

Press Coverage | November 20, 2020

New York Partner Richard Reibstein Quoted by Law360 on Possible Reversal of Department of Labor's Joint-Employer Rule Under New Administration

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Richard Reibstein, a Partner in Locke Lord's Labor and Employment Practice in New York and co-head of the Firm's Independent Contractor Misclassification and Compliance Practice, was quoted in a Law360 article discussing the possibility that President-elect Joe Biden's administration will move to reverse the Department of Labor's joint-employer rule, which changes the way joint employment is assessed under the Fair Labor Standards Act, which also impacts companies that utilize independent contractors. The rule was struck down by a federal judge earlier in 2020 and the Department of Labor's appeal is ongoing.

"Of course, the joint-employer rule may end up in the junk heap," Reibstein said. He added: "After a new administration is sworn in, it may change its official position on the validity of the final rule. It may say so in court papers and choose not to 'defend' the new regulation, essentially rolling over on the court case with the intent of losing the case."

To read the full article, [click here](#) (*subscription may be required*).

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