

PUBLICATION

DOL Teams With Louisiana Workforce Commission to Target Worker Misclassification

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Last week, Louisiana became the thirteenth state to agree to share information and coordinate enforcement efforts with the U.S. Department of Labor in an effort to crack down on employers who misclassify their employees as independent contractors. To that end, the Labor Department's Wage and Hour Division signed a memorandum of understanding with Louisiana's Workforce Commission to reduce worker misclassification, the agencies recently announced.

In 2011, the DOL's Wage and Hour Division collected more than \$5 million in back wages for minimum wage and overtime violations under the Fair Labor Standards Act for workers who were misclassified as independent contractors. Such individuals typically allege denial of health insurance, vacation time, family and medical leave, workers' compensation and unemployment insurance.

California, Colorado, Connecticut, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, Missouri, Montana, Utah and Washington have all signed similar agreements. For guidance on Louisiana's recent undertaking, or on the propriety of your organization's use of independent contractors, please contact any of the attorneys in the Firm's Labor & Employment Department.