



FOR IMMEDIATE RELEASE:

**The PRO Act's ABC Test Misclassifies Independent Contractors as Employees in Labor Law**  
***Fight for Freelancers launches first video in its Right vs. Wrong series***

WASHINGTON, D.C., APRIL 19, 2021— Fight For Freelancers USA, a nonpartisan, grassroots, self-funded group of independent contractors, creatives and small businesses, launched the first video in its Right vs. Wrong series urging lawmakers to reject the PRO Act containing the ABC Test, after similar legislation effectively outlawed work for many independent contractors in California.

The PRO Act would introduce the ABC Test from California's law into federal law for the first time. This ABC Test includes three oversimplified criteria created in the 1930s to determine whether someone is an employee or an independent contractor. California lawmakers have had to exempt more than 100 professions from that state's ABC Test law because it has proved unworkable in so many fields since it went into effect in January 2020.

President Biden campaigned on a promise to follow California's lead and make the ABC Test the basis of all federal labor, employment and tax law. The PRO Act seeks to implement the first step in that plan by adding the ABC Test to the National Labor Relations Act. This ABC Test would misclassify millions of independent contractors as employees in labor law, despite study after study since 2015 showing that 70-85% of independent contractors want to remain independent contractors.

"While proponents of the PRO Act claim the bill prevents worker misclassification, it actually misclassifies legitimate independent contractors," says Fight For Freelancers co-founder and freelance writer Karon Warren of Georgia. "When I spoke with a top aide to the PRO Act's sponsor in the Senate, she said she saw no problem with the 30 clients I had last year becoming 30 part-time employers. Who would want 30 different bosses? This plan to misclassify small-business owners like me is horribly misguided."

**WATCH** the new two-minute video [at the Fight For Freelancers USA website](#):



"The lawmakers and special interest groups supporting the PRO Act claim it's solely for the purpose of organizing unions," says Fight for Freelancers co-founder and freelance writer Debbie Abrams Kaplan of New Jersey. "But legal experts warn it will clash with current laws. While the courts battle it out for years, many of us could be left without income. Removing the ABC Test from the PRO Act will keep us properly classified as independent contractors in all aspects of the law, and that is a far better solution."

The Fight For Freelancers video series calls on lawmakers to learn from the mistakes made in California and vote no on the PRO Act as long as the ABC Test is still in it.

**#FightForFreelancers #NoABCforUSA**  
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