

## THE DYNAMEX DIFFERENCE

# Employee vs Independent Contractor

### EMPLOYEE (LEGALLY PROTECTED RIGHTS)

- ✓ **WAGES**
  - ★ Guaranteed at least the state minimum wage
- ✓ **SICK DAYS**
  - ★ In CA, workers receive three paid sick days per year and are eligible for disability payments
- ✓ **WORKERS' COMP**
  - ★ Eligible to claim workers' compensation benefits if injured & protected by federal OSHA regulations
- ✓ **PAID FAMILY LEAVE**
  - ★ Eligible to apply for the state's paid family leave program and receive 60 to 70% of earnings (up to \$1,216 per week) for up to six weeks
- ✓ **UNEMPLOYMENT BENEFITS**
  - ★ In CA, eligible for up to \$450 per week in unemployment benefits while looking for a new job
- ✓ **RIGHT TO ORGANIZE**
  - ★ The right under the NLRA to stand together in a union to negotiate for better wages, benefits and working conditions



### THE DYNAMEX DIFFERENCE IS CLEAR.

When companies misclassify workers as independent contractors instead of recognizing them as employees, it hurts workers, communities and our state's economy

## #DISRUPT INEQUALITY

## YES ON AB 5

### INDEPENDENT CONTRACTOR

- ✗ **WAGES**
  - Can be paid far below minimum wage or prevailing wage, and must pay all business expenses, including vehicle, gas, maintenance. No protections against wage theft.
- ✗ **SICK DAYS**
  - Not paid for sick days and are not eligible for the state's disability program
- ✗ **WORKERS' COMP**
  - Not eligible for workers' compensation benefits
- ✗ **PAID FAMILY LEAVE**
  - Not eligible for California's paid family leave program
- ✗ **UNEMPLOYMENT BENEFITS**
  - Not eligible for unemployment benefits
- ✗ **RIGHT TO ORGANIZE**
  - Do not have the right to organize or bargain collectively



California LABOR Federation  
[www.californialabor.org](http://www.californialabor.org)