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DOL Delays Effective Date of Test for Determining Independent Contractor Status

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Under the administration of former President Donald Trump, the Department of Labor (DOL) proposed new regulations to simplify the test for determining whether a worker is an employee or independent contractor. The regulations were set to go into effect on March 8, 2021.

Now, under the Biden administration, the DOL has pushed back the test's effective date to May 7, 2021. The delay is the result of a regulatory freeze issued by the Biden administration on January 20, 2021. According to the Wage and Hour Division of the DOL, it will use the additional time to review and consider the proposed rule.

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