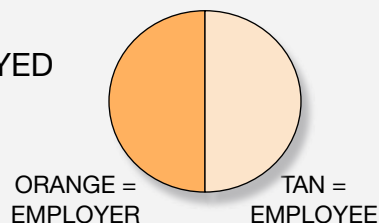


SUMMARY OF THE “BE MY OWN BOSS” ACT

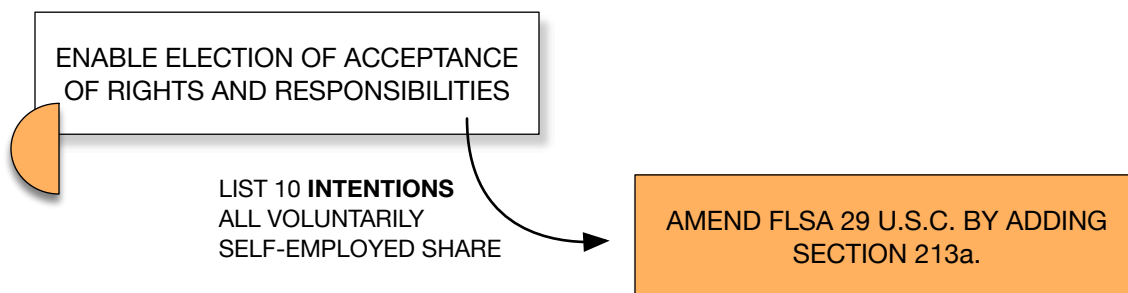
THIRD
DRAFT

The “Be My Own Boss” Act (BMOB) lets any willing American formally chose to work as their own boss. BMOB updates the 83-year old federal Fair Labor Standards Act of 1938 (FLSA). BMOB’s four provisions will **recognize the status of more than 50 million Americans who voluntarily wish to be self-employed.**

DISTINCTION: VOLUNTARILY SELF-EMPLOYED INDIVIDUALS HAVE TWO NATURES— AS AN EMPLOYER AND AS AN EMPLOYEE



The FLSA recognizes “employers” and “employees” but ignores self-employed individuals, who are **both** their own employer **and** their own employee. Here is how BMOB will fix this **major omission** in U.S. labor law.

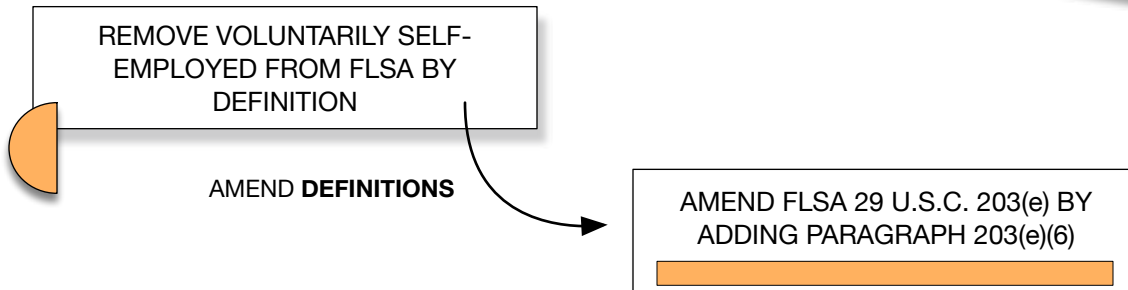


Most importantly, BMOB allows an individual voluntarily to choose to accept responsibilities:

“I elect to accept the following rights and responsibilities of self-employment:

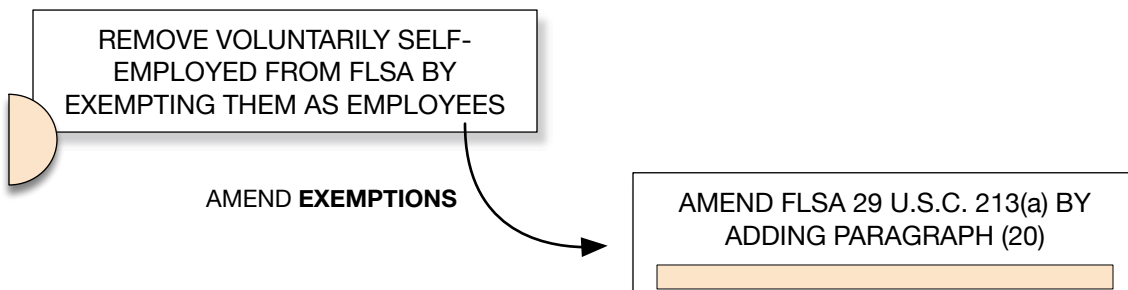
1. to employ myself under my self-employment number as a voluntarily self-employed person;
2. to set my own schedule;
3. to choose the contracts or projects I work on;
4. to direct the performance of my work;
5. to find work with which to employ myself;
6. to price my work;
7. to have the opportunity to make a profit or suffer a loss from my work based on my own initiative and investment;
8. to use my skills for the work I choose to undertake;
9. to equip myself to undertake work and complete it accordingly; and
10. to engage others under my SEIN as employees or contractors or another lawful arrangement if I so choose.

My election to self-classify as self-employed is made voluntarily under penalty of perjury.”



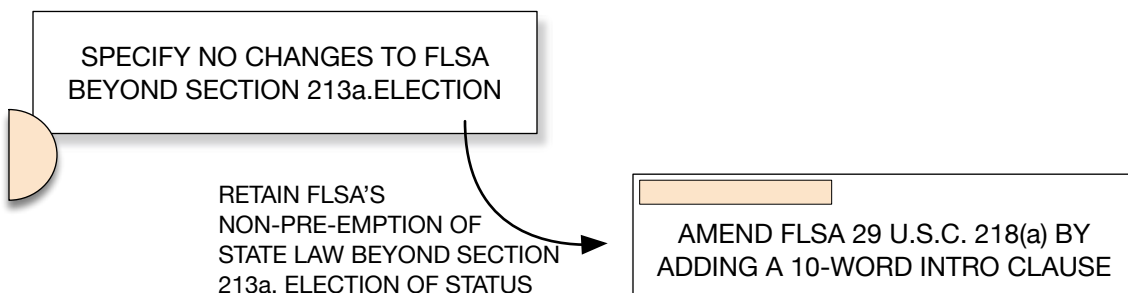
Next, BMOB excludes the employer half from labor law coverage in the Definitions section.

“(6) The term “employee” does not include individuals who have registered with the Administrator of the Wage and Hour Division as voluntarily self-employed under section 213a. of this title and while doing work as their own employer.”



Then, BMOB exempts the employee half from labor law coverage in the Exemptions section.

“(20) individuals who have registered with the Administrator of the Wage and Hour Division as voluntarily self-employed pursuant to section 213a. of this title and while doing work as their own employee.”



Finally, BMOB makes sure this choice of self-employment is recognized in all 50 states by modifying an administrative section of the FLSA, and prevails over laws like California’s AB5.

“(a) Except as provided for by section 213a. of this title....”

BMOB gives individuals full responsibility for pricing, contracting, scheduling, and conducting their work.

Note: The bill appears online in legislative drafting format at <https://www.newmassjobs.com/legislation/be-my-own-boss>.