major conventions like Comic-Con, NAMM, DreamForce, the BNP Paribas Professional Women's WTA and Men's WTP Tennis Tournament, along with hundreds of Medical Conferences and Meetings coming from this industry? It's already happening. The domino effect of unintended consequences of AB5. My industry colleagues are receiving notices from agencies no longer contracting with CA independent meeting planners and independent onsite meeting managers because of AB5. Instead, these agencies and companies are choosing to use our colleagues from neighboring states to employ to do our jobs here in California. These agencies and companies. I contract with, are seriously considering no longer holding future meetings based at CA hotels and CA convention facilities. They are starting to book future meetings and take their very handsome spending budgets along with them to Las Vegas, NV Scottsdale, AZ, Dallas, Texas, and high-profile cities in FL. The fact that this legislation did not even consider how many millions of dollars are spent by companies, trade associations and non-profits traveling to California to hold small to large scale corporate meeting or conference/conventions was not thought out. Do you want to lose Comic-Con? What about the ballot measure the City of San Diego is trying to pass to expand the convention center? If this law is not repealed or amended, Big Business will continue to boycott California. It has already begun because of AB5. Meeting Planners are the ones that makes these high-profile meetings happen. We are professionals in our field, not the hourly minimum wage workers this bill targets at Uber and Lyft. Let me give you a view into my world.

What We Do for Clients and Agencies:

We not only manage the logistics for high profile meetings and conferences/conventions, we are often contracted by the client to subcontract and hire live entertainment, celebs, sports personalities, Emcees, local musicians, professional speakers, catering, car services, tarot, magicians, caricature artists, various dancers, comedians, authors, AV and Engineering Techs, Photographers, Interpreters for international conference delegates, Videographers, various rental companies for tables, linens, chairs, plants. The list of vendors is so vast of the contractors that I would be forced to employ (many one-off hires) or my client would.

I work with clients as well as several agencies a year. I have my LLC and EIN number and I am registered with the State of California. AB5 unfairly penalizes me as I see it, because of the "ABC" component of the test under AB 5. Why? And, why would I want to continue to pay to have or keep a business then in California? I already pay over \$800 a year in taxes/fees to the Franchise Tax Board for my LLC. And, I pay the Secretary of State \$20 for my articles of Information updates. I also pay and maintain a business checking account that costs me to maintain each year. And, now Lorena Gonzalez the author of AB5 wants me to be an employee because she thinks I maybe misclassified? AB5 is over-reaching in dictating and growing an entrepreneurial business. This is horrible bad business and double jeopardy penalizing Independent workers. There is lots of confusion in the law and the language in this bad bill. I have attached exhibits that we need clarification on. One of these exhibits is from Lorena Gonzalez own Twitter on how a Business to Business Exemption works under AB5. However, there is still a question with the ABC part of the test. Part "B" is what is problematic as I read the language and how the Labor Board and EDD do not support Lorena Gonzalez explanation and answers she is tweeting to the public about the B2B Exemption. And, what about this language from the AB5 bill. Does this fall under the Business to Business (B2B) exemption or the Referral Agency exemption, which states: Referral Agency Exemption AB-5 provides an exemption for businesses referring customers to providers for the following services: (1) graphic design; (2) photography; (3) tutoring; (4) event planning; (5) moving; (6) minor home repairs; (7) home cleaning; (8) errands; (9) furniture assembly; (10) animal services (11) dog walking; (12) dog grooming; (13) web design; (14) picture hanging; (15) pool cleaning; or (16) yard cleanup. If the service in question is not on this list then it does not qualify for this carve-out?

To qualify the referring agency must:

Be an established business entity and must customarily perform work of this nature;

Be "free from control and direction of the referral agency;"

Not be penalized for rejecting clients and contracts;

Be free to work with other companies and to maintain their own clientele without any restrictions from the referral agency;

Provide their services under their name, rather than the name of the referral agency;

Set their own rates (without deduction), decide their own hours and use their own tools; and Have any required business or contractor's license and business tax registration.

In the language of the B2B Exemption, does the ABC test apply as the Labor Board and EDD are suggesting or is the B2B Exemption governed by the Borello test cited above? And, the points that are troubling are

- free from the hiring firm's control and direction while performing the work (this must be set forth in the contract and be true in fact)

- provides services directly to the contracting business rather than to customers of the contracting business AB5 itself repeatedly says, "an individual - whether a sole proprietor, LLC, or corporation". The B2B exemption is still problematic as the "B" prong of the 12-part criteria says it is not B2B if you are providing services for an end client and not the contracting/hiring entity.

Mr. Maienschein, this bill is very troubling, and jobs are being lost every day in many professional fields. This is not just affecting Uber/Lyft/Postmates persons. Industries are being decimated daily. I urge you to act on January 13 and amend or repeal this bill. California is seeing the unintended consequences of this disastrous piece of legislation that was not thought out to the impact and severity of the real-life monetary damages and wide professions and industries affected and being decimated.

Mental Health Professionals (Licensed)

Isobel Gardner: I just worked my last day at my clinic and my clients were crying who I was forced to leave behind due to this law. I guess mental health is not a priority in Sacramento- unless you are homeless. People will die from #AB5. I'm a licensed mental health professional. I had to let go of 5 of my 20 patients when I was forced to quit my part time IC work at a clinic and start a competitive private practice next door. They can't afford me now! There are no one else offering those evening time slots and my specialization so they end up #lorenagonzalez collateral damage . Clearly mental health and suicide prevention is not on her agenda. I can talk for psychotherapists and you can contact CAMFT too (California association for Marriage and Family therapists - We are 36000 licensed therapists negatively affected by ab5.

Midwives

Celesta Rannisi: What hospital or company is going to hire me to do home births?! I am a freelance independent home-birth midwife! Licensed by the state of CA. And registered with the North American Registry of Midwives! Lorena you're killing me by taking away my livelihood! I have been serving women 34 years! There is no transitioning available for me at my age of 62.

Mortgage Brokers

Scott Hacker: We've been told that mortgage brokers are not the same as real estate agents and not exempt. It baffles me as we are independent in every respect. I market and generate all of my own business. Being forced to be W-2'd instead of 1099 does not allow us to deduct legitimate business expenses. The IRS has already eliminated Form 2106 expenses so this allows the IRS to tax us on gross wages instead of net wages.

Colleen Craig The Mortgage Ninja: I've been in the mortgage business for over 30 years. I've gotten my NMLS required license and continuing education every year since inception. Now I am no longer able to do ANY business at my company unless I get my real estate license, which is ridiculous because I don't sell homes, but this is the only workaround to continue to be 1099. It has cost me thousands and thousands of costs in getting a new DRE license and lost business during this phase where I cannot conduct business. I refuse to just go "work for a banker" and be a W2 employee. After 30 years I get paid for WHAT I KNOW not for WHERE I AM. #disgusted.

Mark Gershick: I am a mortgage broker. All my agents work from home and spend their own money and time making an income. AB5 is killing them, me as an employer and must be repealed.

Mrs. Claus

Marguerite Kusahara: As Mrs. Claus', we entertain at malls, homes, company parties, corporate events, tree lightings, cookie baking and decorating, meet and greets, and storytimes, etc. We book ourselves and other Mrs. Claus' when we need backup or have too many gigs to do ourselves without schedule conflict. We also book Santas, elves, and other Christmas characters. Many of us also do other types of entertainment throughout the year, not only Mrs. Claus. So, with AB5, no business for us. Many are too small to incorporate. No More Mrs. Claus. 🙄 🧑🏻

Museum Specialists

Dani Trynoski: Many small and mid-sized museums do not maintain a full-time exhibit installation expert (also called a preparator or exhibit technician) on staff. It's a very common practice to hire independent contractors to take down an exhibition, prep the gallery, and install the next show. Due to the relatively high density of museums in California, there are many exhibit tech's who just work these gigs.

Music Contractors

Karen Garrity: I am a cellist and music contractor. Before the end of January 2020, I had lost 3 contracts that had been almost fully negotiated. The clients decided to record elsewhere due to AB5. These projects would have provided work for 120+ musicians, 3 studios, 6 sound engineers and all studio staff. Further, compliance with AB5 for the "employer" has been ridiculously difficult because the traditional payroll and insurance companies simply did not know how to work with one-off contracts. We are being forced to figure out work-arounds in order to comply. The additional 20-30% cost of payroll and insurance is also prohibitive for many prospective clients.

Donna Butler-Blut: I have to play games and make sure I don't book the same band two nights in a row at the same venue, per the restriction in the so-called musicians' exemption. So stupid and so arbitrary. You can't make this S@&t up.

Music Festivals

Jim Martinez: I'm the Executive and Artistic Director of the annual Roseville JazzFest. Our festival last year featured members of the Stan Keaton Legacy Orchestra, the Four Freshmen, and the Count Basie and Lionel Hampton orchestras, to name a few. Because of AB5, there likely won't be a festival in 2020. Jazz festivals are not fly-by-night events. We work all year for one event, to help keep jazz alive.

Lake Tahoe Music Festival: New CA employment law AB-5 requirements add to the challenge of meeting our financial goals and create the final stressor on our small non-profit organization. For several years we have experienced the same slowly eroding philanthropic support of cultural life faced by other small arts organizations in our state. We now join many who also face increased uncertainty regarding employment costs and infrastructure needs associated with AB-5. So we will bring our festival to a close with pride in our long-time contribution to community life in North Tahoe and Truckee for 40+ years.

Music Schools

Marianthe Bezzerides: I have a music lesson company in Los Angeles that I single handedly built and managed, by myself, for the past 6 years. I have been contracted with many music teachers over the years who have enjoyed the flexibility in their schedule while they pursue composing, performing and other teaching gigs. The pay rate is three times the minimum wage in California and we have fantastic families that we work with. AB5 threatens my ability to stay in business unless I cut teacher's pay and take away the flexibility that they have come to enjoy, or raise the rates on all of the families. We'll undoubtedly lose business from parents who are striving to provide quality music lessons for their kids, who won't be able to afford the new tuition increase. For me personally, this comes at a time in my life when I'm not in the position to go get a job if my business goes under as I have a new 4-month-old to take care of. There is going to be a huge ripple effect across the economy in California because so many small businesses will have to shut down, cut contractor pay or raise rates. My guess is that a lot of services will just disappear.

Jodis Jam: My Music Academy provides a place for IC music teachers to work in spacious rooms on a schedule they determine. They teach how they like. They are free from the having to worry about clerical duties. They do not have to advertise. They have a beautiful, professional performance space at their disposal, free of charge. And they are paid over \$40/hr. They have expressed how much they enjoy being ICs (including those who have been Union members) and that they do not want to be employees. Nor do I want to be their employer.

Music Teachers

Chris Plante: I had one of the nicest music lessons studios in Riverside for 11 years. It's dead as of 1/1/20. My teachers revolted. Four of five quit and took the majority of the students. It's over for me. Update 5/23/21: I seriously considered renting rooms but decided against it. Because people came into my building and asked for lessons and because I set them up with teachers who probably were not there at the time, even if I referred them to a renter, the state "could" have fined me for violating AB5. I would have to argue out of each case brought against me. It was easier to just close and go out of business.

Laura Hodge: I am a single mom teaching artist who works many different short contracts with several companies throughout the year. Sometimes there is a 3-month stretch without contract. I also do voiceover, dance and acting gigs. Not being allowed to be a professional dance, acting and teaching artist in the state of California will be fatal to the arts and entertainment industry and arts in school. Not to

Music Therapists

Kelly Zeien Summer: I am a music therapist who provided music therapy to children in palliative and hospice care. I was an independent contractor for two agencies in the past. We are talking about children with feeding tubes and who relied on respirators to survive. Arts therapy was very important to them and their families. That is over now, because of AB5.

Musical Instrument Makers

Jonathan Eric Wilson: I have a small (S-corp) firm that specializes in an instrument (GuitarViol, a guitar formatted viola) I invented that is used by a lot of Film/TV composers around the world. (300, Game of Thrones, John Wick and tons of Netflix, Showtime, HBO). 30+ years ago, I embarked on this journey to make an instrument I wanted to exist and never a thought that it would become my living and I would have to ditch that W-2 "job" in 2008 to keep up with demand! This was developed on my own moonlight hours and nobody was handing me a W-2 job to do it! Over the years, I have trained people who now operate their own firms and have lots of their own clients. It is not uncommon in the boutique custom guitar and violin building space for there to be cooperative B2B IC business. Many of us are not competing with each other and it is a culture of kindred spirits who specialize in certain things! I incorporated on advice of my CPA in 2009 because it was real awkward being 1099s by media clients accountants (for my own freaking invention!). My garage business was a victim of its own success and I was zoned out of LA. Had a commercial shop space in another county for 4 1/2 years until that got tangled in red tape and I moved November 2019 to a space closer to home (Valencia, CA) but with increased overhead! Now, welcome to 2020 - an expensive move - now AB5! UGH!!! I'm tasked with setting up payroll and rethinking everything! I may not be able to call on specialist IC's. We are not some mega factory, we make small batches of super high quality tools (specialty instruments) for the movie soundtrack industry. I am concerned for the post production industry (my customers) in California (1/3 of my business is California, 1/3 the other lower 48, and 1/3 international). AB5 is insulting and its proponents heartless and condescending. We are operating/ complying the best we can! Concerned for this American nightmare unfolding!

Musicians

Michael Grady: My band was South Bay Country out of Southern California. Our band played as many as 150 shows a year for as many as 7,000 to 15,000 attendants. We played many venues from night clubs and bars to rodeos. We played for many city events like Concerts In The Park Manhattan Beach, Country fair for Dominguez Hills as well as for schools and pre-schools. We played for fund raisers where past state of California governors and many city officials were in attendance. My band is now officially shut down and on hold until AB 5 is repealed or we get an exemption. Our band provided a way for non profits to make money for their causes, we gave jobs to 6 to 11 musicians every year and we helped city's put on events. The new law has officially killed our band. We are on hold as I can not take on this kind of liability. Nor can I afford to hire through the new laws. My musicians and I struggle to make a living as it is let alone add these expenses and burdens. Please repeal this ASAP.

Eddie Norris Tavalin: I'm a musician and going back to university to get my graduate degree. A program in LA was my top choice, but freelance work while in school is the best way to make money, especially during the holidays from Messiahs to Amahls to Christmas Eve performances at churches! I'm now more strongly considering my out of state options to simplify everything. I called my state Assemblyman a few weeks ago and I hope he and others hear our complaints. Anyone else struggling to decide between fighting it or leaving?

Sharon Devo: Also greatly affected are churches and synagogues that augment their orchestras and band with outside players. It's common practice to give a modest honorarium to guest players. I can't see a guitar player incorporating just so he can play a few times a year.

Heather Besignano: My husband is a composer, studio engineer and music artist who survives off of people hiring him for one-off jobs. These people aren't going to put him on payroll in order to do 1 movie or 1 Studio session for a couple of hundred dollars. He also plays in a cover band that creates 1/2 his income monthly and has been told by several venues that they will likely have to stop hiring his band (among the others) because of this bill. Considering this makes up his 1/2 of our family income it's a very scary time. We are genuinely afraid we may not be able to pay for our mortgage or daughters preschool if people continue to stop hiring him individually or his band as freelance musicians.

Musicians, continued

Ryan Bueter: I'm an entertainer who performs mostly at private events. My show is called The Killer Dueling Pianos.

When I am already booked, I send out 2 other people to perform. I signed contracts with clients and took deposits back in 2018-19 for shows in 2020. The budgets were set. Now having to pay for workers comp, payroll taxes, accountants, payroll company, sick days.... I stand to lose \$89,000 in 2020. I can't really go back to the people that booked us and ask for more money when the deal was signed 18 months ago. I've already told the other piano payers they have the option to take less, or not do the event and I send the deposits back to the clients with a soiled reputation on a show I've invested \$300,000 on building since 2013. Hows that for losses? Well....we looked at that. The .gov site Q&A says for business to business, it doesn't pass the ABC test, as I am a piano player hiring piano players. Regardless of what Gonzalass said on TV. She contradicted herself as to what the bill says we can do. 2 separate lawyers, and 2 separate accountants both said that would not still be compliant. The penalties are \$5k-25k per misclassified employee if I get caught trying to keep someone 1099 who they say is W2. **Update 1-12-20:** I just met with my accountant again here on a Sunday. It's an estimated \$89,000 in extra expenses, payroll taxes, workers comp, paying out sick days, hiring payroll company, accountant fees. we've already taken deposits for most of 2020 starting back in 2018 and 2019. The budgets were set for these events. I will now be paying the state of California just to fulfill contracts, and perform at a financial loss. It's not as if I can go back and tell clients that I need more money now on a contract already signed. My other option is to just give the deposits back and not perform. A hard black mark on my reputation as a performer. I am essentially paying to play, or out of work. What I do is called The Killer Dueling Pianos. I did 236 shows last year across the country. When I am booked, then I am basically an agency then, and I send out 2 other piano players. Some people work 25 shows a year, some work 1 show a year. People like what we do and we get booked up 6-18 months in advance. All of our bookings for 2020 were contracted in 2018-19. The prices were agreed on and budgets were set. Now, I have to carve out around \$89,000 out of prices already agreed upon with clients to cover all the new added expenses, payroll taxes, workers comp, payroll fees, etc..I can't necessarily go back to the clients and ask for more money...we agreed to a price. It just means myself and the performers I book are less money now, as well as myself, or we give the desoposits back and don't work that day, unless something else comes along. That's possible for the later months, but the immediate stuff we are kinda screwed. Ryan Bueter: Not 2 piano players. I perform, and I book other piano players when I'm already booked out. Sometimes 10 piano players ini a weekend. The \$89k is mostly what the payroll taxes would be on the money I told piano players they would be getting for the jobs they are currently scheduled to play. Some of that is also accountant fees, workers comp, payroll fees. Basically if I told a piano players they were going to make \$1000 bucks for the night, I also will need to spend an additional \$131 out of may pocket now to cover the payroll taxes, the workers comp, and some money to cover accountants, payroll fees. Roughly about 14% more in expenses, or the piano player has to agree to take less now that this law is in place. Otherwise if they don't take less, I eat the extra expenses or call the client and tell them I am sending their deposit back, and risk damage to my professional reputation for canceling, unless the client is will to offer up more money.

Non-Profits

Anonymous: I'm the co-founder of a very small 501c3 arts org that provides free arts programs for youth in Los Angeles. We operate on small grants and are project based so we don't operate year around. The program offers workshops that are led by professional artists that come in for 1-2 sessions and are paid about \$100each. The grants allow me to pay stipends to the artists but now with AB5 I don't know what to do. I have a Creative Residency starting in the next few weeks with a grant I received last year that needs to be completed and I'm stuck. This isn't my FT job because I can't raise enough money right now to pay myself a salary but the work we do is SO important for the youth in our under-served communities so any grants I get go straight into the program and paying independent contractors. I don't have a large operating budget (It's pretty much just me and I'm not even an employee either. I'm the lead teaching artist so I get a small stipend/volunteer my time). I know a lot of arts orgs are in a frenzy with this, especially start ups. There really isn't any info I've found that has been resourceful. Does anyone have any info or practices they can share on how to follow this law with contractors that may only work a day or two? My program can't survive under this new law. I'm so stressed out and I just want to continue paying my independent contractors and providing strong arts programming for the youth in my community.

Liesl Michele: I'm trying to figure out how to raise money for my non-profit choir so we can hire employees to sing and not shut down forever. 😓

Mary Williams: I am President of the Board of the Temecula Valley Symphony. We are a registered non-profit. We have volunteer musicians and hire gig performers for some concerts . We cannot afford the overhead necessary to do payroll nor due to AB5 want the risk, for these freelance gig performers. So we will not be hiring them. Many will lose work.

Notaries

Paty Marín Lyman: Most notaries believe AB5 will not affect them. I've been trying to sound the alarm for months now but most believe the law will not affect us because we are public officials. The problem is when notaries work for signing services. We are hired by them as IC's to notarize and get loan packages signed for their clients. I don't see how that's all that different from what Interpreting agencies do (I'm also an interpreter) and we already know that's a problem. Some say that signing services are not in the business of notarizing documents they're just a service that finds notaries for their clients. I argue that without the notaries they contract, there is no business, so it seems to me that the notary's work is central to their business. There is even a huge company that has taken over in recent years called Snapdocs. It's an app, much like Uber, the app finds the nearest available notary to fulfill their client's request. I honestly don't see how there's much of a difference. Most notaries are able to make a decent living because of loan signings and signing services, since general notary work to the public doesn't pay that much at \$15 per notarized signature. I believe we're in for a rude awakening but not many are listening. By the way I also work as a freelance Spanish interpreter, so you can understand my anxiety.

Just one more thing. Notaries public answer to the Secretary of State. So basically, Lorena Gonzalez wants to be our boss in 2022.

Nurse Educators

Laurie Blunk: This bill has impacted my personal livelihood. I am an independent nurse educator with my own business partnership that received work through another “education” company. I set my own classes, etc. I am also legally disabled. Owning my business and working this way has worked for my body (I have 35 benign bone tumors on my body). When this law came into effect, my soon-to-be boss decided NOT to bring me on as an “employee” because I would essentially now be in direct competition with her. And when I asked about the new employee handbook, she decided I was “behaving like a detective” and that made her uncomfortable. Bottom line is, people that have been operating their businesses as more of a broker and not an employer, such as the person I was working with, may be great at finding work and connecting them to the right educator or musician or whatever, may not be good “employers” or even have the skill set to handle questions when converting to an “employer” format. It sets up possible misunderstandings, conflict and in my case a decision to not transition me to employee status. Another strange impact of this bill.

Nurse Practitioners

Megan Kellie: I am a nurse practitioner. The result of AB5 is closing medical offices and leaving a huge gap in medical care. Many doctors offices in rural health rely on nurse practitioners to keep their doors open as it is a small pool of people to choose from for full time status. This is many doctors offices in general. Small, private practices. It hurts them. Many offices are closing. It hurts me substantially as a provider. Being an independent contractor has allowed me to have a flexible schedule allowing me to spend more time with my children. I do not live near family that can help with child care. This will be a huge impact on my family and causing more expenses to us. Furthermore, now that the larger companies are aware of this law, they have all squashed our pay and took away our ability to negotiate salary. Nurse practitioners are healthcare professionals and should be treated as such.

Taqialdeen Zamil: This is frustrating. I lost my side job today, because of AB5. I work as a nurse practitioner and the nature of our work in the private sector and small clinics makes it impossible to be an employee. You get paid a percentage of the revenue you generate and you pay for your malpractice insurance, benefits, and other expenses. This law is killing our opportunity of making a living in California.

Occupational Therapists

Alexis Nowak: I am unable to continue with an ergonomics business my colleague and I started since I am unable to contract with a fellow OT hand therapist. We are not exempt and we do not pass the ABC test because we do the same work. I was employed by the individual I was contracted with, however, considering how expensive it is to have me as an employee, I am down to only one day a week. AB5 limits the creativity and ability to provide quality care to our patients. Our industry has been run by big healthcare companies pushing our boundaries of ethics. Doing your own thing in our profession is the ONLY way out of this. Now we must all comply or be jobless.

Opera Companies

Sylvia Amorino Gonzalez: We already decided to close in early 2024. We can't wait any longer for the "help". We lost our three biggest grantors this year including CAC. When our letter comes out to announce soon it will be highlighting AB5 as our main reason for closing. We complied for four years with barely any help. Our last show had 50 employees, and was our best artistic accomplishment ever. Can't do it any longer. After 24 years of serving our community this is how it ends. And it is not a happy feeling. In 2021, we safely and successfully produced our small show during Covid times following AB5 laws. And yes, the AB5 part was the real nightmare, on top of the Covid protocols. The extra cost of payroll, worker's comp, the HR paperwork, the fact that none of our people wanted to be employees so it was a nightmare getting all the paperwork in, etc. etc was a huge burden on our volunteer run nonprofit with a budget under \$100,000. Our 17 "Employees" worked for us for a range of 8 hours to 60 hours....and now it is done. Payroll is done and closed. And the sad part is, AB5 is going to stop us from doing anything for awhile. So again, we sit back and wait and see. Wait to see what covid brings, what AB5 and Pro-Act bring. So sad as this is killing jobs for those in the arts during a time when they need the most work. Under normal times, we would be able to hire singers and musicians for work here and there. But no more. We will only do it once a year or once every two years for a larger production. No more small gigs....

Brooke deRosa: AB5 has devastated my small opera company. Haven't been able to afford to do another performance.

Cráig Vincent: I have been the contract technical director at the Woodland Opera House for the past couple years. I have been paid a monthly stipend as an independent contractor. As of today, that has come to an end. The theater can no longer pay any stipends and is reverting back to an all volunteer organization. Many of California's community theaters will be hurt by this and some will actually close their doors. I make my living as a freelance lighting designer, or I did until today anyway.

Eileen Meredith: Island City Opera (Bay area) cancelled the 2020 opera, The Wreckers, by a badass woman composer, Ethel Smyth, that would have started rehearsals in January. Financial impact of converting 70+ people was too high for us. And we don't have paid admin staff anyway, to handle all the red tape. Very sad for everyone involved, and a financial hit for many. And the audience was super excited.

Opera Companies, continued

Gail R. Gordon: I am the Founder Executive director of Numi Opera, in Los Angeles. Numi Opera was founded to give voice to Jewish Composers who were suppressed by the Nazis. My non-profit company was formed in honor of my mother a Polish Jewish Immigrant. Every one of my Performer's (singers, conductors, orchestra members, stage director, stage manager, super title projector, etc.) are all Independent Contractors. I hire anywhere from 5 to 50 people for 2-3 weeks per show. We have performed two shows a year and were scheduled to do the same until the passage of AB5. With the additional 30% required on top of our \$100,000 budget will simply break us. I cannot afford to continue. Our small company as with most California small companies will die. And with us the performers that survive off ours and other small companies pay will be forced to leave their profession. Classical performers spend most of their lives honing their craft. They take lessons and coachings to be able to perform. AB5 will annihilate these small opera companies. We are the stepping stones to bigger companies. Without us our performers will not be able to be prepared for larger roles and bigger pay checks. They've been cut off at the knees. I have a huge hole in my heart. The party that I have been dedicated to for 50 years has betrayed me and those I represent. Please repeal AB5. It will take away the artists ability to survive.

Opera Companies, continued

Shira Renee Thomas: This is what I emailed to my opera company's over 6000 email subscribers:

VOPA is proud to present Dylan F. Thomas' vision of Gounod's Faust as a classic episode of "The Twilight Zone", complete in live black and white. Featuring some of the best operatic voices in the country (truly!), with grand sets, authentic 1960's costumes, creative black and white makeup concept, and world class dancers, this is a production not to be missed! While originally planned to be performed with 22 piece orchestra, VOPA has become a victim of the new CA law AB5, which forces performing arts companies (even tiny nonprofits like VOPA) to hire all artists who ordinarily work as independent contractors - singers, instrumentalists, costume and set designers and builders, stage managers, dancers, choreographers, etc - to instead be hired as W-2 employees, even if that artist is only paid a token one-time amount for this one production. The additional cost to the company is estimated at around 30% per employee. With over 55 artists contracted for Faust, this added cost is simply not feasible for a small company with an annual budget under \$100,000. The VOPA staff went around and around trying to find a way to save this production, and thus the work of the over 35 artists who have already been working for months, and the only solution was to cut the one entity that had not yet begun rehearsals and the cost of which was close to the cost of complying with AB5: the orchestra. In addition, VOPA General Director and Faust Production Manager, Shira Renee Thomas, and VOPA Artistic Director, and Faust Stage Director and Set Designer, Dylan F. Thomas, have decided to forego any compensation for their work on this complex production. With those savings, VOPA can now move forward with this extraordinary production, with the phenomenal Galina Barskaya providing exceptional piano accompaniment. We decided to share this detailed behind-the-scenes situation with you, our audience, because we hope you will take action by contacting your CA legislators and telling them how you've been personally effected by the new AB5 law, and perhaps by also supporting your local community arts organizations financially. Many small opera and performing arts companies across California are canceling their entire 2020 season, and are considering closing their doors entirely because they simply cannot take on the extra costs required to comply with AB5. These small companies are barely able to scrape by as it is, with a severe lack of funding that gets less and less each year. You, as an arts lover, will be losing your opportunity to enjoy an affordable, moving experience in the theater. This means that affordable, community opera will likely die in CA. This is a travesty, and can only possibly be avoided if the tens of thousands of affected Californians speak out. We respectfully ask that you take action.

Opera Singers

Kristin Genis-Lund, classical soprano: This bill is wreaking havoc on the arts community in California. As a professional classical soprano, I rely on multiple gigs collectively for income as an independent contractor. Making a living with one full-time job in the opera field rarely exists. I've already lost all work starting this year because of this poorly written bill as the projects I was contracted to sing have been cancelled. Students and freelancers rely upon the freedom to be able to earn income via these short term contracts — they don't want to be employees. As a board member for a mid-tier non-profit Opera company, we would be unable to produce operas going forward under the AB5 labor laws. We exist in order to expose communities to this art form, either free of charge or for a very nominal ticket price. We obtain our revenue via small grants, fundraisers, benefit concerts, silent auctions and ticket sales in order to just break even and pay our singers, conductors, etc. Our contractors rely on our projects, in addition to others in order to collectively supplement them with opportunities and income. The intent to get better wages for workers being abused obviously didn't go through a full vetting processes to understand the complexities of real short term/contract work. At the very least, there should be a length of employment feature or number of clients/employers so that it becomes clear when a company hires someone all year on 1099 contracts they are really an employee, but if they do a few shows as a performer, etc, they are a short term specialist on contract.

Without these mid-tier companies, the community will be left with only amateur or professional organizations — with nothing in between. The state legislature must act quickly to mend AB5 to make it work for small local stage productions.

Michael Belle: I am more fortunate than most, because I have a W2 opera employer for 8-9 months out of the year. But a small local company I was going to begin working for during the off season just closed their doors 48 hours before rehearsals were to begin. Much of my 1099 work in the off season appears poised to evaporate in a gigantic puff of legal compliance. The performing arts was/is a truly necessary exemption for smaller companies where the board members are donating to keep their companies afloat instead of getting salaried.

Optometrists

Nancy Wu: I'm an optometrist that has worked as an independent contractor for almost two decades. I work part-time currently so that I can raise my two boys. Being an IC gave me great flexibility and a decent income. I'm perplexed why other doctors in health care were exempted but not optometrists. I suspect that it is all about money. It is incredibly unfair. This bill will drive up the cost of health care which is already very high. I feel terrible for all those who lost their work.

Orchestra Musicians

Tim Kunze: I was working as a Realtor until my neuropathy interfered to the point I could no longer stand, walk distances or show houses that didn't have furniture so I could sit when needed (hard to take a walker into a home showing. I went on SSDI and the only thing I had left in the way of work that I could do with my disability was to play in numerous 501(c)(3) orchestras. Thanks to AB5, that is no longer available. I think all us musicians, thespians, dancers and singers should push for a carve-out for 501(c)(3) performing arts groups.

Paralegals

Olga Barns: I do have a full time job with W2 and all the withholdings, but being a single mom of a teenager always looking for extra work, since cost of living goes through the roof in California. On my spare time I do legal assistance/paralegal work from home computer on a weekends or evenings at my convenience. Virtual paralegal is a new growing trend in profession, solely contract work. But as you see companies from other states don't want even bother with California residents now. That particular company is from Boston.

Performing Artists

Katrine Spang-Hanssen: Every performing artist that is not playing for a major theater or orchestra. And I don't think that number even exists. Independent musicians, magicians, jugglers, puppeters, community theaters, acrobats, comedians etc. No one would have that data and the specific numbers but being in that world, I can tell you EVERYONE is freaking out about it.

Jen Kersey Ziegelman: I wish I could say Happy New Year to you all, but AB 5 went into effect January 1st 2020 and as it stands now will cause all Performing Artists in California many heartaches, expense, and loss of income. Theme parks and other organizations are already canceling contracts and NOT hiring independent performers as the law seeks to make you all employees of every arts organization, event planner, agent, etc. that you work for. More will follow unless the law is repealed, replaced, or amended to exclude performing arts, artists, and organizations, event planners, and agents. On top of this I've been told that you would have to get, every year, separate Intellectual Property Rights Agreements from everyone that employees you otherwise, anything you create, develop, or have video taped will be owned by the employer, NOT YOU. Dream Shapers is trying very hard to fight this battle despite being a smaller arts organization and call for amendments and exemptions. Please RIGHT AWAY contact your assembly person, state senator, and the governor. Send an email or mail a letter to them.

Ace Miles: You've got a large group of magicians, jugglers, clowns and other variety acts. There's a huge sector that just do county fairs and festivals. Another larger chunk performing for private parties in every single city. Some of these are side jobs and some of these are full-time. We deal with all manner of party planners, agencies, brokers and venues of all kinds. Not as big and glamorous as musicians and dancers, so quite often forgotten about. But there sure are a lot of us.

Richard Rumble: Magicians, children's entertainers, DJ's, pretty much EVERYBODY in what we call VARIETY ARTIST.... think of ANY entertainment you have seen at a Fair or Festival, birthday party, wedding reception, bar /bat mitzvah, New Years party, Christmas party, company picnic etc.... ALL of those people will either LOSE WORK... or RAISE THE PRICE DRAMATICALLY to the consumer to cover the costs of how this bill is hurting us.

Personal Property Appraisers

Amy Woodward: Personal Property Appraisal provides services for probate, insurance, and fair market value, etc. We are all independent and can no longer work, due to AB5. Personal property appraisers go to people's homes and evaluate their items, may be a whole house, may be some select pieces, we quote our hourly rate before we start the job and we set the hours with the client before starting. We prepare legal documents that are recognized by the courts and insurance companies. Many insurance companies have their own appraisers that write these documents, but I and many others specialize and are certified in antiques and collectibles. If an attorney or an insurance company needs a specialist in these types of items, they would normally call one of us to appraise the items. If an auction house needs my services to evaluate items brought in for auction, my services can no longer be used. If an estate sale company needs a specialist in antiques and collectibles, I can no longer be called to assist. Same thing is happening to gemologists. We get paid for our areas of specialty. No one can use our services, even a private party, thanks to AB5. They are afraid to! And I don't blame them, not a bit. I love what I do, went to school to specialize in antiques and it breaks my heart that I can't.

Personal Trainers

E Alan Hyman: I have been working as a personal trainer/rehab specialist at a senior retirement community for the last 5 years, classified as a subcontractor until AB5 went into effect. I'm not very savvy when it comes to legalese, but in reading the bill a number of times, it seems that my career is similar to that of a Doctor, Dentist, etc. due to creating different exercise routines to accommodate each individual. Due to a price increase to the client, in order to bring us aboard as hourly employees, our employer has restricted us to no more than 30 hours a week classifying us as "part time" so they don't have to pay full time benefits!! I will be keeping an eye on this site for more information!!

Pet Care

Gayle Shbin: Because of AB5, I reorganized my petcare business. On life support. Born here. Still here for my parents. Took advantage of a one-time shot at WIOA program to fund school so I can put my already in progress 20 yr education of alternative healthcare under a state sanctioned roof. Gonna have to attempt a second business while waiting for the first to recover. Trying to revive my pioneering spirit while dog paddling my way through the debris.

Pet Sitters

Bernard Barker: My wife is sole proprietor of a pet-sitting business whereby she visits clients' homes to take care of their pets when they are absent. She also stays overnight as an additional service to care for the pets in their home. She works 7 days per week, sometimes up to 14 hours per day. When she has excess business, or when we go on vacation, she offers business to two other pet-sitting companies, who cover her business for a short duration. These people receive a 1099 and are considered independent contractors. She has built this business over the last 4 years with blood, sweat and tears. At 59 years of age, she is building her retirement nest egg. The people she uses earn the equivalent of \$40 per hour and pay taxes. She has no choice but to reduce the size of her business and eliminate outsourcing of excess business which runs at about \$50K per year. The State will lose this income as will our supporting partners. She is one of thousands of pet sitters in the state all with similar stories, making a living the hard way. Her competition are amongst others, Wag and Rover, who will dodge AB5 by being a referral business.

Pattie Meyers: AB5 is destroying the pet sitting business due to having to hire as employees! I'm sorry but there isn't enough profit in pet sitting but with ICs (1099s) we can expand our biz by servicing multiple clients. Many pet sitters are either closing their business or trying to do it alone. This law has to be stopped!

Pharmacists

Nancy Hall: I lost my contract at the end of the year to perform compliance inspections in pharmacies across the nation. Compliance is for good pharmacy practice with particular focus on non-sterile and sterile compounding. Other pharmacists in California work as ICs for work on rural locations and hospitals. It's unbelievable to me that we were not included with the other professions due to extensive education and licensure requirements. That said, no reason any of our professions should be judged this way by people who know not what they do. I've been devastated by it. Almost 61 years old with a 39-year career in public health and public safety and now out of work. It's sickening. I'm sick with my third illness since thanksgiving and I know it's just due to stress.

Pharmacists cannot work as ICs, I lost a contract with an out-of-state company that will go with only non-California contractors. They also don't care if I get incorporated because interpretation of the requirements is not clarified for them to want to deal with.

Phlebotomists

Kathy Seress: I am a phlebotomist. I do life insurance exams and work independently with agents. I use an office in my house where I process blood specimens, print insurance forms, and use office supplies, etc. I have lost my independent status and cannot deduct any expenses from my taxes. I also teach how to run a medical device and travel to different states and provide tech support. I can no longer do this either, thanks to AB5.

Photo Booth Operators

Laurent Groult: I have a photo booth business and we live in the Coachella Valley. For at least 4 months of the year, we barely have any events. During the other months, we have many events especially in December, and we need people to help us sometimes only for 3 hours while we may need 12 people on the same day. We can't predict how many people we will need sometimes even a week before. We tried to work with temp companies but they have a pay structure that doesn't help us motivate our guys to be outgoing with the clients. When we have work in LA, we can access people with entertainment experience and it makes a whole difference. Those guys want to work. In the entertainment industry, which as everybody knows, requires going to castings a lot of time and having a gig on the weekends or nights. They can take the work when they are available, unlike a 9-5 job where they have no freedom or choice. Also sometimes we work for another Photobooth company which in the business is called white label. Or sometimes if we don't have enough equipment we do the same and hire another company. The idea of not letting a company work for another company is a real problem and it doesn't help increase business.

Photo Stylists

Mary Anderson Harrison: I am a photo stylist. I love the flexibility I have as a freelancer. I can choose to decline any assignment, even with my steady clients, with no negative repercussions. I'm 57 and working full-time in my occupation, is tiring. The other reason is that there just aren't many in-house styling jobs where I live. A few companies have in-house stylists, but they pay way less than what I make as a freelancer. I get benefits through my husband's job, so I don't need to work for the benefits. The majority of those in my industry are freelance (hair & makeup artists, photographers, art directors, etc). This is always how my industry has operated and it seems to work for everyone. I've had no issues at all, as far as needing government protection. I've been a photo stylist for over 20 years and though I have worked in-house in the past, it is just not an option where I live right now, but even if there were I prefer to freelance.

Pirjo Visser: I made \$750 to \$1000 a day as a photo stylist, but apparently I was being exploited. I loved being independent so I had control over my schedule and job choice. Lorena Gonzalez you are ruining people's careers with false narratives.

Photographers

Luke Munnell: Most of my editorial clients rely on independent contributors like myself as key to fueling their daily/weekly content needs, since we cast a wider net and have better mobility than, say, a staff of writers and content producers, all centrally located in an office.

Our arrangement is mutually vital to the nature of the business (as I'd assume to be the case with most of the journalism/editorial landscape today). AB5 forces businesses like my clients' to drastically sacrifice performance for compliance, and several have had to sever ties with me and those like me already. AB5 is absolutely devastating not only to working professionals in situations like mine, but to the clients who rely on the goods and services we provide.

Debbie Thompson Photography: I am a small business. I hire 1099 individuals based on the need, and not part time employees. I am hired for various production work that's, also, nothing more than a 1099. My hands are tied and my business is essentially killed, if I can't hire 2nd shooters or continue to contract as a videographer/editor. The companies will drop me if they aren't allowed to continue to contract with me. My business is my life and I've spent over 20 years serving the Sacramento area and beyond. For over 20 years I have been a wedding, portrait & event photographer and freelance Television/media producer, videographer, editor, on-camera talent, etc. I hire skilled help, based on the particular job. I also 2nd shoot for other photographers/videographers.

Frédéric Neema: I am a professional photographer who shoots on a freelance and non-exclusive basis for magazines and corporations. My rates are based on the final usage of my images and I license them, after first publication, to other magazines through my stock agencies or directly. I still make money from images I created 35 years ago. This new law is basically taking away the ownership of my copyright when I work for companies that are in the same line of business as me such as magazines with staff photographers or production houses. I was a staff photographer for a news agency for years and quit despite excellent contract terms because I wanted to be independent and profit from the ownership of my copyright. Some people want to be employees and some like to be independent contractors. Let us be who we want to be.

Elizabeth Ream: I am in the photography and video industry. This law is deterring people from wanting to shoot here, limiting my opportunity for jobs. I have always run as a sole proprietor offering services to several clients. Even when classified as an employee I get no true benefit. I can't claim disability or unemployment as I technically have not been paying into for a year. I can't maintain employer healthcare because I am an employee for a day. Which also technically means I can not claim my expenses, which are a real cost in marketing myself and getting these jobs.

Photographers, continued

Anonymous: Regarding wedding photography, while not all of us are freelancers/independent contractors (although many of us are on the side), most wedding photography companies are tiny businesses, often run by a husband-and-wife team. We hire assistant photographers/second shooters for every wedding we shoot, as that is standard in the industry. We have a small pool of other photographers (who also run their own businesses, and do second shooting to bring in additional money, however this doesn't qualify them or us for the business to business exemption since they are doing the same exact thing we are), and use different people based on who is available for a given date. As a tiny business, we certainly cannot afford to make 6-7 people employees of our company, each of whom may work for us 2-5 days a year. We also on occasion sub-contract other photographers (for a small handful of dates) to shoot weddings for dates we are already booked, or to fit a lower price point that a client needs. We rely on this bit of extra income to stay afloat. So this affects not only the photographers who wish to hire themselves out on occasion to other photography companies to supplement their income, but is also crippling to tiny one- or two-person photography companies who rely on hiring independent contractors since it is not financially viable to have numerous employees (who may work for you 1 day a year, or 5).

Photographers, continued

Jenn Emerling (Feb 2023): I'm currently going through a random audit with the EDD. I'm a wedding photographer working in California, and occasionally I hire independent contractors to second-shoot weddings with me. Despite providing contracts between myself and my IC's, plus independent interviews, proving they meet the requirements of being classified as an IC, the EDD's preliminary findings say I owe thousands of dollars in back taxes because "Explanation 1127 Assessment Penalty: Due to negligence or intentional disregard of filing the incorrect amounts of employer or worker contributions." So essentially, they think my IC's should be considered employees.

Braden Drake: AUDIT UPDATE: Shared with permission from Jenn Emerling who has a separate post here about her EDD audit. The state waived the penalties for Jenn's second shooters/contractors. I thought I'd share an update for ya'll that might be helpful to someone. We made arguments on why she should be meet: • The single engagement event exception • The business-to-business exception, and • The professional services exception They almost seemed reluctant to share how/why they made the determination, but they did share they allowed the contractors by applying the professional services exception. Originally the auditor argued none applied. They took issues with "control and direction" for the first two bulleted above. For B2B they also stated that the worker worked for the client, not the hiring entity. And for professional services they originally said she failed... Number 6: "The individual customarily and regularly exercises discretion and independent judgment in the performance of the services." AND Number 4: "Outside of project completion dates and reasonable business hours, the individual has the ability to set the individual's own hours." We gave counter arguments to their determinations for each of the three exceptions, but I thought our counter arguments for professional services exception were strongest. For number 4, I pointed out the emphasis on "outside of project completion dates." A wedding is a single day, so requiring work on that day, the project date, is allowable. There were no requirements on other days. For number 6, I noted that it doesn't require total discretion, just "regular" discretion and independent judgement. We shared several facts for those. That's a similar but easier hurdle than "control and direction."

Chantelle Showalter: It is very hard to grow my Photography business without the occasional assistant or backup photographer. I photograph primarily Births and newborns. Documenting a birth requires being on-call with secure trustworthy backup. My backup has always been other photographers that run their own business as well. There would be an exchange in fees for being "on-call", and a fee for covering a birth in my stead. I would have to hire them as an employee. For an instance they might not ever be needed because I've rarely missed a birth.

Physical Therapists

Lisa Nevis Maffucci: I am a physical therapist. We are professionals with graduate degrees and certainly not an oppressed group of people being taken advantage of by employers. It makes zero sense that psychologists would be exempted, but not rehab professionals (PT, OT, SP). My personal loss is that I was handed a \$5/hour paycut to offset the cost for my "boss" to make me an employee (along with about 80 other PTs/OTs). I work in an ADHC (Adult Day Health Care). These are centers for mentally ill and elderly adults to attend for supervision where they receive services from nursing/social work/PT/OT/Dietician. (Attendance is paid for from Medical/Medicaid funds). Nearly all centers are using PT/OT under contract for many years (not sure about the other professionals) and are now forced to incur greater expense to make us employees. These centers are already struggling to survive financially and many are closing (already) over the past few years. This will be another burden putting one more toe in the grave for such centers. PTs (along with nurses and other health professionals) also contract for work in rural areas where the population may not necessitate a full time or even part-time professional. Healthcare for people in these areas will surely be affected negatively by this bill as companies determine they do not want to pay the cost of hiring them as employees for only a few hours of work per week. The wait for services will then be greater in these areas.

Physical Therapists, continued

Bronwyn DeHavilland: I'm a physical therapist assistant, I've worked in home health for the last 10 years. There is an entire group of healthcare providers that function this way nurses, aides, social workers etc...The work pays the highest in the industry, allows us our freedom, and help many of us pick of second and third streams of income. Thanks to several news laws affecting my industry, being able to pick up extra work is imperative, because we keep getting cut, and now my income, and many people's safety net is gone. We all understand the nature of being 1099 contractors, nobody forces us to work this way we want to. It extremely hard in healthcare in California right now to make a decent living anymore. The agencies that are providing services to the patients are going out of buisness right and left, because of constant medicare laws and changes, they survive because of 1099 contract workers, it's a win-win for both sides. As we all know health care is in desperate need of reform, and is a mess, and now one more nail in the coffin.

Joanne Rakich Bedwell: I am a Physical Therapist and I do home visits on a private pay basis or (prior to 1/1/20) I got referrals from other sources to do workers comp cases or overflow for Medicare agencies. The 2 referral sources have said I must become an employee. Prior to 1/1/20 I clearly met the Independent contractor standards. I was free to decline or accept referrals as fit my schedule and desires. I provided and continue to provide all the "tools of my trade" including computer, treatment supplies, etc. I have clients that I where I have generated the referrals and a couple of companies that I have relationships with that send referrals. I have been very happy being flexible and taking care of my own taxes, disability insurance, retirement, etc. By becoming an employee for my referral sources my pay rate has gone down and I lose many of my deductions. I am now also much more limited as to how much I can contribute to my individual 401k. The referral companies are too small to offer benefits or 401k. One of them is not sure they can stay in business. All in all I am much worse off now. BUT I do feel fortunate that I still have sufficient work, unlike many I have hear about that are losing most of their work.

Pilates Studios

Anonymous: I have a pilates studio...13 years in biz...not sure if my story applies...but..The instructors that contract for me are LIVID Bc we've chosen to comply 😞. It has been the most devastating experience. We first tried to give everyone the option to do an s Corp but then we realized it wouldn't work for us and wouldn't be legally sound after getting professional legal advice. We've spent about \$2,500 this far in legal fees on this. We are a small business as we have been growing our family we have been growing our business and since we just had our last child two years ago we were really ready to take our biz to the next level this year and revamp our website etc but all that money has gone to legal fees regarding ab5 instead...our margins are thin...we have always paid our instructors what they deserve and want; we've never made them work anything they didn't and they taught the way they wanted...all of them work at other places too....they are seasoned professionals. One told me after teaching Pilates for ten yrs...I guess I can no longer do this as a career anymore...I have to quit something I love. Many of us had cried so much over thisin meetings etc it's devastating to all of us...I tried to sell some of them on the perks when they become employees such as getting social security or workers comp...they were insulted.

Podcasters

JoBeth McDaniel: I had to shelve my podcast project i had worked on for much of 2019. I could not get a clear answer on how to hire contractors, and i needed to hire several and try them out to see what worked best. If I got it wrong, the fines would have started at \$5000 per person per incident (1-2 hours of work), or roughly \$180,000 to \$200,000 minimum in fines. This was a project that probably would have cost less than \$10,000, and contractors with specialized skills earning \$20-100/hour. I had been interviewing ICs when I realized I could be targeted, thanks to my work against AB5. And yes, i could have W2'd them all, for 1-2 hours of work each. But I used to do the books for my dad's small business, and I know exactly what that entails. In CA, it's a nightmare.

Process Servers

Kimberly Baichtal: I am a process server. AB5 is drastically affecting us. We have historically been independent contractors, some of us working for 5-10 companies at a time. It's crazy to have to be employees of 5-10 companies now. There is not a clear list of requests to qualify for the exemption list.

Production Managers

Drew Michael Rivera: I am a freelance Technical Director / Production Manager for the live event industry. My focus is on large corporate events and I am hired by 10-15 production agencies throughout each year. The very nature of these projects won by the agencies is impossible to predict, as they could have a light to heavy program load anytime throughout a given year. The freelance community (me!) makes it feasible for these agencies to take on more projects and staff up accordingly. I prefer to be freelance and 1099 as I can choose which projects to take when to take time off, or even take on more than one project at a time. I love the flexibility I have, and I make a better annual income than folks who work full-time at one agency. I appreciate the ability to write off those operating expenses related to my craft. I do not care about "sick days" or my employer providing health care as I earn more than enough to provide myself these perks. AB5 is forcing all of my clients to hire me as a temp FT employee, which makes absolutely no sense for an industry that is by nature, project-based. It's unfair that I am not allowed to write off operating expenses even though I'm running my own business and providing my services and expertise to 10-15 agency clients a year. In turn, if I choose to hire support staff to work an event, it's ridiculous that I need to hire them as employees when the entire duration of the job is 3-10 days. There are so many people offering such a wide variety of skillsets for the event industry. We and our clients should have more freedom to choose how we operate. Here is a brief (and incomplete) list of event roles that are impacted by AB5: Executive Producer, Senior Producers, Associate Producers, Event Managers, Event Coordinators, Production Managers, Technical Directors, IT Producers, Catering Staff, Bartenders, Mixology Specialists, Heavy Equipment Ops, Lighting Ops, Video Ops, Audio Ops, Internet Techs, Stagehands, Graphic Designers, Autocad & Vectorworks Specialists, Set Designers, Experiential Designers, AR Designers, Signage Specialists, Credential Supervisors, Box Office Staff, Production Assistants, Truck Drivers, Site Operations Specialists, Electrical Engineers & Staff, Carpet Installers, Florists, Makeup Artists, Musicians, Dancers, Acrobats, Talent Producers, Talent Supervisors, Carpenters, Art Dept staff, Set Dressers, Fabrication Staff, Scenic Painters, Special FX teams, Lazer Operators, Set Medics, Security Consultants, Actors, Voice Actors, Stuntmen & women AND SO MANY MORE!!!!!!

Scott Padrick: Technical entertainment industry (lights / sound / scenic / av)

As far as legit theater, company's are already struggling, taxed with employing people, many closing or afraid to hire. Corporate entertainment struggling, with new laws, shows not happening due to increase in cost (I am diversified with out of state employers, and even have a company set up "correctly" but losing 50% business in CA this year, as rates are much lower and others cannot set up correct resulting in the company's not taking the shows as they do not have enough legit staff to do the show, all as a direct result of this law) I like being freelance... for my industry it works best with random shows, random skills needed, different places / companies different times of the year. I worked 15 years for company's but got tired of getting laid off, due to these fluctuations... (this also keeps me off Unemployment, what would usually happen to official employed people during the fluctuations...). I Feel my representation in the government is taking jobs away at this point, and with the homeless issues as it is making the problems worse not better.....This is hurting me and thousands of others in my industry. The film / tv side already struggling with bad ca laws and businesses moving out of state, is struggling even worse now.

Proofreaders

Deja Garver-Cole: Regarding proofreaders, I'm a full-time official reporter employed by our county and I'll still probably get dinged by this law because our transcripts are considered a side job that we pay out of our own pocket to produce, including hiring proofreaders to look them over before filing them and sending them to attorneys and litigants. So I guess every proofreader I hire I have to classify as an employee? Ridiculous.

Psychotherapists

Anonymous: I'm a psychotherapist working part time at a mental health clinic as an independent contractor 3 days a week and as a screenwriter 2-3 days a week- I emigrated to LA to pursue screenwriting not a health profession. In order to better support my work as an artist I became a psychotherapist I have two careers. I also avoid burn-out as a psychotherapist because of this set up. Working at a clinic makes it easier for me to have two careers because I don't have to deal with administrative work which can be daunting in mental health. I can set my own schedule, have free rein on the therapy methods I use, etc etc and I also work in a setting where I'm surrounded by supportive colleagues. #AB5 ruins all of this. If I were to become an employee, my entire business model would implode and I would have to give up my creative career and work full time as a therapist and the only benefits I would get are 3 days paid sick leave and one week paid vacation. A value of \$4,800 dollars because they would be set at minimum wage not what I actually earn). My lost income would be closer to 75K/year. I would also have to work full-time as a therapist to make ends meet and abandon my career as a writer. I opted to quit the clinic and open a competitive business next door. Several of my clients won't be able to afford my new private fee. Only rich people will afford my services now or those with exceptional insurance. #AB5 claims to be about social justice which I'm sure it is for minimum wage workers with jobs that don't require 6 years education. Its not benefitting specialized workers who earn a good income at all. As a result of AB5 my clinic will only hire PsyD because they are exempt (for no other reason than having a more powerful lobby. What's social justice about that??). If I wanted benefits I would move back to Sweden. The only benefits I get from employment in CA are absolutely laughable and pathetic for anyone earning more than 75K/year. The state can keep them. #ab5 is about breaking apart small business owners and forced taxation. The creative industries and licensed professionals or licensed anyone in various fields are the collateral damage. #AB5 will destroy the pull for talent from all over the world as it will be impossible to support ourselves while pursuing a highly competitive artistic career. I would move back to Europe and get benefits most Americans can only dream of if I was forced to give up my creative career... why would I stay in CA??? The weather is nice but the cost of living among the highest in the world. North European level benefits will never be possible in CA for many reasons. Remember north European countries are very homogenous and easier to handle on so many levels than the diverse CA with extreme social problems that has nothing to do with tax revenue.

Public Radio Reporter

Susan Valot: I am a public radio reporter who splits her time between reporting public radio features, hosting and producing podcasts and teaching part-time as an adjunct professor at a college, where under union guidance, we make only a fraction per class as full-timers do. I've been freelancing on and off in public radio for more than 20 years and to be a successful public radio reporter, the key is selling your story in different markets. You start local, then sell the same story statewide, then national, then international. This reselling allows you to make a rate that is above what full-time public radio reporters make, making it worth your time to drive around to various stories, doing interviews and gathering sound in person. In exchange for the higher rate from reselling, you take on the risk of having to continually pitch to keep steady income coming into your freelance business.

Then along came AB5 in California. I went from being able to freelance for 4-5 outlets to being able to freelance for ONE. AB5 wiped out my markets by forcing W-2 employment if you wanted to work for certain outlets. The problem is, these outlets aren't hiring you as a full-timer with benefits. They are hiring you with uncertain hours, just like a freelancer, for a lower amount than you could make from reselling, AND you have to use your own equipment (a \$1000+ investment) without the ability to be able to write it off as a business expense. And now, the station or outlet owns your work and you can no longer resell it to bring up that rate. So you give up your freedom as a freelancer for a lower rate than you were making. On top of that, they take out taxes for things like disability and unemployment, two systems you will never be able to use as a freelancer because you will always have SOME sort of project going. It gives control to big business.

I had a statewide outlet tell me that they could not longer take pitches from me: I would have to complete the reporting and sound gathering on the story and write and produce that story (25-40 hours of work) and THEN they would decide whether they would take the story or not. This was an outlet where I got fairly regular work and could resell my work. But now, I can't even pitch them because of their fear of AB5. And there are some stories that I would have done for a statewide outlet and then looked to possibly pitch nationally. It would be career suicide to fully report a radio story first before you have a commitment by an outlet to buy it. Imagine if you made tailored clothing for a living and you tailored an outfit for a client, but they would not decide if they would buy that outfit until after you fully tailored it. That is insanity. It's not a way to run a business.

So about a year later, after AB5 decimated the public radio reporting arm of my business, state lawmakers passed a "fix" bill, which helped out freelance writers by removing the random story cap, but it's so vague that it did not help freelance audio reporters/producers. We're never listed by name in the law, but lawmakers told us that we're considered "audio producers" in the section of the law about audio producers for the music industry. This confusion led to outlets continuing to freeze out freelance radio reporters because of their fear of being fined. The damage is done. We've opened Pandora's box. Media outlets are not going to backpedal out of fear that the PRO Act is coming, so they might as well keep their freelancer ban or weird W2 "hiring-not-hiring" in place. My advice to others has been to find places to do similar work in another industry.

It's unfair that this targets only certain types of journalists in an era when journalism students are coming out of university, being trained as multimedia journalists who do it all. By limiting one or two types of media, it limits ALL media. For instance, if I go cover a wildfire or something interesting and I want to shoot a little video to use on Twitter, then now I have to be hired by the outlet as a W-2 employee for that ONE gig, which means that outlet then gets the use of my camera and all of my equipment for free. How is this fair to small businesses by putting such restrictions on them in a country that claims to value freedom and the plight of the little guy?! So I may only shoot photos for outlets I work for. It is within the realm of my training and I do get paid for that, but I know I cannot shoot video. It is like having one hand tied while trying to do your job.

This all hit as the pandemic hit, so it was a double whammy. I applied for pandemic assistance, not because I'd lost work from the pandemic, but because I'd lost work because of AB5.

How has this impacted my business? I pivoted to do more audio work for outlets that don't have audio traditionally. Is it work I truly love? Not really. Does it pay? Yes. Can I still plan my schedule the way I want? Sometimes. I have continued to do work for one public radio station whose attorney agrees with the assessment that audio reporters are covered as "audio producers" in the music section of AB5. But without being able to resell that work, my pay per story is only a fraction of what it was before. It would not be sustainable anymore on its own, like it used to be.

Quiz Bowl Tournaments

Paul Dreyer: "Over the winter 2020-21, I have been moderating quiz bowl tournaments online. Not a ton of money, but a very enjoyable distraction, and the kids are great. Today I got a note about the cancellation of a quiz bowl tourney tomorrow and mention of nationals:

Me: "Hey, have you sent out invites to staff nationals?"

Them: "We aren't staffing from CA because of AB5."

Me: "Are you aware there's a revision AB 2257 that specifically exempts competition judges from AB 5?"

Them: "We didn't know that existed. It will cost us more in legal fees to get a revised opinion than the benefit we would get from having staffers from CA this year.

Sorry."

I know this is small potatoes compared to some of the struggles many of you have been facing because of AB 5, but I still thought I'd share.

Radio Engineers

Marina King: In the radio broadcast industry, half the engineers are employed (generally by large groups comprising of several independent radio stations that they bought up and put under one umbrella). The other half are independent contractors, and their sub-contractors, who provide engineering services for non-profit or university-sponsored radio networks, or individual stations around CA. The ICs generally provide transmitter/antenna/construction services for a number of stations. Some radio programmers are also ICs. All these ICs would be forced to become employees or, more likely, leave the industry. There are already too few radio engineers for the amount of work that needs to be done. Why? It's a 24/7/365 day a year job for employees and ICs alike. So, this industry needs everyone they can get, and many current ICs will NOT agree to become employees, even with the supposed "protections" employment offers (but which are exempt anyway because most employee engineers are salaried, not hourly). Does this make sense? Our family is hugely effected by AB5 if our radio stations do not choose to renew our contracts.

Real Estate Appraisers

Jason Smothers: Real estate agents were added to the exemption list but not real estate appraisers. Why? Agents must work under a broker and appraisers who do lending work must get their work from appraisal management companies. This law is so poorly written and so not fair. Here is a good read on AB5 for appraisers. The appraisal management companies (AMC's) can't make money without the appraisers but are required by federal laws. The goal was to create a level of oversight between lending institutions and appraisers. The US federal government created appraiser independence requirements to prevent lenders from influencing appraisers from inflating property values. Thus, lenders would be prevented from issuing mortgages based on inflated appraisal values, a problem believed to have contributed to the housing crisis. I see no way around the new law for AMC's. Appraisers certainly appear to be their employees under AB5's criteria test. AMCs set the appraisal fees and have all kinds of requirements/conditions on their appraisal orders. I see lawyers and lawsuits coming in this field.

Rich Bricker: As an appraiser we exist to be independent yet not exempt. I have a national client that has stopped sending work to CA panel members as of 1/24 due to AB5. Going to directly affect loan origination time frames in many cases.

Martha Boyd: 30 year appraiser here. Per the Bureau of Real Estate appraisers currently 10562 licensed appraisers in CA: Trainees 7%, Residential 11%, Certified Residential 53% and Cert General (29%. Most residential lenders banks, credit units etc will only contract with Cert Res and Cert General. Trainees are trainees and generally can't sign the report without a supervisor. In commercial real estate transaction only can a Certified General do the work. I am a Cert General and can appraise anything from your dog house to your shopping center. A Cert Resi can only do houses and up to 4 units. The average age of a CA appraiser is 63 yrs old. A large part of my work comes from appraisal management companies. These were set up after the 1980-1990's loan crisis. Appraisers also had to become licensed because of this. Appraisers under our code of conduct must be independent. The management co is the buffer between the banks who were directing values and the appraiser in your loan transaction. A bank can no longer say you appraise the house at \$\$\$ or we will not give you any more work. Now we can put any darn value on a property that we can justify. A major management company who operates in CA and has a major lender that we see tv adds multi times a day on tv just suspended all of its CA appraisers. I posted the announcement on this site a few days ago. This just cost me a \$1000 +/- a month contract. I'm sure there are other appraisers who also work for said company. I now see my business of 30 years crumbling. I was training my son-in-law to take over when I decided to retire. Do the the hefty requirements to become an appraiser (4 yr college degree, 1500 hrs of apprentice (about 2 yrs and 150 hrs of education above your degree) not many are becoming trainees (7%) ouch. Oh real estate agents and their brokers were exempted. Not appraisers. There goes the real estate market in CA.

Real Estate Appraisers, continued

Julia Thompson: OK so my mom is a real estate appraiser and by the rules of California and Federal, an appraiser has to be an independent 3rd party so that there is no bias. Appraisers can not be hired strictly by say Chase Bank or Bank of America because what is to stop the banks from going hey kill this loan undervalue the property or we want to make this sale over inflate the value. That's what caused the 2008 mortgage crisis. A lot of banks were contacting appraisers and saying can you do this and the unethical ones said yes. Those appraisers no longer practice in any state whatsoever because they broke the law.

Jason Smothers: The appraisal management companies (AMC's) can't make money without the appraisers but are required by federal laws . The goal was to create a level of oversight between lending institutions and appraisers. The US federal government created appraiser independence requirements to prevent lenders from influencing appraisers from inflating property values. Thus, lenders would be prevented from issuing mortgages based on inflated appraisal values, a problem believed to have contributed to the housing crisis. I see no way around the new law for AMC's. Appraisers certainly appear to be their employees under AB5's criteria test. AMCs set the appraisal fees and have all kinds of requirements/conditions on their appraisal orders. I see lawyers and lawsuits coming in this field.

The reason why my mom's business survived is because she told the banks how to go fuck themselves. My mom's been getting a ton of ab5 letters and what's been saving her is the fact that she has a TIN number. She has been a sole proprietor for 30 years. She's fighting this crap. Appraisers by the very definition of state and federal law have to be independent.

Real Estate Industry

Rebecca Greene: My husband is a special inspector for commercial & real estate. He is contracted through multiple companies to oversee the building of structures. He was informed that he can no longer be a IC unless he purchases workers comp insurance & creates an LLC. He would have to become an employee for these companies. This is not realistic to do for multiple companies that he does work for. This is affecting 40-50 IC Inspectors for this company. He basically has to choose one company to be employed by, unless he jumps through the hoops to follow the AB5 law.

Cynthia Gabaldon: We do specialty building and/or environmental inspections. Many of us have full time jobs, but do this on the side. There are many of us who are retired and do this for extra money or to stay busy. Lastly, the bulk of us follow projects. We are only needed for the duration of the building project and then we move on. This has forced so many to stop working as if tomorrow OR some companies are forcing people to become employees but that impact is great due to taxes and lack of right offs. Also no more flexibility to get other work on our own. Most of us LIKE to work like this. We like the hustle, we like changing jobs. The mandatory S-corp, etc is just too much for most of those in this field. I do have an S Corp. I hire a scientist, once a year, for modeling work and I am now told I can't use him anymore. This entire law is just ridiculous.

Mark Fausner: I'm a loan agent for 28 years now I'm w2 . How will my broker pay for my health insurance . Benefits 401 k sick days etc .. I have been a mortgage agent for 30 years always 1099 and schedule c for my taxes writing my expenses off . I get all my business from my own marketing and leads and referrals . My employer broker is forcing me to go W2 now and I can't deduct much unless my employer reimburse me for my expenses .What a joke . So now does my employer offer me benefits and a 401 k and if business shows do I go on unemployment . I should not be a w2 employee. To avoid that I will probably get my own brokers license . I also do other kinds of similar work that he doesn't compensate me from other sources. This new law is only to collect for taxes there are some small brokerage firms not going along with this . Not sure what to do as of now . Why should realtors be exempt when we work with them hands on and are commissioned This law is trying to force our industry to work for the big corporations I feel it's unconstitutional

Realtime Captioners

Sandy Eis: Realtime captioners and sign language interpreters work with a protected class of citizens under the Americans with Disabilities Act. Like court reporters, there is already a shortage in these professions; mandated services for Deaf and hard-of-hearing people will be impacted by AB5.

Kayla Lotstein: I'm a CART provider and broadcast captioner. The same goes for our side of the industry. I caption for students in K-12 and college. I also caption government meetings, business meetings, large conferences, and television. So many students who rely on CART, so many weather emergencies and evacuations that are going to be even harder to get a captioner for in an already short-handed industry. So many lives affected. Closed captions on TV literally save lives in disasters when evacuation orders are issued. The difference between life and death could be determined by whether or not a TV station is contracted with a captioning agency that can afford hiring people as employees. Several agencies I've personally spoken to are trying to figure out what to do with AB5 and have said they're just trying to not close their doors at this point. I share because our fields are related.

Maria Jones I'm a stenographer/captioner for broadcast television. (Provide live closed captioning for the deaf and hearing impaired) I've been a contractor since 2003. I'm getting dropped by in-state and out-of-state companies I work for because they don't want the risk of a fine for continuing to give me work. The few companies that do employ pay lower rates than when I first started my career with benefits that when factored in with adjusted hourly rates do not even come close to my current wages. I'd be working an inflexible schedule with way more hours for tens of thousands less a year. The financial stress AB5 is putting on my family, those in my profession and others in professions not on the exemption is astronomical! We've GOT to fight this ridiculous bill!

AB5Info: There are approximately 500 Realtime Captioners who provide live captioning (like live closed captioning) for people who are Deaf and Hard of Hearing in California. More if we take into consideration realtime captioners working remotely from other states, who now will not want to work with CA companies/consumers if they have to be made employees at a much lower rate, or will lose those work opportunities if hiring agencies in CA cannot afford to have them as employees, or go out of business due to AB5's restrictions. Several thousand sign language interpreters as well. The Deaf/hard-of-hearing public, a protected class under the Americans with Disabilities Act, loses access to an already insufficient pool of these highly skilled providers, lose access to their ADA mandated communication accommodations. Perhaps they file complaints, lawsuits, class actions against the State of California via the Department of Justice (ADA accommodations are a civil right), etc. But in the interim, their quality of life and civil rights have deteriorated under AB5. Feather in your cap, California?

Recording Studios

Valerie ZunZun: From a fellow voice actor and voice director... I'm incorporating, as I also have a company and a recording studio. But it will still strongly affect me (and my fellow actors) when I have NU gigs for others... As you said, only big corporations and companies can afford to employ artists for a short gig... (money and time wise...). I guess I'll have to ask who's incorporated? Stupid and sad.

Recruiters

Cheryl Kohler Wright: I have a small business, an LLC, recruiting business. After years working in Corporate America, I started my business and built a huge network of professional talent. Several recruiting firms have called on me for the past 13 years to fill the jobs they are assigned. I added a partner since we were so busy. I matched hundreds of people in good jobs for years. Now I am no longer able to do this project recruiting work. I've been offered a minimum wage draw against commission role at one of my client's firms, but now, at the age of 62, I have to abandon my clients, my partner and my good 100k+ income and go into an office every day with a group of young staff type recruiters. If I'm lucky I will earn 1/3 of my income last year. The office environment is also a bad fit and I don't know if I can sustain it. I really want my business back. The only thing stopping me is the B-prong of the ABC test in the law that says I can't contribute to the primary work purpose of the business. Small recruiting firms hired my LLC for their hard-to-fill assignments. I am also a lifelong Democrat, so this bill is shaking my Identity and faith to the core.

Rehab Specialists

E Alan Hyman: I've already lost a handful clients due to the price increase and sadly, they are the ones that need my services the most as they have health conditions, such as Parkinson's, that the progression of their illness is slowed down thanx to exercising. Now I'm told I have to raise their rates by \$10 a session and to enforce a strict 24 hour cancellation policy. Of those that have stayed on board with me, most have had to reduce the amount of sessions per week and/or reducing length of the session itself. Breaks my heart!!

Researchers

Anonymous: I am an anthropological researcher contracted to companies to help them expand into fields that aren't their home country and teach them about cultural nuances they need to know. My career is in jeopardy and I've lost a lot of clients.

Residents/ Homeowners

Lizzle Singian Brandt (2023): Just found out a friend was sued by their housekeeper of nearly two decades for, you guessed it, employment misclassification and violation of labor laws. They were forced to settle real quick because of attorneys' fees. It has had a ripple effect on other areas of their life. AB5, the law that just keeps on destroying.

Residents Moving Out of State

Wendi Koble: Closed my wedding videography business in CA. Moved out of state. Starting over

Lloyd Dickson: Lighting technician. AB5 is so bad that I have moved myself and the business out of state.

Stacey Fellows: It's forced my 14-year massage therapy business to close and now my family will be leaving California come Feb 2022. I used to contract with Chiro offices and Day spas as a base supplement for steady pay and did mobile massage for my small clientele. But now with AB5 I refuse to except minimum wage. I walked out of an interview at the Spa at the Westin here in Sacramento when they said it paid minimum wage + additional \$3.00 when booked with clients. I made \$40 an hour straight out of school back in 2006....Now in 2021 with AB5 they want to pay \$14-\$17 an hour, but I still have to pay for my massage license + liability Ins etc.

Heather Mason: I am a conference producer. I had to move; went to Utah. I can't hire many of our freelance folks back in CA either. Heartbroken to leave LA

Terri Tracy Harrah: that is what we are doing... it's a long term plan. We've been impacted by the new real estate laws as well so we are selling that business and moving it to NM, first. The attack on our Airbnb's came second and now this is attacking my husbands musical career of which he has been an IC for 40 years.... also belongs to AFM which is going under...And lastly the vaccine mandates put my kids out of school as I have a vaccine injured child so we've been hit on all sides. I don't need another sign to tell us that we are no longer welcome in our state. We are going where we are seen as humans that have real jobs. I will most likely keep a portion of our Airbnb biz here until they make that 100% illegal. I'm a typical lib/Dem that just voted myself out of my own state .

Elizabeth M. Adger: I saw this happening in November and sold the business in California. Now I am moving to Florida where my business is welcome. : AB5 is why I had to pack up my very ill husband with stage 4 cancer and autistic son and leave the state. There is no way I can take care of our family and work a "traditional" type job. I have always worked for myself and paid my taxes. I was terrified of becoming homeless.vHope ya all enjoy the higher taxes too with the loss of income. People need to realize the Democratic Party in this state will not repeal this it gives them more personal control of our lives and more tax revenue. I am so embarrassed of my native state and heartbroken at leaving.

Amy Marie Bartlett: I'm moving east in 4 days.... I'm a California Native, parents are originally East Coast but here 40 years, we are all going. Affordability and the escalating concerns of government and laws are a large percentage of "why."

Valerie Talcott Fausone: I did the math on compliance in terms of cash, headache, long-term costs paid to California and risk of even dealing with them, and determined our best course of action, and cheapest thing in the end, is to move to Nevada. The rest of the USA is still a free country. That's where I'm at.

Rig Welders

Lina Torres Deluna: Rig welders are also independent contractors. They work off their truck as needed with different companies at times same company for months or years .depending on how long the job they have to finish. Rig welders have all their equipment on their truck. Like their office. Oil field companies hire them on a needed basis when they need repairs to equipment, kind of like a handyman, but for welding. They provide the tools and materials. Some jobs take days when others can take months .These men invest thousands of dollars on equipment to be prepared to work when called on. They can make up to \$200 thousand as independent contractors. Some oil field companies have on-site welder ,but at times need more help, as temp only.

Rural Residents

Shufina Knoebber English: The Urban vs Rural business model is REALLY important to consider. Almost all rural "work" is independent, and it's always been that way - or at least since the lumber mills closed... Rural people are independent in order to survive, but also part of surviving requires *interdependence* which is a concept this legislator either doesn't understand, or doesn't appreciate. most of the W2 jobs in these communities are government or agency in nature (Dept of Forestry, Teachers, USDA, etc.) a few small businesses have employees. But most of them are family businesses: mom, dad and kids all work. It's such a huge assumption that everyone can or wants to be W2.

Santas

Santa Ed Hatz: There are about 250 Professional Santas in the Southern California area and 600 in the state. I am guessing less than 10% are actually set up as a legitimate business. Most are too old to understand what they need to do. If this law is not repealed by Thanksgiving, you may see a serious absence of professional Santa Clauses this Christmas.

Santa Jerry: Today I lost my 10+ year job as Santa. The agent is replacing all Santas living in California with out of state Santas to get around AB5. I am sad beyond description. All the children who come to me year after year, their families, I will miss them terribly. Plus I just lost 1/2 my annual income. All for this terrible law. Insanity.

Scopists

Jeff Sherman: I have two careers: one as a scopist (transcript editor for court reporters). I lost that job at the beginning of January when the law took effect. My client can't afford to make me an employee and she just threw in the towel and retired. I can't get arrested as a scopist right now. The other career is as a professional musician. The main bandleader I work for made all nine of us employees. He has had to raise the price of the band by over \$600/gig to cover payroll costs. This is going to result in next to no business. It's devastating. The musician's union wants us all to join and they helped push this law. The musician's union benefits you if you are in the SF Symphony or are one of the elite that play in the pit orchestra of Hamilton. For the rest of us, it makes no sense to just pay work dues on every job when we already make several times more than union scale. And their pension plan is on the ropes and they are cutting it back.

Seasonal Specialty Performers

Anonymous: Theme parks often contract outside vendors (generally seasonal performers for various festivals, and specialty acts/skills for various needs) that can no longer hire these people in any capacity. They usually get brought in for a day, a week, a few weeks, and then go back to business as usual. Of course, theme parks have money. But when you consider the 40%+ added cost to put these already very expensive specialists on payroll then cover them for insurance, etc, it can pull thousands of dollars from daily operations. Which means regular employees conceivably could have hours or jobs cut. In reality, they just aren't going to hire the cool bands, DJs, artists, etc anymore because they need daily operations to... operate. It is those specialty artists who lose out. Think: holiday caroling groups, music bands and DJs for summer festivals, drawers and painters, etc.

Seniors/Retirees

Kathleen Merrill: I have had a CA S Corp for 25 years. I have had a business license that entire time, as well. I have an employee and MORE than fully complied with all Federal & CA regulations and taxes, workers comp, decent salary, unlimited sick time & vacation time, pay for his health ins 100%, etc. The ABC test is a breeze for me to pass. EXCEPT my clients are so afraid of this new law, they just are ceasing to use any sub-contractors located in CA. Since the day this law passed, I have had no business contracts at all. None. Zero. Unless things change, and change fast, my little company will go from "doing pretty good" to going bankrupt. Which will result in me being a 63 year old widow who was making a good living and buying a home to a homeless 63 year old widow with no health insurance or income. I am sure there are many others out there in my same dire situation. At this point, it looks like my only chance will be to sell my house and move to another state. This means I would be leaving my 90 year old parents to try and get along without me.

Dawn Crowley: I see this as a negative impact for many retirees that I know. They want and / or need some extra income, but are either unable to or uninterested in working as an employee at this stage in their lives. The flexibility that comes with being an independent contractor is invaluable to them!

Kathleen Connell: Absolutely true. I asked for an exemption for seniors and the disabled. In sum the author told me no, they are protecting them. How do you protect someone who can't work a W2 job, with all of its control and lack of flexibility. And very hard for folks to get hired on. Heartless. Thoughtless. Out of touch with reality.

Elisa E Brent: I am over 50 and now unemployed thanks to AB5. I would love to get AARP on board. I am also in San Diego (La Mesa).

Razieh Mostafavi: I have been an independent language interpreter since the great recession of 2006 on, surviving as a single mom in CA, now I am losing my jobs due to this matter. Freaking out at my older ages with no future.

Helen Giss: I'm a retired senior working with Uber to get by. I am not able to stand for hours so fast food or retail can't work. But need the money I earn from Uber. So do not want to be homeless. I want to continue eating what I want. Uber does it for me.

Seniors/Retirees, continued

Anne Cherchian: Whenever I try to apply to do online legal transcription again as an IC, I get the same answer back: "Unfortunately, due to AB5, we're not taking applications from California." I'm 74, and the only way I can work now is from home, and that's been taken away from me because of Lorena Gonzalez. I hope she's happy for ruining our only means of earning some money.

Tanya Gilbert: I'm a 65-year-old widow who has been doing transcription since 1996 when my husband died and I supported my family by working both as an employee and an independent contractor. I now have chronic neurologic issues and physical limitations and I'm also responsible for the care of my grandchildren after school. My social security alone isn't sufficient as a sole means of support, and the income and flexibility of transcribing from home as a freelancer is vital to my financial and physical stability. I have now been unable to work in my industry since November 2019, and have no viable options for sustainable income since the passage of AB5.

Dori Lehner: For the last 11 years, I've been an independent transcriber, supplementing my social security income by doing general transcription—not medical, legal, or court reporting, but everything else: business, academic, government, insurance, webinars, podcasts, focus groups, etc. I've had a few private clients, but mostly contracted with online agencies, all of whom have now said they can no longer work with me because of AB5. I'm in my 70s.

Roger Z: My career was audio-visual, video, broadcasting, pro-sound, and some Telecom. I set my rates to cover my primary expenses and insurance, and paid into an IRA. In some cases, I was making more than employees and was able to dodge many employee cutbacks. All gone because of AB5. No one wants to hire a senior as a full or part-timer because of the added costs for healthcare, liability and workers comp. I've been forced into early social security at age 63 and will lose hundreds a month for life.

Sheep Shearers

Matthew Gilbert: This is a letter I wrote to my representative:

AB 5 is a terrible idea. To show you why I would like to share 3 reasons with you. The first is a business I started, as is the second, and also the third. When I was 13, instead of building a lemonade stand, I started running a business shearing sheep. It is hard to overstate how amazing it was to run a business as a teenager. It was fantastic. I learned skills and abilities many never do. At 18 I had my private pilot's license (ASEL). In college while most people were working low wage summer jobs, I had a seasonal business. I had my collage loans 100% paid off less than a year after I graduated with my BS degree

I worked as an employee for about 6 years after that, but never stopped shearing on weekend, and that weekend business was something to build on when I quit my job as an employee. Since then it has been a steady couple of months of work each year reaching a high of about 5500 animals sheared in 2018.

When one is growing a business, making sure that the customers are taken care of is critical. I had several flocks of about 1200 sheep, which is too much for one guy to do. I would team up with another shearer and contract with him so the two of us would get the job done together. For me, his help helped me keep my customer happy and let me grow my business. For him, he ran his own business shearing and didn't want to be my employee, but he appreciated the extra week of work. Under AB 5 this kind of sole proprietors collaborating could never happen. Hiring an employee requires having a steady business. Having steady business requires having happy customers. Getting those happy customers often requires small businesses being able to contract with each other and build each other up which is now illegal.

The second compelling reason why AB is a terrible reason is the second business that I quit my steady job to start. We have 4 employees and make yarn out of sheep's wool and other fibers. It was a very labor intensive business to start and I could not start it while being employed, which is why I quit. I did not need the protections of an employee, I needed a way to make money when I wasn't shearing sheep that was incredibly flexible and left me with enough time to build machines. I could only do that with contract work. If AB 5 had existed 3 years ago, I would have had to get a job somewhere and would never have been able to build the wool mill. Even now, if I can't figure out how to work as an independent contractor, it is highly likely that because I won't be there making the needed mechanical improvements the mill will fold along with all our employee's jobs.

The third compelling reason is my business Gilbert Forestry. I graduated with a BS in Forestry and am a Registered Professional Forester (license #2972). When I quit my steady job as a forester to start the wool mill, I simultaneously started this business. My business model starts with the realization that every business ever has unexpected short term needs. I provide expensive, high quality short term work. My first contract was a forestry firm that had lost an employee and needed some help for a few months. Since then I've cruised up and down the west coast for 2 weeks at a time, been flown to Alaska for 3 weeks of work, and worked in the immediate aftermath of the Ranch, River, Camp, Carr, Pocket, Tubbs, Nunns, Atlas, and Redwood Valley Complex fires among other work.

My work as a forester is rewarding, and I enjoy it; most importantly however, as a contractor I get to choose when, where and if I work. For me, this is important because I am building machinery to for an unrelated business. For many others, it is because of health conditions, dependent care, or a lifestyle choice that values freedom more than consistency. AB 5 outlaws this freedom and is forcing many to find work as an employee that ill suits them. Depending on how the courts rule, the only income that is legal, is from out of state.

I don't need an exemption to AB 5. All that would mean is that I get to live the lifestyle I want while many in other sectors can't. I believe in a future where small businesses form a vital component of the California economy. Where government policies level the playing fields and ensure that small businesses and large can compete on equal footing. AB 5 tilts the playing field hard in the direction of big businesses. This bill is irredeemable and needs to be repealed.

Sincerely,

Matthew Gilbert RPF #2972

Co-Owner of Mendocino Wool and Fiber Inc.

www.mendowool.com

Sheetmetal Workers

BlingBlingMama: They independent contract and offer man power to other companies on a subcontract basis. Most construction contracts require minority participation and because of the large size of these contracts it is not always possible to have the 100 employees it would take to complete the project. There for one company will team with another and subcontract to them a portion of the labor as a 3rd tier sub. Under this law that would no longer be allowed and effectively eliminate minority participation standards.

Sign Language Interpreters

Sarah Munro: As a freelance sign language interpreter I can no longer work with agencies to fill the needs of deaf clients within a community. None of us can. The agencies are trying to figure out the best way to proceed. Some want us to get LLC'd before we work for them but that's not logical given the expenses to even do business in CA as a 'business' of one person. We have lost work, hitting our livelihoods hard. We have mortgages, kids, elderly to take care of, everything and anything a human could experience and juggle in life and now to worry about money. My biggest issue, is not for myself, but for the deaf clients going unserved. Their world has already been discriminated against or manipulated for so many years we are supposed to be their advocates in equal access to their education, health care and more. Without us, they have no services. I'm already hearing from past clients that they have no idea what's going on with their health when it comes to doctors appointments as the hearing aren't empathetic to their situation at all. There has to be a legality issue with AB5 and interpreters. Not providing services to them violates ADA laws, but now we can't serve them unless we are LLC'd.

Jodie Fuller: Hello. My story probably is the common experience. I have lost the complete ability to make a living. My freelance career is gone. I lost all 3 of my agencies. California seems set on destroying honest working people. Our agencies are just beginning to list their new requirements. Their HR departments are behind in getting everything ready to fully "fire" us. I lost one agency even before the new year. My other two have just sent me the requirements and made it clear that noncompliance means no work. I have weeks and weeks of assignments on my docket that will get turned over. I hear a lot of stories from our Deaf and HH clients. They are going without communication access already and it is only going to get worse. Live one on one interpreting will suffer. They will be forced to accept computerized options that will freeze and not be best. There are a lot of my colleagues experiencing the same as me. The Deaf community struggles to get equal access all the time...especially in medical/hospital settings...this has made it worse. Think about needing to understand End of Life directives.

Sign Language Interpreters, continued

Sophia Aguirre: I've lost 3 contracts as a Sign Language Interpreter. I am certified by Registry of Interpreters for the Deaf (RID). I pursued my BA to fulfill the requirements to be able to qualify to take the proficiency exam. I have pursued these goals and established myself in this line of work. Now, a law with random requirements is placing me in a position where I am losing money daily, yet, expected to jump through more hoops that require time money and readjustment of fees, to cover the added fees to be able to work in an industry as a Certified ASL Interpreter. The law was established to prevent companies from taking advantage of employees. It is doing the opposite. It is jeopardizing our livelihood through scare tactics of punishment by fines to the agencies that we have had legal binding contracts with for years. Please adjust this, so that the motivated young people of California that have been rigorously following their dreams are not jeopardizing their livelihood. This new law is interrupting our freedom to pursue our dreams.

Adina Kaplan: Something to consider regarding Sign Language Interpreters in particular. Our services are primarily (I don't have numbers) to provide access and to comply with Federal ADA Law. Interpreters work in the k-12 school systems, at universities, doctors appointments, Emergency Room visits, Social Security and DOR appointments, interviews, staff meetings, etc...Again, I don't have numbers but aside from some number of school districts and universities who do direct hire, nearly ALL of the other services are provided via agencies who contract Interpreters working as independent contractors, most of whom work as sole proprietors and do NOT have an S-Corp or LLC status. If AB5 is to go into immediate effect, and if the agencies with the contracts with the hospitals, doctors clinics, social service organizations, etc, can't send from their pool of ICs, all of these jobs will go uncovered. MILLIONS of Deaf in CA will not have the access and communication provisions that are by law required. Businesses, schools and even the govt agencies that offer services to the Deaf will be out of compliance. How is this even legal?!

Gloria Rivera Baldassari: I know a CDI (Certified Deaf Interpreter) who was offered an employee position, then withdrawn, then informed he could not longer "go back" to being an IC due to "the new laws in California". It is already affecting Deaf people. :(

Sign Language Interpreters, continued

Robin Dragoo: most agencies are small business owners that wouldn't be able to hire the amount of interpreters needed to cover most jobs in the state. Costs definitely would go up and only the largest agencies (whether they are located in the state or outside the state) would barely be able to keep up with the demand for qualified interpreters.

Shaunna Peterson: I'm a sign language interpreter and yes, our local organization is Southern California Interpreters for the Deaf (SCRID) with other chapters in northern ca and San Diego. National level is the Registry of Interpreters for the Deaf, (RID) I hold a national certification and have been in this field for 36 years, full time freelancing for 15 years. SCRID held townhall meetings that included the local Deaf community. www.rid.org . Sheridan Laine: an email should be sent to president@scrid.org

Shaunna Peterson: Some facilities are pushing for video remote interpreters...those on an app. The Deaf prefer a live interpreter for a variety of reasons.

Stephanie Eiseman: Diana Kyle I'm wondering how CA can get away with this?! I am an interpreter for the Deaf and my clients have a national right to equal access (ADA law!!) yet AB5 is restricting the amount of interpreters available to provide said equal access. This is ridiculous!

Sandy Fisher; AB5 is also negatively affecting me as a Sign Language Interpreter. Many interpreters have lost their 1099 work because of this new law. Many agencies are refusing to hire interpreters that live in CA because of AB5.

Cheryl Gallon: What is so frustrating to many ASL interpreters is that the Deaf community, an already severely marginalized community, are the ones who will be impacted worst. They will lose their ADA rights to access the courts, their doctors, their places of employment, their education...and any other facet of life in which you communicate with another person.

Sign Language Interpreters, continued

Julie Steele Casaccia: We've been told by one of the largest agencies that unless we have an LLC by February, our contracts will be void. This agency provides all of the ASL interpreters for LAPD, City of Los Angeles, DCFS, etc... (1k plus jobs a month) there is already a SEVERE shortage of us. The 800 number quoted only includes certified interpreters. CA doesn't require certification so there are a LOT who are working unaccounted for and will be impacted as well in this. Another thing, CSUN, in trying to save money is contracted with an agency as well. Guess who won't be getting services.. yup, Deaf/Hard of Hearing students and faculty. I wonder if lawsuits generated by this specific shortage will be what finally makes the difference.



Jo Arthur: I am an American Sign Language Interpreter. I provide interpreting services between Deaf, Hard of hearing and hearing people. I got my business license after AB5 passed. One of the largest agencies in the area said it's not good enough, they want me to get an LLC. I cannot afford them costs to getting an LLC and paying the \$800 tax. I will be losing about \$1,000 per month just from this one agency. We are a single income family as I support my husband as he goes to graduate school. The requirements are crippling. No one is making us W2 employees. We are simply losing our jobs.

Signature Gatherers/ Political Consultants

JB Kelly Jr.: AB5 destroyed work for me
and a lot of people that wanted to work with
me

Singers

Valerie Pierce: I am a singer and have been for many years. On January 15th I woke to find all the shows I had scheduled for the year cancelled due to AB5. This has created great financial hardship and taken away the opportunity to be paid for doing what I love.

Dyan Kane: Because I run the show, I must consider myself a boss with employees, and, as always, issue 1099s, etc... but now with AB5, am I now supposed to cover all taxes and health care too? It's not clear to me. I'd be happy to make a "set" band, and call it a company, and be happy to take care of all that, but I do not play with the same peeps all the time. I started singing Jazz on the streets and subways of NYC, and now, busking on the promenade in Santa Monica completely sidesteps all the AB5 BS until politicians can fix the issue for us musicians!!

Anonymous: Well, I started singing Jazz on the streets and subways of NYC, and now, busking on the promenade in Santa Monica completely sidesteps all the AB5 BS until politicians can fix the issue for us musicians!!

Single Mothers

Kimberly Walker: I am a single mom, and many IC are single moms. We are always getting dumped on, but I never thought my own party would do this. Please let them know it's Democrats that are upset as well. I don't care what party fixes this, but this needs to get fixed. I spent 9 years building my business (a small tech company), and a site we work with will NOT work with our CA IC anymore (the company is based in Seattle). The first three years building my business I made almost no profit. And now that it is off the ground, AB5 comes out. We are not sitting quietly.

Small Businesses

Anonymous: Having an LLC doesn't matter. We were audited by the EDD for this late last year (a contractor filled out an unemployment form incorrectly and put us down as her last employer, which triggered the audit.) We were forced to make our 4-6 contractors into employees, even though they

- have LLCs
- have numerous other clients
- have website offering their services
- only did a few hours a month for us

And we were forced to do it retroactively back to 2014 when we first started.

Shawna Dawson Beer: We do a few things (all related to marketing and events) but the two cases we're dealing with are 1) a contractor, with a tight contract and arbitration clause, who walked out on a one year contract three months in leaving us holding the bag who then made a bogus claim she was misclassified and was owed overtime and penalties (?!). Meanwhile, she had at least two other clients and was working f/t. She was awarded 7k (more than she'd already earned the two months she half heartedly worked). This was back in January. Hi And 2) a person who worked on a one day annual charitable event who was hired by a subcontractor working for an agency we hired to staff. Yes, a third party to a third party we never met or engaged with who worked one day and we cut a \$296 check for. This person has also claimed they were misclassified and owed overtime and waiting time penalties. That claim is \$5800. 🙄The irony is we've been so paranoid since that first claim (first time we've had any kind of claim brought against us in ten years in business and we were truly stunned someone could boldly lie and win) that we've been airtight using agencies and now we know even that can't protect you. It's open season and just about anyone making a bogus claim will get a payout regardless of the circumstances. So now we're hiring no one. It's lose lose. They've been applying Dynamex for the last 18 months. AB5 just codified it into law. As our lawyers have aptly remind us... you (the employer) will always lose with the labor commission. Always. It's what they're there to do. Contracts between ICs and clients ARE useless. They mean absolutely nothing in front of a labor commissioner. Ditto small claims judges. An outside company whose work has nothing to do with yours can hire you as an IC under the B2B relationship. Anyone you subcontract to help with the work would be subject to the ABC test and need to be an employee. It's unconscionable bordering on encouraging fraud. Our lawyer told us to brace ourselves for class action (since unscrupulous attorneys are out there encouraging these unbeatable cases) because if that happened (some of our projects use 40+ support staff for one day only) and they audited us for the last ten years (which they do; we know someone with a small bar staffing company going through that now) we'd be crippled. And don't even get me started on the fact that the labor commission is now piercing the corporate veil and making shareholders and their assets personally liable for claims against a corporation. And the fact that small companies like ours that have no employees aren't eligible for any type of insurance to protect against these claims. We gross less than a million a year and net a fraction of that. Why would we keep doing business here? How could we keep doing business here?

Social Media Managers

Kate Paguinto: I've been a freelance social media manager for a little over a year now and hate what AB5 is doing to the gig economy. I intentionally chose the freelance life because I didn't want to be anyone's employee but my own. My concern now is that I had planned on hiring other social media managers on a contractor basis to help me with my workload. AB5 is making it more difficult for me to do so which means I can't scale my business because I can't afford to hire employees. Not only that, but there are so many amazing freelancers out there that could really use the money from the clients I'm bringing in. Sorry to rant, but this is definitely something I'm fired up about. If there is any course of action I can take (or partake in) please feel free to share!!

Social Workers (Licensed Clinical)

Arpineh Keshishian: I'm a LCSW and home health social worker provider company. I had a huge contract canceled [when AB5 passed] and waiting for the other shoe to drop. I have a lot of friends in industry that are Physical Therapists/Occupational Therapists/ Speech Language Pathologist providers, and they are all just waiting too. It doesn't help that Medicare also just cut reimbursement and number of visits for agencies as of Jan 1st, 2020! The home health industry is in a really bad shape.

Anonymous: I am a licensed clinical social worker. I am contracted as a 1099, brand new client at an intensive outpatient program, and I'm terrified that I will lose my livelihood. I don't see how it passes the ABC test. I get paid at a very good rate as a 1099, and that could go away if I am on the payroll.

Software Developers/ IT Professionals

Jeff Beckenbauer: I am a software developer/IT professional, providing services as an independent contractor. Recently, several potential clients I've been negotiating with suddenly became scared and turned me away, citing these "new AB5 regulations" in California. So, I unexpectedly lost those potential clients to my competitors from outside the state. The turning point came when a longtime client of mine decided not to renew our contract. Here's basically what they said in a nutshell: "Litigation risk is too high. We don't have a large legal department for that. We're going to have to try out of state going forward. Sorry." That was the client I depend on to pay rent and other living expenses to support my family. AB5's vague and complicated legal landmines immediately scare away all my potential clients. And, subcontracting (also a very common business model in our industry) is made virtually impossible under AB5. In summary: AB5 attacks my sources of income in every possible way and practically destroys any possibility of making a living in my industry as an independent Software developer/IT professional.

Alan Hysinger: Given up on business as a freelance software developer, taken a job for about 1/3 what I'm worth temporarily while working on my startup. Cancelled my CA Corp and reincorporated in Delaware. Planning on exiting the state as soon as feasible. Will not be employing any other Californians.

Sound Designers

Jamey Scott: I'm a sound designer. Not quite music related but some of the same tools are involved in my craft and I live a similar kind of life inside of the gig existence. There are fewer than a few hundred of us working as actual freelancers in Hollywood, as most are employed by the studios or post production houses, but I've been at it as an independent contractor for 17 years and that is now being affected by this legislation. It was already hard enough to work at the studios as a loan-out contractor paying my S-corp and it prevents me from working at certain studios, but now other studios are closing up even considering it because they don't want to risk it. This was all very predictable at the start of this thing.

Sound Engineers

Kenny Hochman: I am a freelance sound engineer. I have been contacted by out of state companies that used to hire me directly to tell me that now I need to register with a labor company of their choice so that they can hire me through them, essentially putting a middle man between me and my income. I have been building my business for years and now that I am finally making enough to be able to save on top of raising two, soon to be three girls, they are creating a law that makes me more of an expense and a liability and sends me back to begging for hourly jobs where someone else is taking a slice of my pie. I hope we can change or repeal this law before I'm forced to relocate.

Anthony Harris: I'm a very small cog in the audio production industry. AB5 has been a chain work train wreck, in that my work can, and has been curtailed, due to lack of independent working musicians, lack of larger production companies unable to hire short term subcontractors, and the increase in overall costs, from reclassification of workers, such as workers compensation, and income tax payments, and processing. Some of these increased costs, have to be passed on to my clients.

Nils Erickson: Sole proprietor Sound Engineers are needed by events of all types and sizes to provide highly specialized skills and often provide and transport equipment to those events. We contract and invoice with clients directly, itemizing mutually agreed upon needs and wants. These clients might be anyone planning an event or any act performing at someone else's event. If subjected to the ABC test in AB5, I worry that the client's input on the contract process or the very nature of an event occurring at a specific date and time could be labeled by the EDD as violating the spirit of the "free from control" language in the "A" section. We would then lose the ability to properly take business expenses on tens or hundreds of thousands of dollars in equipment we have invested our businesses to professionally do the contracted work.

Sound Mixers

Sam Mikelic: I'm a Freelance Sound Mixer. I lost a contract this week from a Film Production Vendor in Arizona because they are unclear if I need to be their employee or not, so they are staying away from California freelancers at this time. So infuriating! It's expensive to market yourself to be found, and now thanks to confusion about a poorly written and unnecessary law campaigned for by a Assemblyman on a personal/ big union funded mission I'm out that money.. 🙄🙄🙄

Special Education Services

May May: Where I am from, the therapists start at six figures, whereas many school therapists do not, some not even close. The districts still are not filled. California has no legal limit on the amount of students we can have, so I had over 150 when I was a direct employee; I have far fewer as a contractor. All kinds of dumb things happen as a direct employee that does not happen as a contractor, most importantly of which is quality of service to the child. Special education services are federally mandated services and they must be supplied. I imagine the bigger companies will make the adjustment but for small businesses..... this year was my year to get my own contracts and hire more therapist. If AB5 stands that dream is dead. In California there's no legal limit to the amount of students we are required to take when we're direct employees of school districts. I quit because the burden was simply unbearable. It was hell. I think in the health field it's only doctors who are exempt. It's my understanding that smaller hospitals who can't just for their own staff contract out for therapy and nursing services. Our services and hospitals are life and death. What I absolutely do not understand is how this law could be implemented with zero transition time. My students are back from winter break Monday. They are fully entitled to the services by law and I need to put it on my table. My husband is disabled. And so many rehab patients and special education students.

Amanda Geer: The special education services should be protected if they have an IEP or a disability (ADA)...the problem is, if they are having to pay for staff employees, finding those that are willing to only work at that site or for that district could be challenging, causing delays in services and breeches the IEP...and, they may have to pay more for this employee(s) as far as benefits and sick pay, etc, that it makes you think about what other services might be cut to afford it? Sports? Fine arts? Clubs? New supplies? Technology?

Speech Language Pathologists

Sandra L. Renfro-Wilson: I am a Speech Language Pathologist. I am a mom of two children in elementary school and I have a spinal cord Injury and use a wheelchair full time. I cannot work full time due to my disability. I have contracted with 5 adult day health centers for 7 years. I provide speech and language services to adults who suffer from Alzheimer's, Parkinson's, stroke, head injury, and developmental delays. Many of my clients have difficulty swallowing and I help determine a safe diet along with compensatory swallow strategies for them so they can maintain adequate nutrition and hydration on an oral diet. I work for each day center 2 x a month from 9 to 2. The hours are perfect for me as a Mom and for my disability. I have lost 2 contracts since January. I have 3 left, however they don't know how they can keep me on. None of my contracts can afford to hire me as W2, nor do I want to sign on as an employee. I contract with multiple companies. I have my own business for 7 years. I have benefits through my husband. It doesn't make sense to be hired for 2 days a month. I provide my own materials, make my own schedule etc etc. I don't know what will happen to all of my patients. This bill also effect all of the physical and occupational therapists I work with. This is destroying the care we provide and our livelihood.

Heather Ares: Speech Language Pathologist. No company will be able to retain good SLPs at the low rates required to sustain employing for a PRN position. Many of us are PRN exclusively or outside of our regular employment (ICs). It is by choice and allows us to specialize or increase skill set or take time to be parents or be disabled but still work and not rely on disability. No way would I travel in homes for the low rates quoted to lose freedom and specialist opportunities and only a few hours a week. With PDPM and now AB5 you will see very quickly an increase in re-hospitalizations of home health patients and I would venture to guess increase in rate of demise of home-bound or elderly patients who require our care post-acute. You will see a decrease in freedom of choice for healthcare providers in the ancillary/rehabilitation domain. New grads entering the field who are seeking medical positions, but starting in school-based positions, will no longer be able to build their experience in medically based services during after-school/breaks/weekends as ICs to keep up with their enormous student loan debt. A masters degree is entry level for our field. We are paid well over the minimum wage as IC. As employees only, with no protections, there is a risk analysis that must be done whether the risk of the student debt is worth the low pay with restrictions on classification, which would further burden our field with needs not met in shortages. Our scope includes but is not limited to: speech, language, swallowing, voice, cognition, social pragmatics. We have to work against AB5 and PDPM to provide ethical and competent services but will likely be risking our employment to keep our licenses. This is the sad truth. AB5 is restrictive to accessing quality healthcare.

Sports Registrars

Patti Albright Ghio: Non-profit youth sports leagues hire and 1099 registrars. We do all the work to get and register the kids to the program and then put them on teams along with a lot of other administrative work. In my case that means I do the advertising of the program, communication with all the families , find coaches, make teams, attend board meetings, etc. I am paid per player and work on my own schedule. I get a 1099 and pay a lot of taxes each year. We also 1099 referees, schedulers, and field maintenance workers. To hire employees with the expense involved for that would mean the parents would pay astronomical increases in the kids fees to play sports. The amount of hours I put in to help run this league would put this league out of business if they had to pay someone a salary. I consider the majority of my hours a labor of love and volunteerism for my community. It's my choice but that choice is being taken away from me.

State Contractors

From KUSI-TV report: "Eileen McLean, a former job developer lost her job as an independent contractor due to the bill's requirements that freelancers must register as a small business or be considered employees of a company. "Now [companies] can't use me because of AB5," says McLean. "They don't have the budget for full-time employees and they need contractors, and I need flexibility. I have a 94-year-old dad to take care of so it was perfect." Gonzalez-Fletcher says she feels differently about independently-contracted jobs. "These aren't jobs," she says. "These are freelance positions that may be three hours a month, or may be 300 hours a month." She also says if individuals want to be a business, "AB 5 allows for that. You can be a sole proprietor, you can work as many times as you want for any organization, you just actually have to be a small business." McLean disagrees, saying "the state needs independent contractors. The state cannot do all the work with their current staff. I need the job and they need me."

Stay-at-Home Moms

Julie Ann: I freelance because I have a child with severe mental illness. Her needs don't allow for me to work outside the home.

Amanda Geer: I only work part-time, and have since having kids. My hope was/is to continue to do so until my youngest is in school. I set my hours based on our schedule, and I even took into account the years I breastfed them. My youngest NEVER took a bottle (it was exhausting!) and all 3 had bad colic and digestive issues where they couldn't eat solids (or formula: anything other than breast milk) until 6-9 months. I was a staff interpreter up until I was due to come back after maternity leave. There was only 2 weeks left in the school year, and I tried explaining my son's digestive issues to my administrator, and I asked for the last 2 weeks off, unpaid. I was denied, so I resigned. Being an IC has been the best decision I've made for our family.

Donna Biroczky: Some of us are moms who started freelancing to raise their disabled/special needs kids. It's been a gamechanger for us and while my kids are all young adults now, I still have one with special needs. I have a job still, and part of their guidelines are no second job...not just a non-compete statement (which is kind of standard in certain industries which I support) but a 'you may not have a second job.' So many things were not considered in this bill.

Aimee Benavides: I have a special needs daughter who has numerous appointments- I freelance as an interpreter and translator.

Andi HK: I enjoy being a freelance professional because I have medically vulnerable children. I can maintain my career, provide for my family, care for my family, and provide them with a quality homeschool education since they are prohibited from attending brick and mortar schools.

Stay-at-Home Moms, continued

Rachele Shelley: I am a medical transcriptionist, working from home. I lost CA clients on Jan 1st due to this new law. I have been working from home for 10 years. Doing so has allowed me to be home with the twins. This new law will not allow me to continue to be home. I've been looking for employment now and the boys will need to attend before and after school care.

Anonymous: I'm a sole member LLC in CA working as an independent composer arranger. and producer. I've had my business 25 years. I'm also the mom of a 7 yr old son, I'm the primary caregiver during the week. I cannot get a full time salaried job with my responsibilities to my son. I have a client who's mom is an attorney. I've been working with them 5 years and they said they're unable to use me until this mess is cleaned up for the music industry. Even though I'm an LLC. And for every job I lose it represents 2-30 other jobs lost for players, singers, engineers. Income lost for commercial recording studios. I'm forced to go dark for a while and try to live on my passive income (50-60% of my total income) because I can't figure out how to comply with the law and hire the players.

Elizabeth Grace Ankeny: I'm a former teacher, now turned stay at home mom. My husband works full time and I have had a variety of independent contracting jobs (posting ads for businesses, stuffing envelopes, teaching English online through VIPkid) that have helped our family to earn just that *little bit* extra that we need. It's been wonderful because these are things I can do while my kids are asleep, from the comfort of home, while I contribute to my family. I knew exactly what I was getting with each of these jobs. I am prepared to set aside 40% of my pay, forgo benefits/healthcare, etc. This is what works for us, and I've been SO grateful. If I wanted healthcare/benefits/ all of that I'd go BACK to teaching in a brick and mortar! This is very frustrating to see just how many people are being affected by this :(

Sharon M Gully: I am a full-time mom, who homeschools two talented children, while caring for my 87 year old mother. One child is already dedicated to a music career path and the other is leaning toward being an artist. I teach art and provide support for local projects as an IC. It's the only way to support their goals while simultaneously caring for my aging mother and putting food on our table.

Strippers/Exotic Dancers

Onyx Black: I am a pole and Exotic performer and stripper. I've been suffering heavily from ab5 since 2019.. when about 50% of all strippers lost their job due to this law..... Due to this law club have become more biased. A lot of the marginalized dancers who used to work in the clubs when they were independent contractors are now forced to do survival sex work. This is just one of the problems with strippers and aB5. IG.....artistrevolt, volunteered to work on many different issues. But since May 2020 we've been doing advocacy work behind ab5. Lobbying our state assembly members even having a congressional visit. We have a resist bot and also a call in campaign. I am super excited to be part of this group because I would love to do more work behind this on a larger scale I am here to volunteer write letters call people whatever the heck we need to do. Because people don't understand the independent contractorship for strippers is harm reduction.

Amelia G: Strippers are definitely not exempt. All the Los Angeles clubs started making them be employees after Dynamex and nothing in AB5 changes this. This means that now, in most clubs, if someone does an amazing dance on stage with all sorts of ballet and acrobatics, all the tips from her performance go back to the club to go to paying out W2 salary and only dancers who do private dances get to keep any substantial portions of their tips. It is super horrible and crazy unfair and tons of dancers are moving to other states or just being forced onto government programs. Yep. Crazy, right? For those who mostly do lap dances and champagne room or whatever, it is not that bad because they generally do keep at least a big portion of their tips and, especially for those who rarely bring their A game, it is a safety net of sorts. But, for those who don't like to grind on strangers but are really accomplished performers, it is, like so much of AB5/Dynamex stuff, the end of a way of life. There is tremendous pressure on them to do things they don't want to do sexually or they just end up getting way less than they need to live because their floor tips — that they earned! — are taken away and used by the club to be able to pay out legal W2 minimums to everyone who showed up, regardless of performance.

Students

Kassy Jo: I grew up poor and receive no financial support from my family. I am putting myself through graduate school. I cannot take a full time job because of school. I rely on freelancing to survive.

Symphonies/Orchestras

Mary Williams: I am President of the Board of the Temecula Valley Symphony. We are a registered non-profit. We have volunteer musicians and hire gig performers for some concerts . We cannot afford the overhead necessary to do payroll nor due to AB5 want the risk, for these freelance gig performers. So we will not be hiring them. Many will lose work.

Shira Renee: As a musician myself, I of course know that is not the case. This is not a happy situation, and we do not feel good about having had to make that decision. But it was either cut the orchestra and save 35+ other artists' jobs, or cancel the show entirely and have 55+ people lose their gig. We made the choice to hurt as few people as possible. And we'll be out of business soon because of this anyway, so that's one less gig for the hundreds of artists we've employed over 14 years.

Daniel Morris: Why did they not at least include a standard for the number of hours per quarter someone works for a particular entity? I'm hiring an orchestra in May for a total of nine hours. That should not make them employees! They work for multiple organizations.

Talent Agencies

Meghan Jade: Our entire talent agency has suffered massive loss as we now avoid doing any business in California whatsoever until this gets straightened out. It hurt our college students, artists and performers, a small business and non profit as well. We are primarily a promotional staffing agency for tradeshow, conventions, golf events etc. We often contract models, actors and brand ambassadors. The state of CA decided last year to start hammering small boutique agencies with backlog of unemployment taxes due on people that were always categorized as 1099 in the past, putting many agencies out of business or they avoid California altogether now. It doesn't make sense to W2 a model or emcee for a one time gig (maybe twice) in one calendar year.

Teachers (online)

Nikki Guy: I am an online English as a second language teacher, and it's still unclear if we're impacted or not in the long term. In the short term, they have cut off any new contracts to teachers in California. Most of my fellow teachers and I are waiting to see what happens, but that's already hundreds or thousands of people without jobs they could have gotten. There are a lot of companies where people work from home teaching English to kids in China. It's awesome for its flexibility - we set our own hours, teach our own way, etc. But it's complicated because everything works through their system. We are one piece of the puzzle. The company I contract with basically has the technology, marketing, and a teacher at the home office in China who helps with anything they need in Chinese. Then the students/ parents schedule classes in 30 minute increments with the teacher one on one to practice in a full immersion environment. I'll be the first to admit some of their policies make it questionable if we're ICs or not, but it makes absolutely no sense to make us employees. We're much closer to IC than not. We might have an exemption based on the exception for tutors, but it's a big unknown right now. So far they're keeping us, but not offering new contracts to anyone in California.

Test Proctors

Yvonne Renee Hunt: This month I have lost my contract as an SAT proctor. We verify their paperwork and make sure that they are the correct person to be testing, then we administer the test, while also monitoring for cheating.

Timber Cruisers

Matthew Gilbert: Timber cruisers put in statistical plots to measure the trees, etc. If you are worried about sustainably harvesting timber, want to quantify the carbon sequestered, are planning a harvest and need to know how much wood you'll be delivering to the mill, or need to quantify particular types of wildlife habitat, cruising timber is the way it is done. Generally when you need a cruiser, you have a project due a short period of time, so contacting makes a lot more sense. I'd guess that there are fewer than 200 in the state.

Tradeshows & Conventions

Sheryl Schane: 25 year meeting planner and contract travel director (San Diego) with a CA LLC. A travel director is similar to a traveling nurse. I enjoy traveling onsite to hotels/convention centers hired as a contract meeting manager/planner. Agencies I contract with are currently opting to use and staff out of state travel directors/meeting managers, not based in CA to manage all Corp meetings and annual conventions. These agencies or companies I contract with are already beginning to opt out of holding meetings based at CA hotels and CA convention facilities. They are booking and taking their large Corp. \$\$ spending budgets and business meetings to Vegas, Scottsdale, AZ, Dallas, Texas, and FL. Letters have been sent to some of my CA colleagues letting them go due to AB 5. In our industry, travel directors are customarily paid a generous daily rate & generous daily per diem for each multi-day meeting contract. Please Repeal AB 5 thank you

Traditional Spoken-Word Storytellers

Robert Seutter: I tell stories for a living. Celtic, Norse, Historical, Middle-Eastern, Medieval and more. There are not that many of us out there, and it's hard to make a living at it, even though the art form is ancient and very useful. I also teach it. This year, the phones have been very quiet. Like most gig-based performers, I have a variety of clients, schools, faires, museums, libraries, cultural festivals. Often I will get repeat gigs, same client, but different venues. Clients are afraid to book IC's. And they are not set up to make me a W2 employee for one or two one hour gigs. And since I perform for their clients, I don't pass the "B" in the ABC. The tales and the legends of Arthur, Thor, Queen Medb, and Hodja Nasruddin May have to leave this state, if this Teller is going to survive.

Transcribers

Jessica Tucker: I'm pursuing my Masters degree with 2 kids at home. I cannot work a traditional job. Some moms clean houses, cook for friends, babysit, or take in sewing. My gig was transcription. In exchange for an hour of my time, I charged \$60 to type. I worked at-will, any hours. I did not need health insurance or any other 'protection.' I earned grocery money, clothes money, and spending money. I did this for over 5 years, happily reporting income to the IRS. AB5 took this away completely, and my family has been struggling to put food on the table ever since. This law directly targeted marginalized women like myself.

Tanya Gilbert: I'm a 65-year-old widow who has been doing transcription since 1996 when my husband died and I supported my family by working both as an employee and an independent contractor. I now have chronic neurologic issues and physical limitations and I'm also responsible for the care of my grandchildren after school. My social security alone isn't sufficient as a sole means of support, and the income and flexibility of transcribing from home as a freelancer is vital to my financial and physical stability. I have now been unable to work in my industry since November 2019, and have no viable options for sustainable income since the passage of AB5. Please do what you can to bring awareness to the urgent need of hard-working professionals like myself whose livelihoods were ripped out from under us. Thank you.

Melissa Sue: I'm still not working in transcription as of August 2022. I worked from my home for five years while caring for my mother. She passed away at the end of January, and now I'm wondering what to do so I can continue to pay my student loans. My husband is in law enforcement, and it's essential for me to work from home to care for our son and the household duties. Now, I can't. I can't afford to go back to Court Reporting school, because I have no income so we're paying my loans from my husband's income. I just don't know what to do.

Stacey Shields Hogan: all the work-at-home transcription assignments I've applied for in the last few weeks, even for employee status, have stated they don't hire from California. Seems like my career as a transcriptionist is pretty much over and it is very sad.

Transcribers, continued

Rosanne Limeres Simek: I'm also a transcriber. I choose who I work for, when, and get paid based on the project. I have lost about 85% of my income because of AB5. I can't get hired out of state, either. People are avoiding us like the plague. The stress of this, as I power through my savings, is killing me. I'm so depressed I barely want to get out of bed in the morning. Without the support of my husband, I don't know what I would do.

Anne Cherchian: Whenever I try to apply to do online legal transcription again as an IC, I get the same answer back: "Unfortunately, due to AB5, we're not taking applications from California." I'm 74, and the only way I can work now is from home, and that's been taken away from me because of Lorena Gonzalez. I hope she's happy for ruining our only means of earning some money.

Natori Moore: I had a side hustle for over 15 years earning money doing audio transcription of various kinds: legal for special education hearings, law enforcement interviews, marketing focus groups, etc. I really enjoyed this work as a part-time fill-in enabling me to learn about the latest trends in a variety of industries and earn money to supplement my modest full-time income and create some savings in high-rent California. In 2020, I wondered why a long-time provider of transcription work out of state didn't get back to me about new assignments, so I looked for other transcription jobs and found most of them had the stipulation "cannot live in California." A little more research turned up the reality of AB5. It's not only my bank account that has taken a large hit from not being able to do this work anymore. My pride in living in California, my sense of contribution to society, my enjoyment of work in general, and my mental health have all declined. It would have been the perfect kind of work to do during the pandemic. The whole situation is not good for the economy or the soul.

Transcribers, continued

Richard Stephen: I occasionally hire transcribers, and often these are local college journalism students. I pay per minute of interview, and it works out to \$20-\$30 an hour depending on how fast they are. Am I going to hire them as W2 employees? Certainly not. By the time I add the cost of a payroll service (I've had a full-time employee before, I know what that costs) and all the added stuff, it doesn't make sense - especially since it amounts to a few hours a year. Plus administering all that stuff will take up all the time I save by hiring a transcriber in the first place. As much as it pains me, I'll have to hire a service when I need transcription help. Instead of a California student earning above minimum wage, it'll end up being someone outside the state, likely earning only minimum.

Kim Goeller-Johnson: Qualify under ABC or creating B2B? I do transcription work as well and so many companies in CA and in other states are creating new policies to no longer use services of CA transcriptionists 🙄

Lorri Cald: Many transcribers work for companies outside of California and have already been informed that their services have been replaced by transcribers in other states. So far I still have a client but that might not last long. The ridiculous thing is that even if we might still be able to qualify under the requirements of this law as 1099 subcontractors, but it doesn't help if no one will hire you. I don't know the numbers of people affected.

Kim Goeller-Johnson: I hope transcriptionists, proofreaders, etc don't get lost in the shuffle and that you are correct that a precedent will help everyone who was content and gainfully "employed" as an IC before AB 5 became law. Now countless companies are releasing and turning away IC transcriptionists and proofreaders from California and simply beefing up their rosters with qualified workers from the other 49 states.

Renee Silverman: I have a small trans company and stopped using CA ICs in Nov. I spent the end of 2019 talking endlessly with lawyers, accountants, and HR specialists. B prong is the problem. B2B is still questionable. Until language is clear I'm forced to work with my out of state transcribers.

Carolyn Comings: I began working as a medical transcriptionist in 1972, and I held a CMT (Certified Medical Transcriptionist) credential for much of my career. I functioned both as an employee and as an independent contractor throughout my adult life. Now I am semi-retired because my hands and wrists just can't take the strain of full-time typing anymore. I have done some general transcription for online companies including one called Rev, in which freelance transcriptionists can accept as many or as few jobs as they like, at any hour of the day or night, as long as there are audio files in the queue. This was a great solution for those of us who wanted to keep our skills sharp but could no longer work full time as an employee of a transcription company. A great solution, until Rev pulled out of California because of AB5.

Transcribers, continued

Rosanne Limeres Simek: I do transcription too, and AB5 ruined my life. Sharing my story with you all. I've been working as a freelance transcriber from home, for around 15 years. I'm also a professional singer and actress, and improv teacher. I do many things to piece together a living, because the nine to five corporate life is not for me. I have been told by the transcription companies I work for that they can no longer work with me. I have lost around 75% of my income. I am devastated and angry. This is unacceptable. I feel like moving from California. If this starts affecting my singing income, I will leave. I am having sleepless nights, depression and anxiety. Do you have any idea how many transcribers are now out of work? Someone mentioned suing Lorena G. I have had that thought. Is that even possible? I am so angry my blood is boiling. Who is she to think she knows what's best for me? I'm trying now to get temp work to stay afloat. This is not okay.

Dori Lehner: For the last 11 years, I've been an independent transcriber, supplementing my social security income by doing general transcription - not medical, legal, or court reporting, but everything else: business, academic, government, insurance, webinars, podcasts, focus groups, etc. I've had a few private clients, but mostly contracted with online agencies, all of whom have now said they can no longer work with me. I know we are more impactful as a group and that there are associations for court reporters and for real-time speech-to-text transcription, but I'm not sure who I could align myself with to advocate for change to AB5.

Mariann Geiser: I've worked for a wonderful transcribing company for years now. Two weeks ago, they sent a very sad email saying that even though they had hoped to find a way around AB5, there was none to be found. They promised to hire me back if the law was ever repealed. I am heartbroken. Who the heck are these people who think they can dictate my choice of work and income? I LOVED my career as an independent contractor. It allowed me to supplement my social security income, babysit my grandchildren, take time off when I was sick with COPD without losing my job and assured me I would very likely never have to deal with a company layoff - that is until the State of California decided to take away my freedom to earn a living at my chosen career. I encourage everyone to vote the author of this bill out of office along with her cronies and elect people who respect the freedom of independent workers and all the freedoms that come with living in our great country.

Kathy Lang: I can tell you that if you are a transcriptionist in CA you can no longer work her, period. No transcription company will hire you if you live in CA. So, I spent thousands of dollars to learn how to do this and it has been five years that I am making a living and now in order to keep working as a transcriptionist I literally had to move. And by the way, there is no way transcription companies are going to hire people as employees as the whole nature of the business is to hire people to work as ICs from their home. I'm not sure how many transcriptionists live in CA but that industry is now completely dead here.

Transcribers, continued

Rachele Shelley: Medical Transcriptionist. I was a work from home mom, raising my twins. I have been unemployed since January 1st. I will be two months behind on our mortgage on 3/1. It's been hard to obtain employment outside the home due to the boys' schedules and the fact that I haven't been an employee for over ten years.

Teri Isveri: Let me say first, I do not live nor work nor have my business located in California. Now, I do live work and have my business in Arizona. I run a successful transcription company and the transcripts we produce are by only independent contractors. I have no employees except myself. I do have two contractors based in California. Because of AB5, even though I'm not in California, I will have to tell my two 10 year associates, one of whom is 86 years old, that they can no longer work for me because they live in California. This law is crushing so many good people and now this woman, a lifelong Californian, veteran and elderly person will no longer have the measly income she has made because of the greed of a politician? She works still because the government for which she served 60 years ago refuses to help provide for her now. She has to work. I just want to make sure, as much as I can, that before I break this woman's heart, that I do indeed have to tell her she cannot work any longer.

Renee Silverman: The penalties are too high to take a risk, so as a business owner I've had to no longer contract with my CA transcribers. (Most I've contracted with for 10 years or more). I'm holding on with a few out of state transcribers but I know there is a Federal law in the works right now. Our model has been the same for so many years and our rates are based on that model which makes it difficult to reclassify ICs to employees easily. I'm still working with attorneys & accountants to figure out a solution. Companies like Rev haven't helped us small transcription companies by undercutting rates while paying contractors very poorly. They stopped working with CA & NJ transcribers in 2019. The reality is I'll either have to close my business because of AB5 or inability to offer competitive rates. Either way, it's hurting both sides and the only saving grace will be if a proposed "small business exemption" is approved.

Dana Clay Gilliam: I've been out of work since 2020 because of AB5. I was working as a subcontractor for a transcription company in Minnesota, and now they can't use anyone from California.

Greg Wolf: I work for an outside of CA closed captioning company that hires freelance writers (captioners). When AB 5 went into effect the company could no longer employ Californians

Stacie Miller: I do transcription and it's put me completely out of work. I have no source of income now. I know there are plenty others like me out there who want to be active and just don't know where to start.

Transcribers, continued

Kathi Wright: I am also an IC transcriber who works from home, or should I say WAS a transcriber before AB5. The problem now is that all my work is now being done by out of state transcribers. I can't afford to move now plus my adult children and grandchildren live here. The depression is kicking in and the bills are stacking up. I've written to Gonzalez and her reps for months, along with my congressman, and no one cares or responds.

Richard Stephen James: I occasionally hire transcribers, and often these are local college journalism students. I pay per minute of interview, and it works out to \$20-\$30 an hour depending on how fast they are. Am I going to hire them as W2 employees? Certainly not. By the time I add the cost of a payroll service (I've had a full-time employee before, I know what that costs) and all the added stuff, it doesn't make sense - especially since it amounts to a few hours a year. Plus administering all that stuff will take up all the time I save by hiring a transcriber in the first place. As much as it pains me, I'll have to hire a service when I need transcription help. Instead of a California student earning above minimum wage, it'll end up being someone outside the state, likely earning only minimum.

Becky May Hollenbaugh: I'm a transcriptionist that just finished schooling last year. Started out with 4 years of court reporting school, but then my school closed. So I decided to go the scopist and transcription route. Finally started working and then this happens. 5 years of my life pretty much down the drain. Now what? I forgot to add that I chose this profession so I could work from home and on my own schedule because I have two children. I like to be there to pick them up from school, take them to all their after school activities such as ballet, theater, music lessons, etc, and be home with them to help with homework and make dinner. If I were to work, they would have to drop all their activities and go to after school care. And I'd have to pay for that. My income at a regular job would be paying for child care. I just don't see how that makes sense when I could work from home and be there for them whenever they need me. While also helping put food on the table and pay bills and pay for their extra curriculars.

Christine Withers: I had been transcribing for SpeakWrite for almost 20 years and they just emailed me 3 days ago (on January 20, 2020), saying they can no longer contract with California residents.

Transcribers, continued

Tatum Adair: I, too, recently lost my transcription opportunities which made up half of my income. I had worked on and off for 15+ years with the same woman who had a small transcription business. It gave me the flexibility to pursue creative endeavors in the past, and more recently, it permitted me the flexibility to stay home with my daughter after she was born. Childcare would have eaten up my income from my former job, and this offered the perfect solution to see my daughter grow up while still contributing to my family's finances. I'm not sure what I'm going to do as we still have a couple of years until my daughter is in school full-time.

Tami Coburn Thurman: I'm the owner of a transcribing service. I didn't even know about AB5. I can't tell you why I'm non-compliant. But apparently I am and after having my clients for almost 20 years, I was out. I have been transcribing since 1995. I taught myself, as I wanted to stay home with my small kids. I worked harder than someone filling out applications back then; I knocked on doors, pitched my services to doctors & attorneys, trying to carve out a living. Over the years, my niche was insurance investigation & I was given tons of referrals because my work was exemplary as well as always completed sooner than expected. These are people who investigate everything from murder to auto accidents and workers' comp. they aren't typists...far from it. They have their specialty, as I do. Now they must either type their reports or use speech recognition which if anyone ever watches TV or movies with closed captioning, you'll soon realize that it is still not workable. Also, they do not recognize more than one voice, as in recorded statements. Also, oftentimes, adjusters will dictate incorrect verbiage as they're getting through their reports, etc. it is MY job, not theirs, to correct any and all incorrect words, stumbles, inaudibles, etc. much more to transcribing than a letter or two. Many claims go to court; therefore, all needs to be spelled correctly, verbatim and on time. That is MY job. It would be like me being tossed into their job if the tables were turned. Spent most of my life building a successful business only for some small group who knows NOTHING of my career simply vote to unemploy thousands if not more.

Translators/Interpreters

Ildiko Santana: As an independent contractor I have been a freelance translator & interpreter in California for 20 years, member of the American Translators Association. It took me 20 years of hard work to build up my clientele, and one signature to lose it all on January 1, 2020, by the new labor law, Assembly Bill 5 (AB5). The effects of AB5 will be devastating on our industry and on me personally. My 50+ agency clients will not hire me as an employee and I will no longer be contracted to service my clients as an independent contractor unless I get incorporated or leave California. The financial and administrative burden is tremendous. I received cut-off notices from my clients just before Christmas, and have already lost most of my livelihood overnight. Lawmakers made no exemption for translators and interpreters; this destructive and nonsensical law takes "free" out of freelance. AB5 is an immediate threat to my livelihood.

Claudia Williams: As a medical certified interpreter, I am part of COPTIC, Coptic: Coalition of Practicing Translators & Interpreters of California.

California's lawmakers need to hear our voices ...calling and explaining in person how AB5 affects us. We are big in numbers....

Isis Bolaños Rivera: <https://coalitionptic.org/>

As the owner of a small language service provider I am in the same boat as you guys with AB5. I have long-standing relationships with clients and independent contractors. This is the only organization that is offering a legitimate movement to create an exception for interpreters and translators. They recommend that you contact your legislators and tell your story.

Tania Lopez Diaz: I'm an interpreter too and a small agency owner. I have been incorporated for 6 years. I have seen lately that interpreting agencies are requesting people to get business licenses or incorporate to be able to continue working for them and it just dawned on me... Lorena is gonna take credit and say that her stupid law is creating all these new businesses

Translators/Interpreters, continued

David Higbee: I'm a freelance conference interpreter, translator (Japanese, Spanish and English), voiceover studio, musician and producer, and basically AB5 will negatively impact EVERY type of work I do. Fascinating article in the NYT 5 days ago. My main takeaway? At least 2/3 of those who work as ICs do so by personal choice for OTHER than economic reasons. In the case of interpreters and translators, that number has to be closer to 90-95%. We're 1000x better off being self-employed than otherwise. I know from personal experience - I was an in-house translator for 2.5 years, and it nearly destroyed me. It is NOT the government's job to tell us how many jobs we can or can't have, or limit our right to work as independent contractors. Please contact your local state gov't reps, and be smart about it. Just meeting with them and bitching about the law won't actually help, we need to present data, show them that we're already losing jobs, and get a commitment from them to amend this terribly conceived law. Btw, if anyone in the LA South Bay area, I'll be meeting with Al Muratsuchi in January, let me know who wants to join me. Comment here or dm me. Let's beat AB5.

Robert Sette: In my industry (foreign language written translation), it means that translation companies are dumping ANY vendors in California who are not incorporated. Hypercorrection, and it will take months, if not years, to undo this damage.

Zeny Brainy: I am an Arabic Interpreter and a working mom. Let me know if you need my help.

Eo Yoon Kyung: I am a Korean translator. I lost 90% of my income at the beginning of this year. Agencies are not sure what to do with this law. Some of the agencies are giving me an option to go incorporate myself to keep working with them, which is really expensive and I'm not sure if it would make sense to do so, considering how little I may make this year (if you incorporate yourself, there's \$800 minimum tax you have to pay regardless of your income. You pay this even if you make nothing), and some are simply ending contracts with me without giving me any alternatives. Translation jobs are borderless. Agencies can hire anyone out of the state or as a matter of fact, anywhere in the world! All this law did was making companies stop using translators in California, nothing more. The law does not understand how the translation industry works. I've worked hard to get where I am. Please give me my choice and life back.

Translators/Interpreters, continued

Esther M. Hermida: I'm an S-Corp (GeoLingua, Inc). self-employed certified Spanish interpreter for 26 years. I've been impacted because half my work comes through colleagues, we contract one another, and agencies. I have direct clients, too. #AB5 prevents me from doing business with my colleagues unless they're my employees and I'm their employee. We very similar to musicians in that regard.

Ryan Le Interpreting: My name is Ryan, and I am a Vietnamese interpreter in Los Angeles, CA. I decided to pursue a career in the language industry in 2015 to serve my community with language needs. Since then, I have been working as a freelance linguist to meet the language needs of thousands of Vietnamese speakers in CA and nationwide. As someone who only started working in this field a few years ago, AB 5 came as a surprising and shocking reality. It was intended to classify employees and give them the benefits and supports that they need, but it actually causes more damage and trouble for the majority of workers instead. For me and my colleagues, we are not misclassified. We choose to be independent contractors. We exercise our rights to decide when and how we perform our service, whom we provide the service to, and how much we charge. The law has caused many of our companies and agencies that we have contracted with to ask us to become their employees or incorporated while others just simply do not work with CA interpreters and contractors anymore. Being employed is not possible for many of us due to the nature of our work. We need the flexibility to take on assignments as opportunities arise. Moreover, we cannot be employees for many companies at the same time. Being incorporated puts the financial burden on the shoulders of the workers and not everyone is available and ready to become a corporation. Now, I will discuss what consequences that we might face if we do not repeal AB 5 or at least get exemption for the language profession (interpreter, translator, and linguist in general). Firstly, it will put the minorities and underserved populations at risk by reducing the number of available interpreters to assist them with their language needs. Moreover, the language industry represents over 2 billion US dollars in revenue. If we do not repeal or get exempted from AB 5, the great part of that revenue and subsequently state taxes will go to national and transnational companies, who are outside of CA because companies will stop contracting with CA linguists and look elsewhere for their language needs. Again, there is a need to either repeal AB 5 through AB 1928 or get exemption for the language profession through SB 875. This is not only for translators and interpreters but also for many other professions which are devastated by AB 5.

Travel Directors

Stacey Charlton: We are onsite event staff, not quite the same as meeting planners. When big companies have meetings (national sales meetings, regional meetings, advisory board meetings) they hire a meeting planning company to run their meeting. That meeting planning company hires 1-150 Independent contractors to help with Registration, Transportation, Food and Beverage (work with the venue on food counts and dietary special requests), Meetings and Breakouts (login, sort and deliver meeting materials to meeting rooms and collect/ sweep leftover materials after the meeting), etc. We are a very large group. Most of us have our own LLC and work for 4-7 different clients per year.

Truckers—Independent Owner-Operators

Darsie Evans: I'm In trucking and estimated 100,000 independent truckers are affected, The author, Gonzalaz, claims 1000 independent truckers have been shorted pay. So, 1% gets relief at the expense of the other 99%. Ca government at its best. #AB5 repeal today.

James D. Ketchum: The AB5 law needlessly attacked guys like me who have S-Corps where I'm paying all my taxes including unemployment insurance. If I'm paying for everything to the government, both state and federal, why put me out of business? Being 60 and being forced into financial gloom, this time I don't think I'll be able to recover.

Tutors

Linda Pescatore: I tutor for an out of state company. They decided not to renew any contracts with California residents, even though the law seems to be okay with tutoring. I guess they just don't want the risk, despite losing millions.

Neora Luria: I had an online English tutoring gig that allowed me to work whenever I wanted (literally whenever, I could log on at 3am and it connected me to someone in the world waiting on an English lesson). I tried to login a couple nights ago and I was asked to confirm my residence. When I put California, it automatically deactivated my account. The company then informed me that they are no longer hiring tutors from California due to local regulations. Should I decide to leave California and reside somewhere else, I'm welcome to come back and tutor for them. I don't want to leave California and I need gigs like this as an option.

Dena Hamama: I've been freelance for the last 20 years, with the exception of a 4-year full time position in between. I planned to take a couple months off as I was getting very sick (chronic illness and autoimmune issues). Covid had just started and I wasn't working. I followed the news and the freelancers group that you run and decided to hold off on doing anything until I got more information. So in the meantime I thought about teaching online since I'm credentialed. Well the company wouldn't hire me because I live in California. Being unemployed for so long and having chronic illness has made things very difficult for me. I may have to leave the state to make it.

Julie Dawson-Parlee: I started an educational services company last year, but this law is technically telling me that I can't let them help students with their school homework, and I can't be paid for all of the administrative overhead of connecting them to clients (so there's no point being in business). I don't know what to call them now, but I just fired all my tutors.

Jan Marie: The company, VIPKid, was in talks with Lorena for months trying to get an exemption. But it's a company based in China therefore not legally able to pad her wallet so Greedy Gonzalez didn't budge an inch. When VK teachers approached her online to tell their stories she treated them just as she treats everyone. Then she has the audacity today to tweet that she's open to listening.

Tutoring Companies

Daron Cam: In the summer of 2020, one of my tutors erroneously listed me as an Employer with the state EDD in an attempt to file for Pandemic Assistance as an Independent Contractor without consulting me, claiming she did it out of desperation after consulting for hours with the EDD on what appropriate form to fill. Despite her realizing her error and dropping her UI claim, it triggered an instant Worker Classification Audit in Feb of 2021. After a year of heartache, stress, anxiety, and mounting lawyer's fees, California's EDD finally ruled against me in mid-Feb despite my and other tutors' insistence (including the aforementioned UI claimant) on their status as Independent Contractors. They fined me \$46,000 for back payroll taxes for Jan 2019 to June 2021. This neither includes an additional \$6000 or so I will have to pay for the second half of 2021 nor the \$8000 and counting of lawyer's fees I've already paid. In the end, I realized my lawyer was horrible and borderline criminal, as I believe he kept billing me and attempting to "fight" for me even though he knew I had no chance of winning. This ordeal has set us back at least \$60,000. I can't personally tell you how rough it has been for my family and I as we figure out how to navigate this financial burden. In addition, I now need to reclassify each tutor beginning in 2022 as "employees", incurring a 7.65% payroll tax on wages. Altogether payroll taxes, Worker's Comp Insurance, and a payroll service will eat another 12-13% of my gross annual wages. California's Labor Laws are too strict and odious for small businesses. For the first time I am seriously considering leaving California to another state like Texas where there is no state or corporate income tax and where there is so much more freedom to employ contractors. AB5, though designed for the common good, KILLS businesses like mine and those it hires. If I was single I would definitely move, but I can't because my wife's dad and sister are near and my kids' educational support network are all here. So we soldier on and try to make ends meet. I realize that in the end, it's "just money" and there are far more serious issues in the world right now like the war in Ukraine. But it still definitely stings and I live with this burden; there are many sleepless nights and many tears shed and way more daily stress & paperwork than I could ever imagine...the resolution is nowhere near in sight. This on top of trying to run my business normally and manage 150 families and 15 tutors.

Julie Dawson-Parlee: I'd just started an educational services company in October, and now we don't think we can have tutors or course instructors because if we hire these 10-hour a month or less employees who earn \$20-30/hour and work flexible hours, the cost of having them as employees will price us way out of the market. There is a section of AB5 that discusses tutors in reference to referral agencies, but it does not appear we are allowed to make money from handing these people our clients, and the tutors have to work as independent employers, not under us. But, educational contracts with charter schools require insurance premiums and expensive fingerprinting that is prohibitive to these individuals working independently instead of under our umbrella. So, instead of our little business benefiting dozens of people in our small, economically disadvantaged town, we all lose out.

TV Post Producers

Katie Wassenaar: I am a freelance Post Producer in television. I work in both scripted and un-scripted programming, in post production. The issues for myself and my colleagues are that rates have been stagnant or going down, as budgets and margins shrink. One of the ways we can keep decent rates is to be hired as a loan outs. The company can afford to pay us our decent rate, since we aren't having a 20% fringe placed on top for payroll taxes. It also means that, as freelancers who have to have their own gear, we can write a portion of that gear off. If we go through payroll, we can't. One of the other things is that, even if we are forced to have to go through payroll, that doesn't mean we get regular employee benefits, like sick pay, vacation pay and healthcare. There is no upside to this for us. It is going to negatively affect my earning for the year. This is a terrible law and we need a carve out!

Variety Performers

Mary Jordan: As a sole-proprietor entertainer and face painter, I am now unable to perform for my client's customers. I was used by other local small and large businesses for Grand Openings, Customer Appreciation Days, Resort/Camp entertainment, and drawing potential customers to their Tradeshow/Marketing Booths, Elementary/Preschool Educational Programs, Libraries' Summer Reading Program Entertainment, Daycamp Entertainment, County Fair and Festival Entertainment, etc. I've lost 75% of my income so far this year and I'm being forced to move out-of-state to prevent my business from closing.

Vegetation Management

Kymberly Vollmers: PG&E subcontracts companies to clear poles to prevent fires. Drake Vegetation Management in Cottonwood, CA, had a contract for 2020 was negotiated prior to AB5. The contract after AB5 was declined and they were offered to unionize or lose the contract. Women-owned small business for 18 years. Contracted with PG&E for 10 years. 4-5 employees left. Half of the business is gone from loss of these types of contracts. This bill is not solely the arts, or gig economy. I am going to meet with the owners soon. They were blindsided by the bill. It's so gross.

Ventriloquists

Joe Gandelman: Just a quick suggestion from a former career journalist who is now a ventriloquist (I used to work for dummies now they work for me). I always urge people to try and get news coverage which I know many of you are doing. Specifically, I've seen articles in papers about the impact on musicians and writers but nothing that totally fleshes out the impact on SO MANY professions.

Video Editors & Crews

George Manzanilla: I'm a freelance video editor. I can work as an independent contractor for clients who aren't production companies. Mainly it affects the way I subcontract. It also raises red flags amongst some clients who are uncertain of how it will be enforced and what documentation needs to be kept in case of an audit. there really is no guidance that I've seen on how to proceed.

Miriam Raftery: We are supposed to videotape a supervisors' debate I'm moderating in 3 weeks. I need help now on this. The district is over 2,000 square miles and many can't attend a debate in person due to time limits, distance -- they would have to cross mountains and deserts. So they only way they can see it is if our news outlet videotapes it. This would be a strong test case.

Deirdre Hamilton: It's definitely a hot mess with no clear definitions at this point. My partner is a wedding videographer and is going through the same things. While he's generally hired by the couple themselves, he sometimes hires editors, second shooters, etc on a per-project basis to help with his workload, and he has no idea now if he can go to his normal people (who are sole props) or if he needs them to become an LLC, etc

Ronn L. Kilby: I do freelance video production - 15 years, sole proprietor - San Diego. I also hire other freelancers per diem to fill out my crew for larger jobs. 3/4 of my work last year was shooting interviews/B-roll for prod companies located in NYC, Chicago or S. Carolina - either here, in LA or Orange County. Gone. They would rather fly in a crew than deal with this mess. Have not worked a day since November. Plus my fave client - a prod co. in SF - they're now just driving down and shooting it themselves. I understand why (they're in the same boat), but it's killing me.

Bill Gruber: Going forward I guess we will put the independent contractors we have used for years, on payroll. Makes no sense because for us (an S Corp), our video crew requirement are on a project by project basis. I don't know of any other way to avoid AB5 penalties if we continue the IC route with year-end 1099's. Sucks! I guess that's great for the crew because they will be able to file for unemployment insurance at the end of each gig. Not so good for us, however. They will be caught in a vicious circle....hired, layed off, hired, layed off etc.

Video Production Companies

Myrna Perez: I own a small video production company in Los Angeles mostly working with non-profits. With AB5, I will need to raise my rates for budgets because I cannot afford to pay \$20,000 in taxes to the government. The non-profits I work with cannot afford to raise their budgets; it's why they love working with me and I love working with them. With AB5 not only will I no longer have clients (since I'd need to raise my budgets), but I likely will have no reason to have a company without clients and will end up shutting it down. I also freelance as an editor as my day job, and I've been let go because my other client couldn't afford payroll. This law is crushing us.

Videographers

San Diego News Video: Every "Stringer" in the entire country is an independent contractor, that is the nature of our business. Now, California will not allow stringers to shoot news footage, and that has a trickle down effect because we have no stringer footage to license, we lose, and the tv stations have no video for their news stories. If the contractors fail, then companies will fall right behind them. ... Employment for stringers is not an option, not in the nature of the business.

Deirdre Hamilton: My partner is a wedding videographer who, it now appears, will have issues hiring other videographers to be his 2nd shooters at events and "per/project" editors.

Zeke Torres: I own a small business that does filming and Livestreaming for social events. In 2019 we did about 120 events. The people that work for me have other gigs and make a decent living having the freedom to work as independent contractors. I hire camera operators, photographers and assistants for all these events, and I also film for other people. With AB5, I can't afford to hire employees and I'm also losing the extra income I used to get from other gigs. That's my story.

Virtual Assistants

Loraine Curtis Colbert: I've been working as a VA, Sole Proprietor, for seven years and building my business. AB5 has just destroyed it. I am searching for any groups who are representing VAs in opposition to this law, but haven't had any luck. Anyone have any leads/ideas?

Madelyn Galvez: I lost 4 (12 month) contracts with this one termination notice.

Wendie Colter: As a small business owner, I am forced to let go of my teacher's aid/virtual assistant. I have no idea how I will be able to grow my business. I have no idea what she will do for the lost revenue.

Cheryl Osler: I'm the caregiver for my 85 year old mother who lives with me & I need to work from home to take care of her. I had just started my business as a Virtual Assistant when I learned about AB-5 and now cannot get any clients. When they find I'm from CA they say no thanks. My attorney says as long as I'm careful of what kind of work I take on I'm okay but they don't want to risk doing business with anyone in CA. I have to make another \$1,000 a month to pay her expenses and I don't know what I'm going to do. Looks like I'm collateral damage from AB5.

Jilyn Meyer Richmond: We are independent contractors. None of us can do our businesses. Those VA's who provide general admin services can no longer provide that to businesses. Also our client's, they either make you an employee or you are out of business with them.

Virtual Call Center Agents

Lyn Wattjes Moffatt: For 12 years I've worked as a virtual call center agent for such clients as: StubHub, Michaels, Hertz, Travelocity, etc. It provided me the much needed flexibility to work from multiple locations, including caring for my elderly parents in Florida when needed. The company I contracted thru will no longer do business with anyone in CA due to AB5. So not only do I no longer have an income, I no longer have the flexibility to schedule myself to take care of my parents.

Voiceover Artists

Elle Travis: My voiceover opportunities have gone down by 90% even though I'm a S Corp and member of SAG/AFTRA. Seemingly by Lorena Gonzalez' account, I should be sound in my position, however I'm still part of the fallout because clients are leaving CA for talent elsewhere, they told me directly. That being said, I'm mostly affected through my S Corp. We are chasing our tail trying to figure out how our productions will move forward. The ABCs of this do not apply to the way we work and putting that model on my 20+ year old business (with no time to plan) is truly crazy, the opposite of business sense. To suddenly rule that 300+ industries, with completely different operating structures, must abide by the same structure is not a sound way to structure law. It's unfortunate that small business creatives and the arts are being destroyed by the fallout of trying to regulate the driving industry. Lorena Gonzalez most likely sees all performers having the ability to do work through SAG/AFTRA and believes any other performer work currently not contracted under the union needing to be in the future. Unfortunately SAG/AFTRA is a closed union and Lorena Gonzalez is heavily funded by unions, a true conflict. It's obvious that no true analysis of the law and its financial implications was performed. A travesty to the California economy we are surely going to feel the quake for generations if a more sound action isn't implemented immediately to stop this devastation. The lack of prudence this legislation has shown is catastrophic to the very lives they have been sworn to serve.

David Higbee: I'm a freelance conference interpreter, translator (Japanese, Spanish and English), voiceover studio, musician and producer, and basically AB5 is negatively impacting EVERY type of work I do.

Anonymous: I am a voice over artist. You have all heard me on movies, radio, tv, you just don't know it! I often work for big companies/studios... and those take you on as an employee... even if you only work for them one day that year! Or one week. Or one day here, and then again one day six months later.... so that work is probably pretty safe. But independently produced stuff is often contractor based. And it is a big portion of my work. Both sides would suffer... the smaller companies that can no longer use a contractor like me, and the contractors who lose the work... essentially those jobs would just probably disappear. I am already out taking labor jobs on the side, like I was doing at half my age (I am a "well into middle age year old" man! I can't do this kind of labor stuff forever...), haven't had to do that in 20 years... but I am now, because I'm so nervous about the work vanishing and my family going broke.

Voiceover Artists, continued

Susan H. Media: Videographers and voice over artists are usually independent contractors. We work with a variety of clients, set our own rates, and provide our own (very expensive) equipment. AB5 specifically targets videographers, saying they are not eligible for the 35 submission carve out. So, CA is making it illegal to shoot video as a freelance videojournalist. It's also very common for videographers to hire other videographers for a large event or when a different, specialized skill is needed. And the pay is good, typically around \$150 - \$350 an hr, depending on the project. But with AB5, we'll have to make them employees, even if it's for one shoot that's just 1 hr, each year. It's ridiculous. As a voice over artist, it's also terrible. We provide work to audio book companies, production studios, radio stations etc. Could be considered part of their core business. We've always had the choice to either work in a union or not. AB5 is trying to take away that choice, to help the unions, not us.

Web Search Evaluators

Desislava Kachlakeva: I have a travel agency, but I worked on the side (part time) as a web search evaluator and a translator to supplement both my income and my time. Now, with the AB 5 law and the pandemic I lost 70% of my income. If I had my freelance income as a web search evaluator the financial loss would have been around 30% .Now I can hardly make ends meet. I feel discriminated against people from other states, who “stole” my job thanks to AB5. So unjust!!!!

Wedding-Dress Makers

Justine Murray: Because of AB5, I have now outsourced everything to India. I wanted to keep my California peeps but the workers' comp for sewing is just crazy expensive and the two small independent contractors I worked with did not want to become employees because they enjoyed the freedoms, write-offs and flexibility IC work gave them running their own small businesses. So everyone lost.

Wedding Florists

Monica Wyman: I'm a wedding and special event florist. I've had to re-structure my business from being "full service" to "boutique". This means I no longer will service larger weddings that require more than myself and one or two others to complete the work. I will only be serving smaller weddings and events so as to not have to hire W2 employees. My work is somewhat sporadic and seasonal, so it was never doable to have permanent/year-round employees, nor did I desire to do so. I've also had to come up with other services to sell so as to generate revenue, again without having to hire in extra help. (I've created floral decor rental packages for clients who want to do the set up themselves ... vs. hiring in myself and multiple workers to accomplish.) I really didn't want to have to get out of the industry - I love weddings & events, and it's what I know! Hoping I'll be able to settle this new niche in 2021.

Wedding Planners

Chris Dierl: The AB5 problems at weddings are when the bride's father issues the bandleader one check, the bandleader pays the musicians, and suddenly the musicians are all employees of the bandleader.

Michelle Garibay: Wedding and event planners are lots of stay at home moms who work from home. They want to choose their workload and control their pay. I can't give any client leads to the girls who want to work under me because they are ICs - and WANT to be. Also, I can't hire extra hands on the event day for set up either. We are a seasonal industry and we don't work every single weekend. Weddings are not sustainable in the employee model.

Dakota Sottosanto: I don't see how anyone in the wedding / Event Industry can commit a vendor 6-18 months in advance and call them an employee even if the contractor is in a similar line of work as the Business provider. The problem with this is it would double the Gross Income of the ICs. I normally pay about a 50% Split to the ICs. They can negotiate per event but that about normal. So if they now collect the total from the Client and pay me a 50% Referral Fee their Gross Incomes doubles. And then of course my Gross would decrease as well. About I only sub contract out like 25 % of our work, so my gross is less affected than their. We would both see the same net, so I guess that's what matters. But it's kinds awkward to sell a client your company and then say OK great now pay this other company. I would have to remodel our whole structure as would the ICs. If they are doubling their gross income they would maybe want to reevaluate what type of company they are and how they deal with taxes...

Ashley Bee: Statistically, the majority of wedding industry professionals are self-employed individuals. We run our businesses AND we collaborate on projects with other vendors in our fields. This applies to florists who need help with giant weddings. They need to bring in other florists from the area to help with the installation and it's a logistical nightmare having to be an employee of an individual who you ALSO have to employ. Same goes for hair/makeup artists, DJs, planners, etc.

Wedding Planners, continued

Michelle Villalobos: The wedding industry is full of business that run exclusively with ICs because we are only contracted for a one day event and usually only work a few hours it makes zero sense to hire employees. Most in the industry (especially hair and makeup artists) work as ICs for multiple businesses picking up jobs when and where we want.

Cara Goset: I am an independent contractor working as a wedding planner. Working as an independent contractor allows me to control the amount and time I work, and the amount of money I need to earn to properly provide for my family. Being a mother (and now school teacher to my children) .. I NEED to have flexible hours in order to run my business. Being on the clock under employment would not only cause a world of stress and demand, but it would restrict the flexibility I have with my clients. I would no longer be able to control the amount of work I take on, and would have to watch my hours which in turn would probably mean working off the clock. As a tax-paying citizen, it is hard for me to understand how eliminating independent contractors would even be considered.

Justine Murray: Because of all small independent sewers that alter gowns can no longer be contracted through bridal retail boutiques which are fluctuating and seasonal businesses. Most sewing and alteration work has been outsourced to India as companies are unable to afford the high worker's comp insurance for employee status for skilled sewers and seamstress classification. Brides too are nervous about hiring a seamstress direct when alterations go over \$680 for fear of having to issue a 1099 and subsequent possible audit for getting their wedding gown altered.

Wedding Videographers

Sean Kenney Films: We hire assistants to help move equipment, and film from different angles of the ceremony, or help film groomsmen when the other is with the bridesmaids, or vice versa. Nearly every videographer hires assistants to help them, and now they would need to be employees. Some assistants are only used 1-2 days out of the year depending on their availability. We are self employed, and run tiny businesses, and cannot afford to hire employees.

Jenna Pool: I am a cinematographer who also works as a second videographer (contractor) at weddings for primary wedding videographers. I need to be able to purchase, maintain, and insure a lot of expensive gear in order to remain competitive, therefore needing to claim it on taxes. I also am a caretaker of one of my parents and need the ability to say yes or no to event jobs for this reason. I have a film and video degree and have 9 years of professional-level experience. This is a calling and a dream come true to do what I do. This is not a "gig", and it works best for me to be able to work for others several times a year, and not permanently. None of the wedding videographers I shoot for have been able to hire me this year as it doesn't pass the ABC test. My finances took a nosedive in January before Covid hit. And now that weddings are being shot again, I still haven't been hired, as I still don't pass the ABC test.

Wedding Videographers, continued

Wendi Koble: Where do I begin? This probably won't be short. I'm a wedding videographer and I always hire help for the day of. I hire ICs who have their own legit businesses, have invested in their own gear, pay insurance on that gear, drive their own car to the gig, etc, etc. I pay them well...anywhere from \$75/hr to \$100/hr. If I make them an employee, they make less money and lose their write-offs. Also, because of how weddings work, I would not be able to give them breaks like most employees get. We're lucky if we get 5 minutes to eat something. Also to run payroll, I have to pay a fee every month (around \$30) even though I don't have any work that month. Let's say I get a last-minute wedding or decide that I need more help for the scale of the event...it takes time to onboard an employee so now they have to wait to get paid?! Long story short, I would have to raise my pricing and will not be able to compete with companies outside of the state. I'm also a freelancer and fill out my calendar helping my colleagues. Last year this was about \$20k in extra money that is now GONE.

Ashley Bee: As a wedding photographer and videographer I act as a lead and a secondary/assistant. Not all wedding events are the same. Many times I can shoot a wedding by myself, and sometimes the couple requests or the event requires a 2nd photographer. When I get hired as a 2nd photographer I NEED the flexibility of being an Independent Contractor. I bring my own equipment (which I am familiar with) and I agree to the job and terms and rate set. Under AB5 I cannot pass the ABC test as I cannot be free from the main photographer telling me what time the wedding is happening and when the coverage begins and ends. I also do NOT want to be someone else's employee. Weddings are not a cut and dry employee situation where someone needs to force me to take breaks. A wedding doesn't wait for breaks, it's a live event. I can self govern myself to take a break when I get the chance. Because I also run my own business I need the ability to book my own event and allow the other photographer to find another 2nd photographer in my place. Should the photography company have to make me an employee, they would need to employee maybe 10-20 alternate 2nd photographers to cover random events. This is crazy. Especially for someone who runs their business as a side gig and only does a few events per year.

Wellness Professionals

Nicole Nadel Mixdorf: I own a corporate wellness company with 25 contractors that work for me from time to time: yoga teachers, nutritionists, massage therapists, fitness instructors, meditation teachers, health & wellness speakers, etc. The majority of them only work ONE (1) hour per week for my business. It literally blows my mind that they are considered employees! Why on Earth do I need to pay for worker's compensation for an expert speaker who teaches one lunch & learn for my clients per YEAR?! It's insanity! On top of this, one of my dance instructors that I was working with has no interest in being an employee (he owns his own entertainment company), and has declined staying on as an employee. This has forced me to cancel the weekly class I have for my client, causing me to lose that annual revenue. There really needs to be a minimum number of hours worked in order to be considered an employee. I fully understand that people working full time hours should be getting benefits, overtime, etc., but someone that works 5 hours or less per week that provides the same services to multiple businesses is in no way an employee. Many of the freelancers that work for me have told me that they have lost other jobs as those companies decided to consolidate the number of people working for them instead of spreading work around to a larger group of people. This law is very harshly affecting small businesses and freelancers. I hope our stories get shared.

Workers Compensation

Mike MacGillivray: I am an insurance broker and my firm writes a lot of workers compensation insurance in a variety of different industries. This is a law that has the potential to create devastating, costly consequences for California business owners, not only for businesses that may need to purchase and absorb the cost of new workers compensation insurance after July 1st, 2020 (which they may not be able to afford), but for current workers compensation policyholders. We are already working with clients to help prepare them for the negative ramifications of AB5. Besides the obvious costs businesses will need to absorb for work comp policies they were not previously required to have, many current policy holders may have to cancel their current workers compensation policies and absorb the cost of a short rate penalty so they can re-shop their policies (and those new policy premiums will be much higher). On the workers compensation side, businesses enjoy the ability to 1099 tougher employee classes with larger exposure, so they don't have to shoulder the costs of that increased exposure in their work comp premiums. Due to AB5, they may now have to include these tougher employee classes in work comp policies that are not designed to accommodate them. In these situations, businesses will be forced to cancel their work comp policies, pay a short rate penalty for early cancellation, and re-shop those policies with insurance companies that will accommodate riskier classes. This, of course, drives the insurance premium up for the business. The riskier the operations, the more exposure, the higher the premium. I can cite a recent example working with a client just yesterday: We have a client that works on sewers. His workers compensation policy stipulates that his employees are covered for any work they do up to 8 feet underground. If our client needs any work done past 8 feet, it is subcontracted out to an independent contractor who does the work 8 feet or deeper underground. Due to AB5, our client may now have to convert this independent contractor to an employee, but our client's current workers compensation policy will not provide coverage for any employees that work farther than 8 feet down. Why? The risk exposure is completely different working deeper than 8 feet down. Our client will likely now need to cancel his workers compensation policy, absorb a costly short rate penalty for the cancellation, then we will have to re-shop his workers compensation to find a company that will write higher exposure, and that means a large premium increase, along with the cost of the penalty. With the combination of businesses that now will need workers compensation policies (provided they can shoulder the cost), and the degree to which current policy holders are going to need to re-shop their policies (because they may be adding new employee classes their policies do not accommodate), we are also going to see an absolutely flooded insurance market soon, and insurance companies are desperately trying to prepare. They will need to hire more underwriters, claims adjusters, administrative staff, will need to develop updated claims management and premium audit processes, all of which will cost money. As a result, rates will likely go up, and it will be the businesses paying for it. We are trying to work with clients to get ahead of the flooded market and the additional problems that will cause. The timing here couldn't be worse. The insurance environment is already difficult enough in California. We've seen the implications of the 2017-2019 California wildfires on homeowners insurance premiums, and the many, frequent cancellations of homeowners policies. We've seen businesses crippled with much higher workers compensation premiums as a result of the California Workers' Compensation Uniform Statistical Reporting Plan, effective Jan. 1st of 2017, which has required all first aid and small medical claims be reported to their insurance companies. This has caused an increase in their claims frequency, increases in their experience mods, much higher premiums, and more difficulty and frustration finding insurance companies that will write their work comp policies. The last thing California businesses need in this hard California insurance market is AB5. I applaud the group and its dedication to creating awareness, which is certainly working. I am encouraged by the many efforts already in motion to repeal the law. Please keep informing, educating, and spreading awareness!

Writers

Dina Robinson: Two companies I write for said it's so confusing that one is dropping all CA writers and editors entirely, and the other is requiring all ICs start businesses, LLC, etc.

Teagan Carlson: I'm a freelance education writer, and, like Cicily above, the marketing work I do passes the B test. What I'm experiencing, however, is that many businesses still fear AB5. Their uncertainty is causing them to avoid hiring writers located in CA altogether. I also write instructional content for e-learning producers. In this capacity (which is the majority of my earnings) I don't pass the B test. I may need to move out of state or commute over an hour a day into the city for a new job.

Rebecca Walker Donaldson: I'm a freelance writer who got my work through agencies outside of California. They have cut all California writers loose. They are too afraid to risk the ramifications. My income from writing, which I depended on to support myself, has gone. It is not a rumor and not something that is being interpreted "too literally." It is a fact that this law has decimated and destroyed what many of us had spent years to build. I am devastated. Absolutely devastated!

Haley Crim: I have been doing freelance writing since I finished my master's degree in May of 2018. Since April of 2018, I have been dealing with unexplained health issues, with nausea and vomiting in the morning and a myriad of other symptoms that could be indicative of fibromyalgia. I lost the career and relationship I was building with a content writing company and making far above minimum wage with. Now I am trying to find any job as I only have about \$2K in savings and can't do what I love, which is writing. In addition, it will be difficult to find a job that is flexible enough for my symptoms and doctors appointments. Some days I wake up feeling like I was hit by a truck. The great thing about freelance and contract work is that I can choose how much work I take on, and choose not to work on the days that I don't feel up to it, and still earn a living.

Cecily Whiteside Martino: I am a writer editor for website copy. I own Sora Creative Content www.soracreative.com. Most of my clients are in tech, service or retail so I pass the B of the test with them. The trouble is anyone I hire to help me will be doing my business-writing, editing, content review, etc so they fail the B. Kinda sucks

Charlotte Kosa: This is based on my experience working in the print journalism industry for more than 24 years. My note : I retired from my journalism career to take care of both my elderly parents. I retired just after the first great newspaper layoffs happened. For 11 years, I have been freelancing. Not a lot but just enough to have spending money. My mother passed away in May and I am now 54 years old. I have heart and back issues which prevent me from holding a full time job and prevent me physically from covering certain types of stories. Working from home and being able to pick and choose my assignments, has been a GodSend. All I know how to do is write and utilize my photography skills. With the newspaper industry still rocking from low ad sales, how do you expect the papers to hire us as employees? That's insane! In my case, I had been the editor of an online publication and the city editor of a daily paper. I am also a photojournalist and a general assignment reporter. This is all I know. I have done it for more than 24 years. Newspapers at the local level can no longer afford to hire a lot of employees. The ad revenue just isn't there. And then now you have the Internet to contend with too. What's going to happen to me? I've been told by several out of state companies that they will not do business with any freelancers from California. And now, the law is going to cut how many stories I can write or take photos for? There are only so many publications in my area. What you have created is what happened when all the layoffs at newspapers happened. Now you will have a ton of journalists out of work and scrambling for what few gigs are left out there.

Nicolas Zart: I'm 54 and the emails I got were, incorporate or 35 articles only. It's not a choice. It's a career disaster.

Writing/Art Teachers

Kristen Fogle: Our non profit has 50-75 ICs that are authors/writing professionals that teach writing classes on the side. If we don't get an exemption, I'm going to have to make some of those employees and not offer work to the instructors that only teach writing classes every so often. Or require everyone to be S-Corps. Still not sure. It's awful because writers/authors don't make a ton of income to begin with. Teaching with us gives flexibility and additional income.

Elissa Lieberman Krasenbaum: Here's my story: I own a small Fine Art School. I'm the only teacher and demand is beyond what I can accommodate. I have had various visiting artists to teach but I really need teachers and can't have them as employees. Art schools have always had teachers on contract. It makes no sense to become an employer. I barely make enough for me to survive on!

Yacht Captains

David R. Berg: I am a yacht captain working in and around San Diego for more than 20 years. Let's be clear, I don't really have a business. I also don't have a single employer, rather I have many clients. Some clients need me on a regular basis, some need me for just a day or two. I am happy to keep my schedule flexible enough to be able to make most of my clients satisfied. I have no employees. It's just me being available to drive boats when needed. If the government were to insist I list myself as either an employee or a business owner, I would have no idea which I would have to choose. If the government insists that all of my clients list me as an employee, which of them are required to give me paid time off, or provide a health plan? Some of my clients are individuals with pleasure vessels. Sometimes I am merely relocating a vessel from one port to another. Sometimes I am there to be the "designated driver" during a private party. Some clients are businesses that require a licensed captain to carry passengers and conduct their regular business. The goal is to have some fun and stay safe on the water. Why should it make any difference whether the client is conducting business or pleasure? I AM NOT "MISCLASSIFIED". I am working in a field I prefer in a manner that I prefer, and my clients all seem to prefer it that way too. No government has the right to tell me how I should work. My work is an agreement between me and my clients. So long as I'm paying my fair share of taxes, it is NOT the government's business. So just stay out of it and let me have my freedom to work the way I believe is best for me.

Yoga Studios

Agapé Maghoney: I own a yoga studio and lost all of my subs and a couple of regularly scheduled teachers. In order for me to keep an active contract with the subs, I would have to pay my payroll company a fee per person and pay my workers comp to cover every single one of them even if they are not coming in to sub. This is a huge expense for my business. In addition to this, where teachers were coming in to teach in one class are now here having to stay 2 hours as 2 hours is the minimum shift in California that I pay for. So in essence, instead of making \$20 per class, they would make less than minimum wage in order for me to stay within my budget on their pay alone. In addition, it makes things more complicated as they used to receive compensation per head and now it would need to be considered a commission which is a higher tax from what I understand. Such a mess.

Mary Beth Ray: I'm a yoga teacher and this law screws me out of deductions for required continuing education training, which my new "employers," the studios in which I work, can't afford to pay for. And if I'm not taking continuing education training then those who are doing the training are losing money...it trickles down. Raising drop-in prices by \$2 doesn't solve the huge burden on yoga studios and teachers by a long shot.

Youth Orchestras

Nancy Kuo: This law also affects the youth orchestras and ensembles. In my field (music education), many youth orchestras hire independent contractors to coach sectionals. In any given orchestra they might have up to 50 music coaches. Many youth orchestras are delaying their seasons as a result of this new reclassification. I can only hope that it does not cause youth programs to cease altogether due to insufficient funding.

Youth Sports Coaches

Chris James: Carlsbad has two soccer clubs. One is switching to W2 for the coaches but coaches won't be able to deduct all their gear anymore. The other soccer club is closing its doors. Many other clubs are closing down. All the youth sports clubs are mostly non-profit and barely make enough to support the programs. Not sure how they'll survive without spiking prices for parents who may not enter their kids into sports because it's too expensive! I'm a volunteer (unpaid) soccer coach. I've spent thousands of dollars for soccer because I want to create a passion for the sport. For me it's not about the money, but it's the clubs shutting down because they can't afford to make other coaches, refs, or other independent contractors employees.

Youth Theater

Paul Russell: I started CYT (Christian Youth Theater) 40 years ago in San Diego, California. It has grown to be the largest children's theater organization in the nation with over 25,000 children taking classes and producing full length musicals throughout the year. AB5 will destroy our non-profit organization because it demands that we "hire as an employees" a guest director, a one time choreographer, a set designer, a sound engineer, a music director, a conductor, an accompanist...

Mysty Luis Stewart: I work with a non-profit youth theatre that provides low cost theatre education. Ironically our local paper just did a story last week about how the arts in our local schools have all but disappeared. Now those non-profits filling that gap are at risk of folding or having to scale way back because they cannot afford the overhead of W2 which AB5 imposes. In the case of our theatre, pretty much all of us have full time jobs — teaching is our labor of love of the arts — so none of us need to be employees for 6 hours of work a week for 18 weeks spread out over a year. This bill is killing the arts in CA and that is unacceptable.

Kc Fox: I work with East Bay Children's Theater in Oakland. We are a group that does a tour once a year to title one schools in Oakland and Richmond. We have been around since 1933. We are a nonprofit that relies on donations, volunteers, and the tickets we sell for the few public performances we have. The board is stressing about Ab5, we don't have a lot of extra cash. Next year we may cancel for the first time in decades. I'm hoping for a miracle, as this is the only opportunity most of these kids have to experience live theater. I love the flexibility of freelance work and working for many companies that bring theater to kids.

Youth Theater, continued

Cat Kenison Erickson: I am a Freelance Costume Designer in the Inland Empire and work with local community theaters. On average, I design 4-5 shows per year. While not my primary job, it does make up 10% of my annual income and was vital in maintaining my family when my husband was laid off in 2013. I am required to fill out a W-9 for each theater company and pay my taxes accordingly. AB5 has already cost me one job opportunity and may cost me the rest. Much of the work I do is for Children's Theater and typically I work with 50-80 children on each show. Many of these children are involved in theater for the first time and these experiences enrich their lives for a lifetime. Art is vital to a vibrant community and so is my part in creating that art. I have my MFA in Design from USC and am trained to be a professional Theatrical Designer. I choose to work in community theater and share my training and talents with these kids. If these Theater Companies are forced to close because of AB5, the access to the Arts for these children is in jeopardy. More than my paycheck is at stake here. AB5 would reduce the opportunities for communities in the Inland Empire to experience live theatre. My work as a Freelance Designer does not pass the "ABC test", While I negotiate my fee and can negotiate my time as well, as a trained professional, I know what is needed and expected of me as a designer and there are dates and times I must attend. I am heartsick over the possible loss of these opportunities, not just for me but the very real possibility that a mall, community based theater companies, dance companies, and music groups may be forced to shut down. Many young designers cut their teeth in community theater and summer programs before going on to become professional theatrical Designers. Limiting their opportunities to hone and improve their craft ultimately harms the industry at large. AB5 is like cutting off your hand because you have a bad paper cut; it does more harm than good.

May Tuan Tucker: Please convince me how it will benefit the schools and me when they only need me for their four performances a year of their high school musical. I play the keyboards. I have been doing this for over 30 years. These schools hire me because their staff can't play the keyboards.