



San Francisco Regional Managing Partner Interviews with Local and National Media on Retroactive Application of Dynamex Test

News

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The Ninth Circuit ruled that the *Dynamex* test – a standard used to decipher when workers should be classified as employees rather than independent contractors – applies retroactively. In interviews with *Law360*, *The Recorder* and the *Daily Journal*, Jason A. Geller talks about how the Ninth Circuit’s decision in applying the *Dynamex* “ABC test” for worker classification retroactively may lead employers to be more careful about who they classify as a contractor.

Jason was not surprised by the decision, but he offered a silver lining for employers, indicating that *Dynamex* only applies in the wage and hour context and will not apply in other matters like discrimination. Jason also pointed out that the panel’s guidance on the “B” prong clarifies the test for employers and what they need to look for.

To read the full articles, visit [Law360](#), [The Recorder](#) and [Daily Journal](#) (some subscription required).

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