

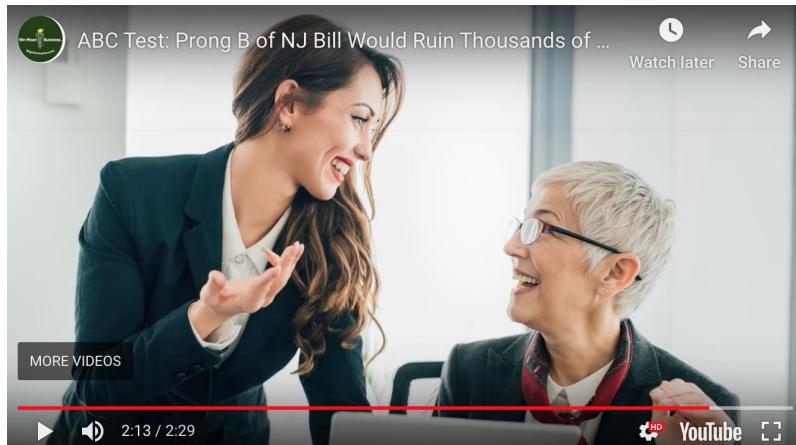


FOR IMMEDIATE RELEASE:

Anti-Independent Contractor Bill NJ S863: How B-Prong of the ABC Test Destroys Careers and Income for Freelance Writers, Journalists and Photographers

Fight for Freelancers New Jersey launches sixth #IRSnotABC video in anti-S863 series

TRENTON, N.J., MARCH 4, 2020 — Fight For Freelancers New Jersey, a nonpartisan, grassroots group of 1,100 independent contractors, creatives, and businesses, has launched the sixth video [in its series](#) urging NJ lawmakers to reject Senate Bill 863 (S863) and instead enact a modern labor law that uses the Internal Revenue Service's common law test.



S863 would decimate the livelihoods of thousands of New Jerseyans who choose to work as independent contractors, including freelance writers, photographers, and journalists. California's version of the law, AB5, went into effect January 1, 2020, [leading those groups to sue the state](#).

The New Jersey bill, which defines employee status, would apply the regressive ABC test to the whole state's workforce in a new way. Developed in the 1930s, the test applies outdated criteria to today's tech-powered, mobile, and innovative workforce.

“The ABC test’s B prong says we can’t do the same kind of work as our editors and in-house writers, and we can’t attend meetings on site,” says Debbie Abrams Kaplan, a freelance writer and co-founder of Fight For Freelancers New Jersey. “It will decimate journalism and put an undue burden on all sorts of companies that have relied on freelancers for decades.”

S863 — and, specifically, the ABC test at its center — 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 successful creatives to seek W2 work in sectors experiencing layoffs

The Fight For Freelancers New Jersey video series calls on lawmakers to replace the ABC test with the IRS common law test, which accommodates the whole modern, creative workforce, including the 79% of independent contractors who told the U.S. Bureau of Labor Statistics they want to continue being independent contractors.

“These ABC Test-based laws are an attack on [free speech, the free press, and equal protection rights](#) provided by the U.S. Constitution,” says Jen Singer, a freelance writer and co-founder of Fight For Freelancers New Jersey. “We call on lawmakers to kill these bills nationwide.”

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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