

# [***Gig Workers Need Flexibility, Not More Rules | Opinion***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BK9-CST1-JBR6-943P-00000-00&context=1516831)

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**Highlight:** A new rule from the Biden administration's Department of Labor could make it harder for companies to classify millions of gig workers as independent contractors.

**Body**

There are millions of ways to make money in America in addition to working a traditional full-time job. Whether you want to be one of America's 10 million social media [*influencers*](https://influencity.com/resources/studies/the-largest-influencer-study-of-the-united-states-2023/#:~:text=The%20population%20of%20the%20United,million%20can%20be%20considered%20influencers.), deliver late-night burgers via services like DoorDash, or be a stay-at-home mom who does contract work in between naps, side work in America—contracting or freelancing—thrives.

However, a new rule from the Biden administration's [*Department of Labor*](https://www.federalregister.gov/documents/2024/01/10/2024-00067/employee-or-independent-contractor-classification-under-the-fair-labor-standards-act) could make it harder for companies to classify millions of gig workers as independent contractors. It could jeopardize the kind of contract work that provides valuable income for millions of Americans.

The rule, like so many bureaucratic notions that administrations create, was crafted to "fix" a problem. It was created to offer protections to workers, like rideshare drivers and freelance photographers, who lack a full array of protections they could have had as full-time employees, rather than contractors.

Misclassifying employees as independent contractors "is a serious issue that deprives workers of basic rights and protections," Acting Labor Secretary Julie Su [*said in January*](https://hrexecutive.com/new-independent-contractor-rule-signals-a-busy-year-for-compliance/#:~:text=Misclassifying%20employees%20as%20independent%20contractors,Julie%20Su%20in%20the%20release.) when the rule was originally announced. "This rule will help protect workers, especially those facing the greatest risk of exploitation, by making sure they are classified properly and that they receive the wages they've earned."

Su and the Biden administration are missing one important thing, however: most contract workers don't want those protections. Or rather, they consider the reward of the contract work and compensation to be greater than the risk of not having the traditional protections a full-time employee might enjoy. Many contract workers also work full-time jobs that offer said protections.

The [*gig economy has exploded*](https://www.newsweek.com/joe-biden-upend-millions-americans-jobs-under-new-rule-1858933?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) in the last two decades. Before the pandemic, it was estimated to employ 36 percent of American workers, or about 57.2 million people. Statistics from last year suggest there are over 73 million freelancers in the U.S.

Organizations representing contract workers, like trade groups and small business advocates, have been trying to persuade lawmakers that a rule like this actually makes the livelihoods of the very people it aims to help worse. Many of these groups were galvanized before this when California passed AB5, a law with similar effects. When it passed, so many people were up in arms, the California legislature was forced to pass at least 100 exemptions for industries impacted. So far, the U.S. Chamber of Commerce and several other entities have filed lawsuits against the Biden administration to stop the rule.

Karen Anderson, founder of Freelancers Against AB5, [*told FOX Business*](https://www.foxbusiness.com/politics/biden-admins-gig-worker-rule-facing-growing-pushback) why this rule is such a threat to contract workers. "Like AB5 in California, the new [Department of Labor] rule is a one-size-fits-all policy that jeopardizes self-employment across a vast swath of professions, everyone from indie-film producers, event planners and health care professionals, to transcribers, writers, truckers, and tutors."

Anderson is right. But there's even more to it. Biden's new rule isn't just anti-capitalism, anti-hard-work, and yet another example of how well-meaning bureaucratic regulations actually hurt average Americans. The entire concept in and of itself is anti-American. The United States is the most [*entrepreneurial country*](https://www.usnews.com/news/best-countries/rankings/entrepreneurial) in the world. Americans who have made the decision—either based on necessity or just for kicks—to do various types of "side" or contract jobs are essentially running small businesses.

Contract work, or running a side gig, is full of risk and reward, early mornings and late nights. They're in many ways a microcosm of the American dream: work hard, play hard. The gig economy allows many Americans to live the life they've dreamed of. They can go to school and make extra money, pay off debt, bolster savings, and go on vacation—or, in this economy, simply make ends meet. With contract work, the flexibility also offers special incentive traditional nine-to-five jobs don't. It allows people to spend time with their families, cultivate hobbies, and travel, working from any city or access to WiFi, anywhere in the U.S.

Biden's gig economy rule was crafted with good intentions, but like the saying goes, the road to hell is paved with those. Implementing this laborious rule might not pave the way to hell for everyday Americans, but it could make an already expensive economy that much more so. It could make Americans' wallets that much tighter and life more stressful. Hard work, innovative contracts, "influencers," and contractors shouldn't be punished for wanting to take risks and garner rewards. It's part of life and it's certainly a part of the American dream. Let the American people work and live as they fit, without the undue burden of extra, well-meaning bureaucratic nonsense.

*Nicole Russell is a mother of four who has worked in Republican* ***politics****. Her writing has appeared in The Atlantic, The Daily Beast, and the Washington Examiner. She is an opinion columnist at the Fort Worth Star-Telegram.*

*The views expressed in this article are the writer's own.*

[*Link to Image*](https://d.newsweek.com/en/full/2363968/person-works-laptop.jpg)

**Graphic**

Person works on laptop

Chris DELMAS / AFP/Getty Images

This illustration photo shows a person working on their laptop from a home office in Los Angeles on August 13, 2021. - In the United States, companies are delaying one after another the return of their employees to the office, worried about the new wave of contaminations with the spread of the Delta variant.

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