

California's Employee vs. Independent Contractor Rules Under AB 5 and Dynamex

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In this new manual, Attorney Richard J. Simmons of Sheppard, Mullin, Richter & Hampton LLP provides a detailed examination of *Dynamex*, AB 5, misclassification cases, and the interrelationship of state and federal law and joint employment issues. Among the numerous subjects covered are the following:

- Analysis of AB 5 and its structure
- Legislative Findings
- California's New ABC Test
- The Role of the Supreme Court's Decision in *Dynamex*
- AB 5's Default Standard
- The Presumption That Workers Are Employees
- The Exemptions and Carve-Outs From the ABC Test
- The *Borello* Decision and Common Law Standards

- Joint Employment Issues
- The Business-to-Business Standards
- The IRS and EDD Guidelines
- Case Law Analysis
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- Workers' Compensation Provisions
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- Recent Court Decisions
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