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Congress of the United States
House of Representatives
Washington, DC 20515

COMMITTEE ON RULES
COMMITTEE ON APPROPRIATIONS
REGIONAL WHIP

March 18, 2020

Dear Speaker Pelosi and Majority Leader Hoyer,

Thank you for your tremendous efforts to address the needs of our country at this critical moment. As we work on the third supplemental package to address the coronavirus outbreak and provide relief to American workers, I write to urge you to ensure that it includes provisions addressing the immediate needs of independent contractors and gig workers. I recognize these are difficult issues and states are looking to do different things around the classification of these workers. However, now is the time to focus on making sure everyone is getting the help they need regardless of their employment classification.

As the severity of the coronavirus outbreak grows, we must not forget the households that depend on the paychecks of independent contractors and gig workers. Uber and Lyft drivers will have fewer passengers requesting rides and I have met many who say they cannot afford to not work. Independent construction workers will have fewer jobs to build homes or pave roads. Buildings will be closed and no longer need the services of janitors hired on a contract basis. Over 100 truck drivers who worked at the Port of Los Angeles, some of whom are independent contractors, have already been laid off as shipments from other parts of the world have declined.

The decline of shipments from other countries and goods produced in the United States may soon result in the end of many warehouse workers' contracts. Many of those workers live in my district and are the lifeblood of the logistics industry. Substitute teachers no longer have classes to teach as schools shutter their doors. Amazon couriers or food delivery drivers continue to meet us at our doors so that we can stay inside, but they too might get sick or not get customers. The list of impacted workers who are independent contractors or gig workers goes on and on, and we must not leave these workers behind.

As with any worker, these independent contractors and gig workers are in need of immediate assistance if they have to stay home because they contracted the coronavirus, are caring for someone with the virus, or are caring for their children who are home from closed schools. Tax credits may come too late for too many. These workers may also lose their contracts or customers, and unlike other workers, do not qualify for unemployment insurance.

Moreover, the laws of each state differ on how a worker's employment is classified. In recent years, many states have moved towards making it easier for employers to classify workers as independent contractors. Due to a difference in state laws, a worker that does a job in my home state of California might be eligible for benefits provided to employees even though a worker in Kentucky with the same job might not. That is unacceptable. The state that workers live in should not determine whether this next supplemental package helps them or not.

In this third package, I urge you to work with the Senate and the White House to include provisions that provide and permit immediate assistance for independent contractors and gig workers, so that the assistance they receive is on par with that received by employees.

This should include, but not be limited to, (1) individual direct payments to workers regardless of employment status, (2) SBA loans and direct assistance for self-employed and independent contractors who have lost work, and (3) targeted legal clarity for companies who provide direct assistance to independent contractors during this emergency. We should never put Americans in the position to have to choose between their livelihood and their health.

Sincerely,

A handwritten signature in blue ink that reads "Norma J. Torres". The signature is written in a cursive, flowing style.

NORMA J. TORRES
Member of Congress