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The debate over whether gig workers should be classified as employees is about the future of work in America

By [Yvonne Abraham](#) Globe Columnist, Updated August 4, 2021, 6:14 p.m



The ballot question some tech companies filed on Wednesday is not just about conditions for Uber, Lyft, and DoorDash drivers and other gig workers in Massachusetts. MICHAEL NAGLE/BLOOMBERG

Make no mistake. The ballot question some tech companies [filed on Wednesday](#) is not just about conditions for Uber, Lyft, and DoorDash drivers and other gig workers in Massachusetts.

It's about the future of work in America.

If voters side with the tech giants, the labor landscape will be transformed, immuring a giant and growing body of workers in a world with fewer benefits and protections.

And where ride-hailing drivers go, nurses, restaurant workers, executive assistants, programmers, and others will surely follow. The tech giants who rule the world [are already dreaming of the day](#) when those workers, too, will be classified as mobile, independent contractors, with fewer benefits and less security than employees.

“If they get away with this, every industry is going to line up to ask for an exception,” said labor attorney Shannon Liss-Riordan, who has battled the gig companies for years. “And before you know it, the entire fabric of workplace protections will be gone.”

But hey, maybe cheap sushi deliveries are worth it.

The tech giants have come to Massachusetts because Attorney General Maura Healey and others [are demanding that gig workers be treated as employees under state law](#), which would entitle them to unemployment insurance, sick leave, a minimum wage, civil rights protections, and other rights enjoyed by other workers. The companies are trying to head off that expensive outcome by pushing legislation, and now this ballot question, that would provide some benefits but keep their workers classified as independent contractors who work for themselves.

Compared to what those workers have now, which is pretty much zilch, the benefits being offered look great: health care stipends for some, the chance to accrue up to 40 hours of sick time per year, family and medical leave, accident insurance. They’d get a minimum wage of \$18 an hour when drivers are giving rides (not when they’re waiting for one, or doing other work), and 26 cents per mile toward expenses. The companies argue that doing more — making drivers employees — would make it impossible to maintain the flexibility and freedom beloved by their workers.

A coalition of labor advocates say that’s a false choice, that the companies could provide a full roster of rights and benefits without compromising flexibility. They say the benefits offered fall far short of what every worker deserves.

But the tech companies could prevail. In 2020 they won a similar ballot campaign in California, pouring \$200 million into the fight to keep treating their workers as independent contractors while offering some new benefits. There, as here, the companies cast themselves as defenders of mostly minority workers who don’t want to be tied down, and plenty of drivers backed them up. As did the state’s NAACP, though its head [resigned](#) after it was revealed that those backing the measure [had paid \\$95,000 to her public affairs firm](#).

The tech companies clearly have the support of some workers who like things as they are. But that alliance [isn’t always as organic as it might seem](#). Using the time-tested tactics of corporations fighting union drives ([Hello, Amazon](#)), the companies press their cases with a captive audience of workers in no position to bargain on equal terms.

This week, Lyft sent an e-mail to drivers on the Massachusetts initiative which began, “As you may have heard, politicians across the country are under special interest pressure to pass laws that restrict drivers’ independence and flexibility. We’re doing everything we can to make sure you’re in control of when, where and how long you drive with Lyft.”

Well, when you put it that way...

Look, maybe it's naive to think we can hold back this receding tide. The gig economy makes a lot of people rich. Consumers are addicted to the convenience of ordering up cheap rides and warm takeout whenever they like. Plenty of people are fine with the fact that that means there will always be a bunch of drivers milling around unpaid and unprotected, waiting for us to summon them.

But if blue Massachusetts follows liberal California and approves the formal creation of a second-class workforce, the rest of the country will follow, as will other industries.

“This is a question of whether we are going to be a society that recognizes the dignity of work,” Liss-Riordan said.

Let's think long and hard about our answer.

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