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JOINT ENFORCEMENT TASK FORCE ON MISCLASSIFICATION AND PAYROLL

Upstream Liability Work Group

Recommendation for Task Force

Based on the Upstream Liability Work Group's research and discussion, the group has concluded it is not feasible to move forward with an Upstream Liability proposal at this time. However, to provide a disincentive for employers to intentionally misclassify workers and to create accountability, the group recommends that agencies investigate businesses and work with DOJ to prosecute those that violate misclassification laws, such as §§108.24(2) and (2m). The names of the businesses that are prosecuted will be public.