



NEW YORK STATE SENATOR

Susan Serino

SERINO SEEKS INPUT FROM 'GIG ECONOMY' WORKERS

SUSAN SERINO February 27, 2020

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ALBANY, NY—From ridesharing and food delivery, to writing and programming, on-demand jobs are more in demand than ever. With an Executive Budget Proposal threatening to upend the entire system that the so-called ‘gig-economy’ is built on, Senator Sue Serino has released a survey to solicit input directly from those who would be impacted.

“Too often, government marches forward with sweeping proposals that hurt the very people they are trying to help,” said Senator Serino. “The gig economy is growing like never before, and many are largely attracted to the flexibility that this kind of work provides. I’m extremely concerned that the tight turnaround time required under the Executive Proposal means this will be another rush to reform that

does more harm than good when all is said and done. That's why I'm working to put a spotlight on the proposal and actively trying to engage those whose livelihoods would be directly impacted, and I encourage other legislators to do the same before passing the measure."

*"The gig economy has had a positive impact on Upstate communities, providing individuals flexible work opportunities and supporting local businesses and tourism," **said Michael Kracker, Executive Director of Unshackle Upstate.** "As Albany considers potential policy changes they must be mindful of the impact on the tens of thousands of workers and countless consumers who benefit from this innovative industry. We strongly thank Senator Serino for her leadership and common-sense position on this issue. We look forward to working with her and her colleagues to protect this industry and support a growing New York economy."*

This year's Executive Budget Proposal includes a provision that would create a "New York Digital Marketplace Worker Classification Task Force." The task force would be responsible for recommending measures to regulate the workforce of the 'gig economy,' which includes workers who enter into formal agreements with on-demand companies, often for a specified period of time. Examples of gig economy workers can include freelance writers, online educators, graphic designers, photographers, computer programmers, dog walkers and pet sitters, drivers for rideshare or food delivery companies, and more.

The gig economy has received criticism for the way some of the companies that employ gig workers classify them as independent contractors rather than employees, making them ineligible for certain state benefits that other full-time workers are eligible for.

The proposed task force is being given broad authority to recommend changes that could include allowing the state to set wages, determine employment criteria, set health and safety standards, allow for collective bargaining, and enforce anti-discrimination measures. The proposed task force would consist of nine members, seven of whom would be appointed by the Governor. The Minority Conferences of both the Senate and the Assembly would be denied appointees to the task force. Under the proposal, the task force would be required to provide recommendations to the Governor and the Legislature by May 1, 2020—only one

month after the deadline for the final state budget to be approved. If the Legislature fails to pass legislation addressing the issue between May 1, 2020 and June 2, 2020, the proposal would give the Department of Labor the broad authority to unilaterally set its own regulations.

Supporters of the changes argue that the proposal is necessary to protect workers in the gig economy, while opponents argue that the changes would take away the flexibility that gig workers depend on and would jeopardize the ability of the companies who hire gig employees to continue operating.

*“Our workers are the backbone of our state and we have a duty to ensure that their health and safety are protected,” **Serino continued.** “However, the digital marketplace, or the gig economy, is a vast space and sweeping changes need to be considered carefully and need to be balanced in a way that does not require employees to limit their employment options or force employers—those creating the jobs our workers need to put food on the table—out of business.”*

Those wishing to make their voices heard by taking the survey can do so by [clicking here](#).