



Take Action Toolkit - Regarding AB-5 (CA law on worker classification)

AB-5 went into law on January 1, 2020. While it intends to protect workers, there is much concern from many sectors of the economy and workforce about the possible negative impacts the law will have on businesses, nonprofits, and independent workers. Assembly Member Gonzalez's (author) is now reviewing and considering amending and clarifying the law, now called AB-1850.

Currently, Gonzalez has included exemptions for graphic artists, photojournalists, journalists (to an extent), and grant writers. If you would like to voice your opinion about the law, such as requesting further exemptions for artists and arts workers (or something else), send a letter/impact statement to the lawmaker/s with your requests.

Furthermore, CA Senator Galgiani has introduced legislation to develop a new class of workers that could alleviate challenges laid out in AB-5. This change would create a third class of workers that, if so, chooses to be classified as an 'independent worker' can do so and with certain protections that are currently only offered to workers classified as 'employees'.

Make sure CA lawmakers receive your feedback about how AB-5 (as it stands, now) impacts you or your organization through either or both of these laws that are currently in process, if you wish.

AB1850 language:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1850

SB1039 language:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB1039

Here's What To Do!

1. Write an impact statement or letter. How Does AB-5 impact or affect you or your organization?

Note: Why Provide an Impact Statement?

Theatre Bay Area (nonprofit) has done a lot of advocating on our behalf at the Capitol. The message they are receiving in response to their efforts is that the individuals and organizations that are impacted need to tell their story to their representatives. **Lawmakers want to hear your stories and are asking about them.**

What do you include in your impact statement?

- Organizations: Identify yourself and your organization, the additional expense (either \$ amount or % as compared to your annual budget) associated with the changes you've made (or will need to make to comply with AB-5), and whether or not this will potentially close your organization down before the year is over, or dramatically reduce programming.
- Individuals: include information about your loss of work and income, and opportunities to participate in artistic events or programs.
- Option for both: Add a statement on how you feel AB-5 will affect your artistic and cultural community.



2. Submit your impact statement to lawmakers through the CA legislation position letter portal – **it takes minutes and is easy!** Here are instructions https://www.senate.ca.gov/sites/senate.ca.gov/files/2019_quick_ref_guide_advocacy.pdf
3. Once you've created an account on the portal <https://calegislation.lc.ca.gov/Advocates/> select >>Submit a Letter, then select AB-1850, and follow the instructions. You will be able to choose your stance and upload your letter. *Note: If you also want to send a message or letter about SB-1039 – they have not yet designated staff to accept messages through the portal – you can send messages directly to Sen. Galgiani's office, here Senator.Galgiani@senate.ca.gov.*
4. Submit your letter to lawmakers in your territory. Here's how to find your local State officials: <http://findyourrep.legislature.ca.gov/> select their name to find their website and email your letter directly to them
5. **Share this information with your colleagues, friends, and family to help message our lawmakers.**

Example of an impact statement:

Mountain Community Theater (MCT) is a 501(c)(3) nonprofit performing arts organization in Ben Lomond, CA. We were founded in 1982 and are current members of the American Association of Community Theaters (AACT). MCT has no employees or staff of any kind and everyone who administers and otherwise works regularly in the theater is a volunteer.

In the truest definition of community theater, our mission is to provide art and entertainment to our local community at accessible prices. However, we also exist to serve our artistic community by providing opportunities to pursue their passion and participate in theater. Our artists do not depend on these stipends to support themselves as most of them either work full time or are retired. Nominal stipends (\$100-\$500) have traditionally been provided to 5-10 people (e.g. lighting, and costume designers, directors, and stage crew) on each production to help defray their transportation and other expenses.

The drastic change to employment law is driving our expenses beyond a sustainable limit under our current business model. Our only options are to raise our ticket prices and/or re-allocate resources for our productions, which will inherently lower the quality of each performance.

Thanks to Becky Davis of Altarena Playhouse and the Coalition of Artists (dozens) who collaborated in Feb. 2020 to submit a unified message to Gonzalez's office. The letter can be found here for your reference. (link)