

Chipping Away at Employer Flexibility, One Ride at a Time

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Chris Boman and Ryan Wheeler's article "Chipping Away at Employer Flexibility, One Ride at a Time" was featured in the *Daily Journal* on February 25, 2015.

California continues to carry the flag for American innovation. Uber, the San Francisco company that bills itself as "seamlessly connecting riders to drive through our apps," exemplifies this. Of course, with such innovation comes the risk of litigation as plaintiff's attorneys and government agencies are challenging new business models. Uber has found itself under attack on several fronts, including both from government agencies clamoring for additional regulation of Uber drivers, and from the drivers themselves who seek employee status with Uber.

In the article, Chris and Ryan discuss a recent Uber lawsuit in which a handful of Uber drivers sued the company in the U.S. District Court for the Northern District of California alleging they were misclassified as independent contractors rather than as employees.

Chris and Ryan state that ultimately, the Uber lawsuit serves as an unfortunate reminder that plaintiff's attorney as well as the federal and state governments continue to be antagonistic toward the independent contractor model. Absent legislative intervention, businesses should expect to see additional, and likely unique, challenges to the independent contractor model in the years to come. As a result, the time to analyze and review current independent contractor relationships is now.

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