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# Coronavirus bill includes sick leave, but not for gig workers

Leaving out this growing and critical category of workers will only exacerbate the risk of Covid-19 for all of us.

By Shannon Liss-Riordan, Updated March 15, 2020, 5:35 p.m.



*A sign marks the pick-up lane for Lyft in Denver. DAVID ZALUBOWSKI/ASSOCIATED PRESS*

Imagine you work 12 hours every day, behind the wheel, delivering countless strangers, packages, or food orders to their destinations in your personal vehicle — all while the coronavirus pandemic rages on and officials are advising people to practice social distancing. Now imagine doing this without the same protections traditional hourly or salaried employees receive, such as paid leave.

This is the position hundreds of thousands of people across the country find themselves in today, including tens of thousands here in Massachusetts, and this reality has the potential to exacerbate the crisis we are experiencing.

While the Covid-19 crisis may finally be leading federal policymakers to take action on a critical issue that workers have demanded for years — paid sick leave — that action has so far fallen far short. On Saturday, the House of Representatives passed legislation that would mandate two weeks of paid leave for workers affected by the crisis. The bill is far

from perfect, but most notably it leaves millions of people behind, as only traditional hourly or salaried employees would be covered. That means the huge number of workers across the country who are misclassified as independent contractors would receive no protection.

The Senate has an opportunity to fix this when it takes up the bill on Monday. Workers in the gig economy — including Uber and Lyft rideshare drivers, DoorDash, Postmates, GrubHub delivery drivers, and Amazon couriers — are on the frontline of this crisis, and if the bill is not amended to include them, then we are making a decision to leave them behind. We are saying that they don't deserve the basic protections being extended to everyone else.

Gig economy workers are among the most vulnerable workers who are not paid if they don't go to work. It is laudable that Congress may finally be able to agree on something — a measure to provide some relief to workers who will be affected by the coronavirus crisis.

But leaving out this growing and critical category of workers will only exacerbate the risk of infection for us all. Uber and Lyft drivers transport millions of passengers each day. Food delivery drivers bring meals, and Amazon couriers are handing us packages. If they get sick — and can't afford to miss work and stay home — the rate of transmission of this deadly virus will only increase more and we will not flatten the curve.

The gig economy has unjustly fought for years to keep their workers from being classified as employees. These companies claim they have ushered in a new era of work in which traditional employee protections are 20th century, old fashioned rules that are no longer needed. Today's crisis should make it abundantly clear that employment protections for all workers are more necessary today than ever before.

Some states — including Massachusetts — now require paid sick leave. But gig workers are not benefiting from these laws because they are not recognized as employees. In light of the coronavirus pandemic, I am filing emergency motions in federal court Monday asking that Uber and Lyft be ordered to follow state law and classify their drivers as employees so they will not lose pay if they feel ill and should stay home.

Moreover, workers shouldn't need to be diagnosed with Covid-19 to be eligible for sick leave pay. Limiting paid leave to those who have actually been diagnosed, as the House bill does, will do little to alleviate this crisis for workers when testing is so scarce. The whole point of paid sick leave is not only to allow ill workers to stay home and recover, but also to make it possible for employees to miss work if they are feeling sick so they don't risk spreading their illness to others.

The Senate should act where the House failed. We need legislation that won't limit this sick leave benefit to workers who have already been diagnosed with Covid-19. And we must not abandon gig workers who are now on the front lines and who have been deprived of the most basic employment protections for too long.

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