



SHRM Talks to Fisher Phillips About DOL's Delay of Independent Contractor Rule

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In an interview with *SHRM*, **Rich Meneghello** shares his insights on the fact that the U.S. Department of Labor (DOL) has delayed a final rule clarifying who is an independent contractor versus an employee under the Fair Labor Standards Act (FLSA). Rich says that he is not surprised by the delay given that the new administration asked federal agencies to freeze pending regulations to give new leaders time to review them. He goes on to explain that DOL may even withdraw the rule given President Biden's campaign pledge to work with Congress to establish a new federal standard similar to California's "ABC" test for classifying workers as independent contractors. And, if DOL does withdraw the prior administration's rule, then Rich predicts that litigation will likely follow as business groups may challenge the decision.

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