



Written by [Michael Tennant](#) on January 2, 2020

Freelance Writers, Uber Drivers Lose Jobs Thanks to California Law Intended to Protect Them

Under the guise of improving the lives of independent contractors such as freelance writers and Uber drivers, the state of California has just thrown hundreds of them out of work.

California Assembly Bill 5 (AB5), which was authored by Assemblywoman Lorena Gonzalez and signed into law by Governor Gavin Newsom, both far-left Democrats, was allegedly aimed at forcing gig-economy companies like Uber and Lyft to reclassify many of their independent contractors as employees, thereby entitling them to benefits such as health insurance and making the companies pay payroll taxes on them.



“The problem here is that the full-time employee model is rigid and inflexible, and attempting to force contractors into this box often makes the professional relationship untenable,” [argued National Taxpayers Union Foundation policy analyst Andrew Wilford](#). “In other words, a business that can afford to pay a contractor intermittently as a freelancer is not necessarily able to offer that same contractor 40 hours a week, healthcare and retirement benefits, and managerial oversight.”

Similarly, contrary to Gonzalez’ assumption that no one wants to be a freelancer, some workers actually prefer it because, among other things, it gives them more flexibility.

“Have you considered independent truckers want to be independent?” one person [wrote](#) in response to a Gonzalez tweet defending the law. “They bought their own trucks for a reason. There’s also a nationwide truck driver shortage, so if they wanted to be employees, that could easily happen, without the dumpster fire AB5 law.”

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The California Trucking Association is suing in federal court to exempt truck drivers from AB5, and truck owner-operators protested in November, according to the [San Francisco Chronicle](#). “Many said they had already worked as employee-drivers before investing \$150,000 or more in their big-rigs and striking out on their own,” the paper noted.

Uber and Postmates, a courier service, have also [taken the state to court](#) over the law. The companies point out that AB5 targets their businesses while exempting many others, which they argue is a violation of their right to equal protection under the law. They further maintain that the law violates the Constitution’s contracts clause because it would “impermissibly upend hundreds of thousands of valid, existing contracts between on-demand workers” and companies, according to the lawsuit. (The companies, along with other gig-economy businesses, are also financing a ballot initiative to undo much of AB5.)



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AB5 “has thrown my life and the lives of more than a hundred thousand drivers into uncertainty,” Lydia Olson, an Uber driver from Sacramento and one of the plaintiffs in the case, wrote in a [Medium post](#). “This independent contractor arrangement gives me the peace of mind that I can do what is necessary to take care of my family on my own schedule.”

Hardest hit, however, may be freelance journalists. Vox Media, which vocally supported AB5, [canceled its contracts](#) with about 200 independent writers who covered California sports, replacing them with just 20 new part-time and full-time employees.

Freelancers who haven’t been let go are going to have to scramble to maintain their income. AB5 prohibits a freelancer from selling more than 35 articles to any one outlet in a year. An author who previously sold dozens of articles each year to a handful of websites will now have to find many more that are willing to buy his wares even as they are being bombarded with unsolicited requests from countless other writers in the same situation.

“Gonzalez has admitted that there was no real logic to the 35 number and that, at best, it is based on an extremely antiquated notion of how often you need to submit work in the Internet era in order to get paid anything close to [a] legitimate paycheck,” observed columnist [John Ziegler](#), adding that last year he was contracted to write 120 columns for Mediaite, “far less than any of their other regular contributors.”

Freelance writers and photographers, too, are [suing](#) to overturn AB5.

“Hundreds of American workers are losing their livelihoods ... because lawmakers refused to listen to the workers who are affected by these bills,” penned Wilford. That, unfortunately, is the norm among progressives, who prefer to substitute rule by the elite for the freely chosen paths of the unwashed masses.

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Michael Tennant is a freelance writer and regular contributor to The New American.



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