

***“This law harms everyone it touches.”***

WSJ Prints New Jobs’ Letter to Editor as the  
Sole Response to Its Editorial,  
*California’s War on Gigs*

## ***Gig Jobs Face Opposition Beyond California***

Regarding your editorial “California’s War on Gigs” (Aug. 30): California isn’t the only state to attack the gig economy. For 15 years, Massachusetts has suffered from the prototype for this legislation (MGL, Chapter 149, Section 148B), so we’ve learned a thing or two about how the innocuous-sounding ABC test works.

The teeth are in the B test, forbidding companies from contracting for work within the “usual course of business.” Nearly all Massachusetts ABC litigation arises from the B test, since its vagueness becomes highly elastic when interpreted by a judge.

Unions wish to prevent individuals from offering their services under contract to business and government at market prices. But solo workers offer no pot of gold for plaintiff attorneys since moms, retirees or skilled professionals wanting part-time work

make sympathetic witnesses in court.

Instead, developers of the B test crafted language to deprive individuals of buyers for their work. Contracting is the natural economic solution for meeting peak, emergency and overflow business demand, and for accessing specialists in all fields. It’s a reliable way to create new jobs.

Unions and their allies use the B test to force larger enterprises to overstaff or forego fluctuations in business demand. The law suppresses job growth that voluntary self-employment creates, and it makes all companies less flexible, less profitable and less innovative in serving customers. This law harms everyone it touches.

MIKE HRUBY

*President*

*New Jobs for Massachusetts, Inc.  
Boxborough, Mass.*

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*(For original editorial, please see next page)*