



BRENT HOCKADAY QUOTED ON COMMERCIAL CARRIER JOURNAL REGARDING DOL WORKER CLASSIFICATION GUIDANCE

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Senior Associate Brent D. Hockaday is quoted in the *Commercial Carrier Journal* article “Employee or independent contractor? DOL seeks to give motor carriers clarity and potential court protections.” The article considers the implications for the trucking industry of a recent U.S. Department of Labor (DOL) proposal clarifying the test to determine whether a worker is an independent contractor or an employee.

Hockaday notes, “[T]he test considers whether workers are in business for themselves or are economically dependent on another enterprise,” adding “Courts like to defer to the Department of Labor” when making worker classification determinations.

For commercial carriers, the proposed DOL test would provide additional clarity in instances when disputes arise between drivers and carriers, Hockaday notes. “For carriers, you can feel like you have the best written contract in the world, and both parties [intend] to be in a contractor relationship — but it could be interpreted differently by the courts. They could be employee despite having contract.”

To read the full article, please click [here](#).

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