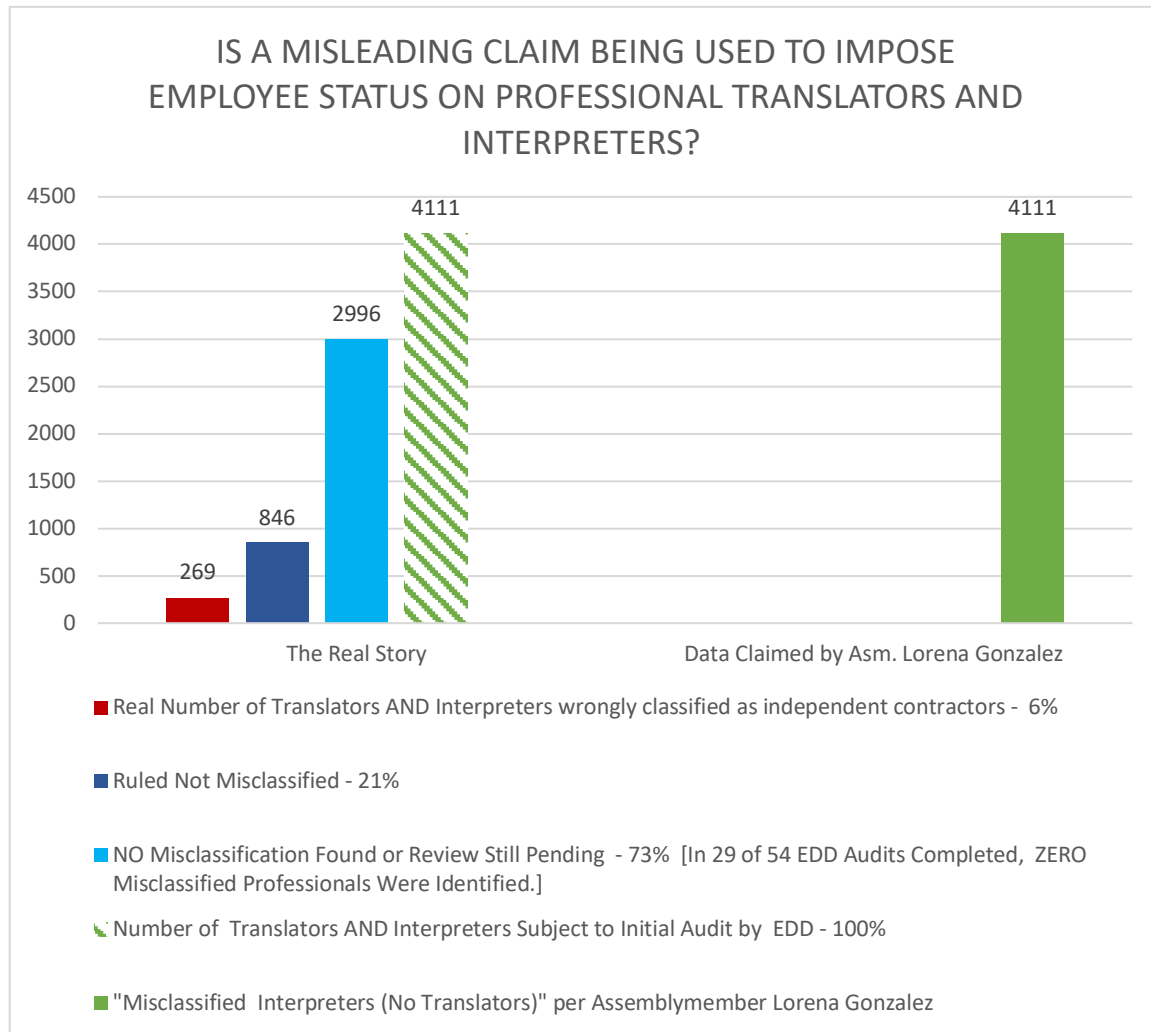




Coalition of Practicing Translators and Interpreters of California



*Because professional translators and interpreters often work for multiple language companies, it is likely that individual professionals may have been counted more than once by EDD.*

**CLAIM: 4,111 INTERPRETERS WERE FOUND TO BE MISCLASSIFIED OVER 5 YEARS BETWEEN FISCAL YEARS 14/15 AND 19/20.**

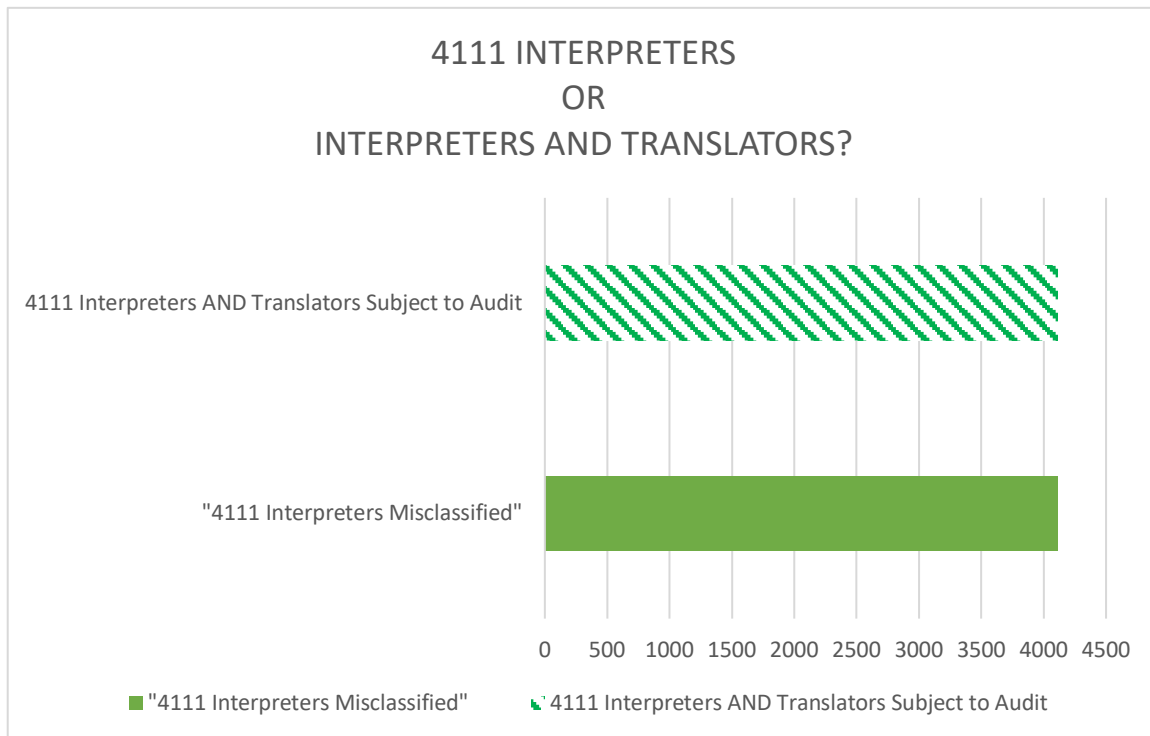
“We checked with EDD on past misclassifications: 4111 **interpreters** had been deemed misclassified in the last 5 years. 4111 people, individuals who through the EDD process were deemed misclassified under Borello. So that is one of the factors we look at. ... **Translators** which do written documentation **we didn’t find this misclassification.**”

– Source: Assemblymember Lorena Gonzalez, testimony before Assembly Labor Committee, May 20, 2020.

**FACT: 4,111 TRANSLATORS AND INTERPRETERS WERE SUBJECT TO AN INITIAL AUDIT BY EDD.**

There is NO DISTINCTION between interpreters and translators in data collected by the Employment Development Department (EDD). In addition, the determination of status was NOT final in 25 of 72 of cases.

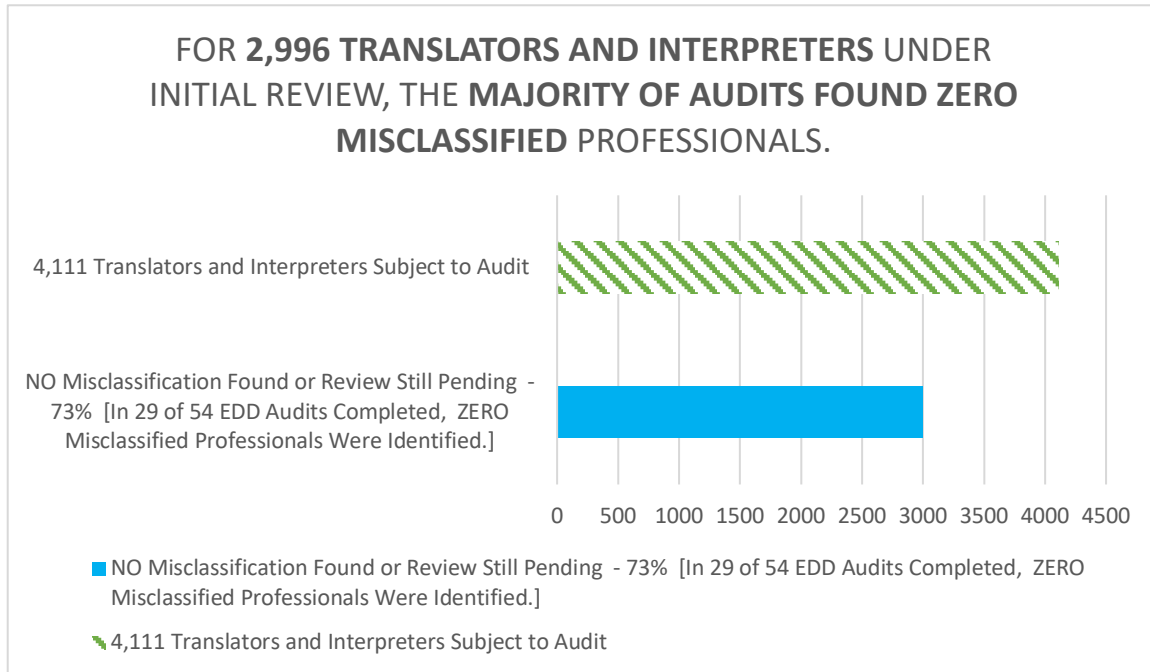
– Source: EDD, June 12, 2020



**FACT: FOR 2,996 TRANSLATORS AND INTERPRETERS UNDER INITIAL REVIEW, THE MAJORITY OF AUDITS FOUND ZERO MISCLASSIFIED PROFESSIONALS.**

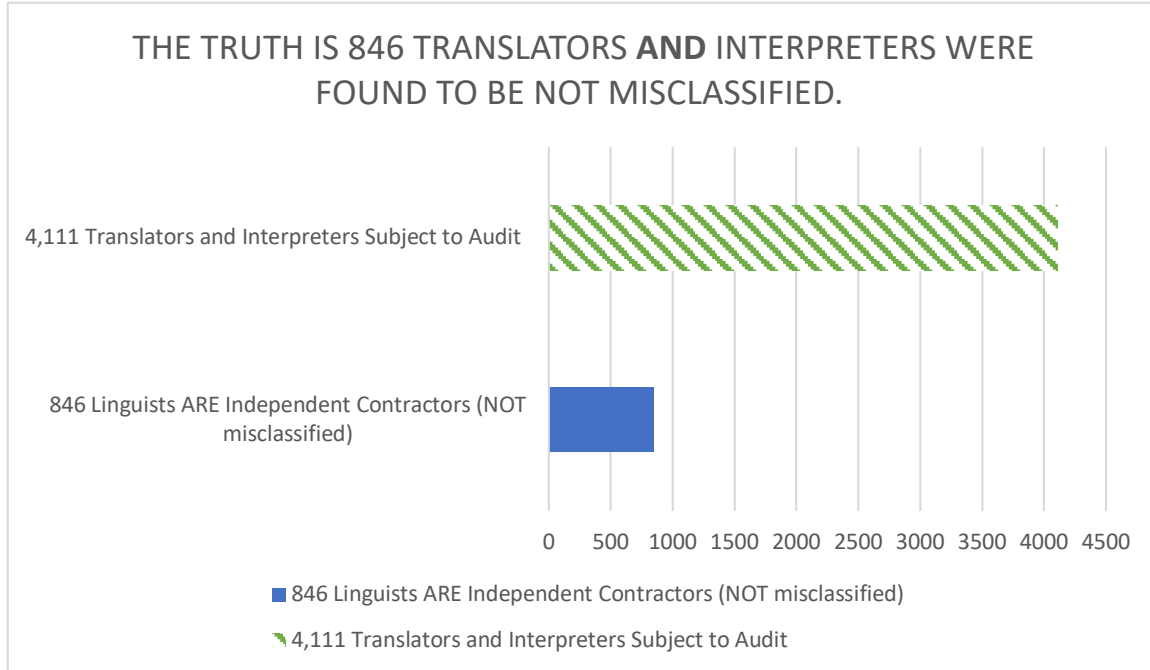
In 54 EDD audits, the classification of 2,996 translators and interpreters was reviewed. EDD data indicate that in 25 of those cases final determination is still pending. **But in 29 of those 54 audits, the majority of the cases, NO misclassified workers were found.**

The 2,996 workers considered in these cases, the majority of which found ZERO misclassification, constitute 73 percent of the total of 4111 workers. – Source: EDD, July 2020.



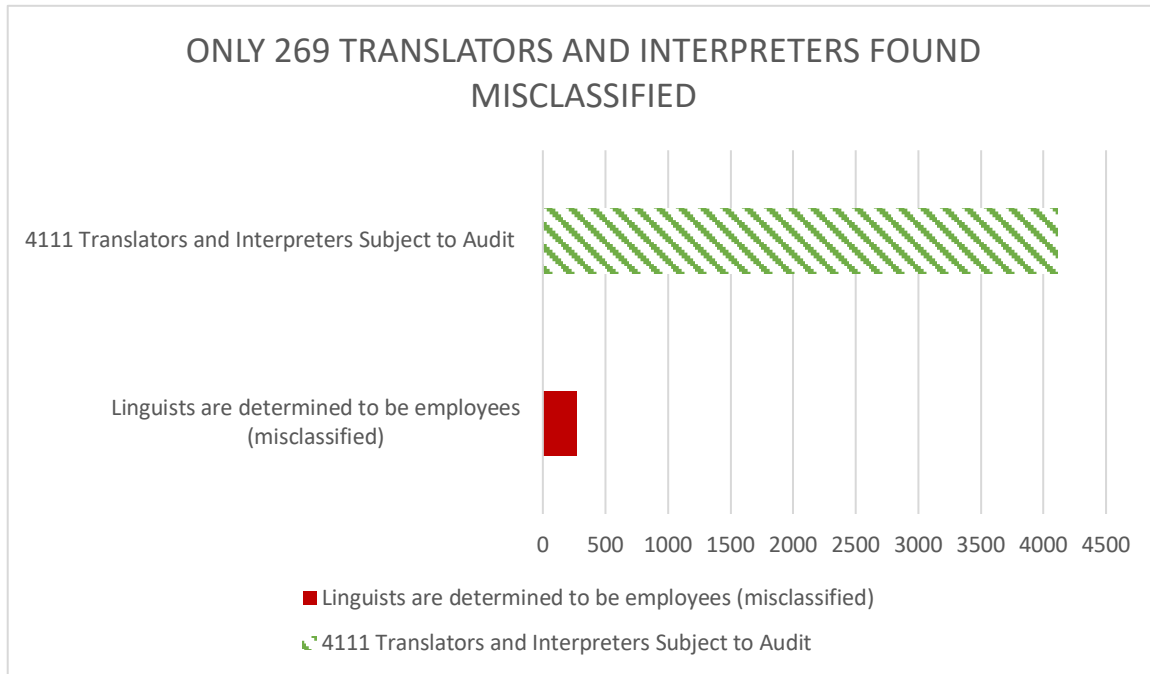
FACT: THE TRUTH IS **846 TRANSLATORS AND INTERPRETERS** WERE FOUND TO BE **NOT MISCLASSIFIED**.

That means, from 4,111 workers whose status was reviewed, 21 percent were officially determined to be independent contractors. – Source: EDD, July 2020



FACT: **ONLY 269 OF THE 4,111 TRANSLATORS AND INTERPRETERS UNDER REVIEW**  
ULTIMATELY RESULTED IN A FINDING OF **MISCLASSIFICATION**.

That means that of the 72 audits performed, **only 6 percent** of workers allegedly misclassified were indeed wrongly classified as independent contractors. – Source: EDD, July 2020.





Follow up questions to the EDD inquiry on numbers of interpreters found to be improperly classified over the last five years:

**Question:** Of 4111 audits of translation and interpreting companies, how many of the misclassified findings were translators, and how many were interpreters?

**Answer:** The EDD is unable to track the misclassified workers by classification.

**Question:** How many professionals were affected by those challenges?

**Answer:** 3,842 misclassified workers in 18 appealed cases

**Question:** How many of those audits were reversed?

**Answer:** As of July 17, 2020, 4 of the 18 appealed cases have been reversed. 846 workers were involved in the 4 cases that were reversed.

**Question:** Since the 4 audits performed in FY 19/20 yielded zero misclassifications, can you please inform how many of the remaining 68 audits yielded also zero misclassifications?

**Answer:** 29 of the 68 cases resulted in zero misclassifications