



SR 22 Misclassification of Employees Task Force

617 NORTH THIRD STREET | POST OFFICE BOX 66258 | BATON ROUGE, LA 70896

MEMBERS

Luke Morris

(Chairman) Assistant Secretary,
Louisiana Department of Revenue

Brandon Lagarde

(Vice Chairman) appointment by
Society of Louisiana Certified
Public Accountants

Danell Gerchow

(designee for Kimberly Robinson,
Secretary), Louisiana Department
of Revenue

Ava Dejoie

Secretary, Louisiana
Workforce Commission

Robert Wooley

Assistant Secretary, Office
of Unemployment Insurance
Administration, Louisiana
Workforce Commission

Darrick Lee

(designee for Sheral Kellar),
Office of Worker's Compensation
Administration, Louisiana
Workforce Commission

Daryl Purpera

Legislative Auditor

Caroline Lafourcade

appointment by Louisiana State
Bar Association, Taxation Section

Dawn Starns

appointment by National Federation
of Independent Business

Martha Pennington

appointment by American
Payroll Association

Tom Crowley

appointment by National Payroll
Reporting Consortium

Jim Patterson

appointment by Louisiana
Association of Business and Industry

Gary Warren

appointment by Louisiana AFL-CIO

Misclassification of Employees Task Force Meeting

Wednesday, February 10, 2021

3:30 PM

Zoom

<https://ldr.zoom.us/j/85296337758?pwd=bktuQks3VnJpak40RXdfQnoxZXBjUT09>

Agenda

- I. Meeting Call to Order
- II. Roll Call
- III. Approval of Meeting Minutes from February 4, 2021 Meeting
- IV. Discussion of Member Recommendations:
 - A. Definition of Independent Contractor
 1. Twelve Factor Approach
 2. Independent Contractor Exemption Certificate Application
 - B. Misclassification Penalty Structure
 - C. Educational Program and Resources to Businesses
 - D. Voluntary Disclosure/Fresh Start Program for Existing Businesses
- V. Other Business
- VI. Public Comment
- VII. Adjournment

Notice to the Public

The Task Force intends to receive testimony from stakeholders and interested members of the public on the issue of employee misclassification prior to discussion and debate of potential recommendations. While all Task Force meetings will include a public comment section, any interested member of the public that wishes to provide testimony may contact Krissy Thomas (krissy.thomas@la.gov) to schedule a dedicated item on future meeting agendas for testimony. Stakeholder organizations are encouraged to provide testimony in a presentation or other type of report that may be displayed using Zoom functionality during upcoming meetings.

Public Comments and Materials

This meeting will be available via Zoom and members of the public are encouraged to provide written comments to Krissy Thomas (krissy.thomas@la.gov) in advance of the meeting and/or via the Zoom chat function during the meeting.

All materials subject to discussion or adoption during this meeting will be available online.

Certification of Meeting Conducted Pursuant to LA R.S. 42:17.1

In accordance with LA R.S. 42:17.1, this meeting notice shall serve as certification of the Senate Resolution 22 Misclassification of Employees Task Force's inability to otherwise operate in accordance with the Louisiana Open Meetings Law due to such a meeting being detrimental to the health, safety, and/or welfare of the public as a result of the public health emergency, as declared by Governor Edwards on January 12, 2021 by Proclamation No. 7 JBE 2021.

The Senate Resolution 22 Misclassification of Employees Task Force ("Task Force") will provide for attendance at its essential meeting via teleconference or video conference as authorized by LA R.S. 42:17.1 during a gubernatorially declared state of disaster or emergency.

As authorized by statute and in light of the ongoing public health emergency, the Task Force will provide for attendance for the 10:00 AM meeting on February 10, 2021 via Zoom and in a manner that allows for observation and input by members of the public, as set forth in the meeting notice posted on February 9, 2021.