



FOR IMMEDIATE RELEASE:

Anti-Independent Contractor Bill S863 Would Force Older, Female and Marginalized Workers Back into Toxic Workplaces

Fight for Freelancers New Jersey launches third video in anti-S863 series

TRENTON, N.J., FEBRUARY 24, 2020 — Fight For Freelancers New Jersey, a nonpartisan, grassroots group of 1,100 independent contractors, creatives, and businesses, has launched the third video [in its series](#) urging lawmakers to reject Senate Bill 863 (S863) and instead enact a modern labor law that uses the IRS common law test.



S863 would decimate the livelihoods of thousands of New Jerseyans who choose to work as independent contractors. They include older, female and marginalized people, many of whom become independent contractors to escape ageism, sexism and racism in traditional workplaces.

“As a writer who regularly covers diversity and inclusion, I understand how pervasive ageism, sexism, racism, and other forms of bias are and the damage they do to careers,” says Gwen Moran, a co-founder of Fight For Freelancers New Jersey. “Self-employment allows virtually

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anyone, but especially people whose careers have been stalled by bias, to pursue limitless opportunities without any such barriers to their success.”

S863, which defines employee status, would change the way New Jersey uses the regressive ABC Test. Developed in the 1930s, the test applies outdated criteria to today’s tech-powered, mobile, and innovative workforce. According to the New Jersey Civil Justice Institute, S863 is even stricter than California’s ABC Test-based law, AB5, which has caused thousands of California’s independent contractors to lose income since it went into effect January 1, 2020.

S863 — and, specifically, the ABC Test at its rotten core — would virtually wipe out the creative middle class by:

- Making it nearly impossible to be legally considered independent contractors
- Putting creatives at risk of losing copyright ownership of their work
- Leaving New Jersey’s independent contractors subject to blacklisting, as California contractors are experiencing now
- Forcing creatives to seek W2 work in sectors like journalism, which is experiencing the greatest level of layoffs since the Great Recession

“At the magazines where I contribute, the men almost always outnumber the women,” says Fight For Freelancers New Jersey co-founder and freelance writer Kim Kavin. “The glass ceiling is real. A recent study showed that only 1 in 5 C-suite executives is a woman, and that only 1 in 25 is a woman of color. Being our own bosses eliminates those limits on our financial success.”

The Fight For Freelancers NJ video series calls on lawmakers to replace the ABC Test with the Internal Revenue Service (IRS) “common law” test, which accommodates the modern, creative workforce, including independent contractors who want to keep their work-life balance. **Vote no on S863 and the outdated ABC test. Vote yes for the modern IRS test.**

WATCH the new two-minute video at the Fight For Freelancers NJ website:

<https://fightforfreelancers.com/videos/>

#IRSnotABC #FightForFreelancers
www.fightforfreelancers.com

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