



**TECHNET**  
THE VOICE OF THE  
INNOVATION ECONOMY

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October 16, 2019

## New York Gig Economy

*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 identify 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 on demand 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.

New York has a real opportunity to continue be a leader as it 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 hundred 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.

New York's recent legislative approach to this issue, S.6538 / A.8343, likewise attempted to created a one-size-fits-all model without recognition of the nuances in the on-demand work structure. The on-demand economy is broad and expanding every day, ranging from dog walkers to freelance computer coders and everything in between. In essence, workers have more tools available to allow them to

make the most of their time, talents, and skills. We believe that any future legislative efforts should take full consideration of the broad and diverse variety of on-demand work opportunities.

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 retail and restaurants and other small businesses that would otherwise be economically threatened.

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.

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

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