



**TECHNET**  
THE VOICE OF THE  
INNOVATION ECONOMY

87

TechNet Northeast | Telephone 508.397.4358  
One Beacon Street, Suite 16300, Boston, MA 02108  
www.TechNet.org | @TechNetNE

February 5, 2020

### **New York Independent Workforce**

*TechNet is the national, bipartisan network of over 80 technology companies that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50 state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents more than three million employees in the fields of information technology, e-commerce, clean energy, gig and sharing economy, venture capital, and finance. TechNet is committed to advancing the public policies and private sector initiatives that make the U.S. the most innovative country in the world*

TechNet greatly appreciates the opportunity to help discuss the needs of workers and platforms operating outside the traditional employee-employer dynamic. We are hopeful that our experience as a national organization with a diverse membership will contribute to the dialogue now taking place in New York as elected officials consider how to support the on-demand economy. We are entirely supportive of a conversation around the independent economy and are committed to providing meaningful protections for workers while also preserving their right to work when, where, and how they want. We want to work collaboratively with the Governor, the Legislature, organized labor, and the broader business community to do both, through the Task Force envisioned by the Governor in his Executive Budget Proposal.

TechNet is working with a coalition, Flexible Work for New York to highlight this emerging workforce and to continue to educate lawmakers about the value of flexible work. The Coalition is a group of over 40 business groups, civic organizations, and tech companies from across the State that support preserving this model of work that adds valuable to lives of many non-traditional workers in New York. We hope to engage with the Governor's proposed task force as it considers a path forward.

New York has a real opportunity to continue be a leader as is considers any future legislative solutions, and can learn from California's recent experience. California's approach has produced significant uncertainty for broad sectors of the economy and millions of workers. California ultimately exempted dozens of industries from the "ABC" worker classification test—a recognition that the ABC test is untenable—and it chose to leave hundreds of thousands of people who choose flexible work through technology platforms out in the cold. And after months of exhaustive negotiations, this issue is far from resolved in California.

New York can avoid such a cumbersome situation by approaching the issue thoughtfully and in consultation of this diverse and expanding economy as it has done so in the past. It is in no one's

interest to rush a solution for expediency – political or otherwise. While California acted quickly, New York can actually get it right.

Technology has enabled a valuable new form of work that gives thousands of New Yorkers the opportunity to work flexibly, to earn supplemental income, to build their businesses, and to ease the impact of income volatility. Innovation has supported many workers and their families as well as local brick and mortar retail, grocery, restaurants and other small businesses that would otherwise be economically threatened in an evolving marketplace.

TechNet and our members believe the question is not “if” we should protect the worker, but “how” we do so in the era of flexible work. The debate is not “if” we offer benefits to workers, but “how” can those benefits provide the most good for the most people, while also reflecting the unique circumstances of different types of work arrangements. This conversation is important, and we encourage New York to move forward thoughtfully and in consultation with the affected sectors.

I have with me today two workers who will be able to speak to you directly about the importance and need to be able to maintain a flexible work schedule. I am happy to be joined by Charlene Dubuque from Ballston Spa, NY and Jonathan Aviles from Watertown, who are both independent workers on different platforms. They have prepared testimony to share their experiences with all of you.

In conclusion, we hope to continue to have a deliberative conversation on this issue and look forward to working with the Governor, Legislature and all other stakeholders. Thank you in advance for your consideration. Please do not hesitate to reach out with any questions.

Christina Fisher  
Executive Director, Northeast  
TechNet  
cfisher@TechNet.org  
508-397-4358