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# Law360 Quotes Richard Reibstein on Relationship Between EEOC's Discrimination Charge Data and Independent Contractor Misclassification Claims as Possible Factor for Spike in Allegations

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**Richard Reibstein**, a New York Partner in Locke Lord's Labor and Employment Practice Group and co-head of the Firm's Independent Contractor Compliance and Misclassification Practice, was quoted by Law360 on the U.S. Equal Employment Opportunity Commission's recently published discrimination charge data for fiscal year 2023, which revealed a 40 percent spike in allegations of color bias in American workplaces, and the possible reasons for the uptick in color discrimination charges. Reibstein explains that while exact reasoning of the uptick can be hard to pinpoint, "workplace and discrimination complaints are very dependent on what's going on [regarding] social and cultural activities."

Reibstein notes another factor that might be contributing to the rise in assertions of workplace color discrimination could be the increased attention to the misclassification of workers as independent contractors instead of employees.

"A lot of people who engage independent contractors really don't think that these types of workers are covered [by anti-discrimination laws] and therefore they may be surprised to learn that they have to apply those same nondiscrimination principles to contractors [who have been misclassified] as they do to employees," he adds. "That is especially important in the area of discrimination on the basis of race or color."

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