



Amendment to clean-up bill for AB 5 needed to protect professional translators and interpreters

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By Jennifer Santiagos, Special to CalMatters

Assembly Bill 2257 falls short of fixing the problems with AB 5, threatening to impose red tape on professional interpreters like me.

I remember the moment five years ago as if it were this morning.

I was driving down the freeway to my interpreting assignment, and I thought about my dad who had died six months earlier. My heart swelled with gratitude.

My dad, Paul Chipello, was a freelance professional piano player based in Northridge, and I sensed deeply that I was carrying on his legacy by using my skills as a certified health care interpreter to serve people with professionalism and kindness, just the way he did.

Growing up, I saw both my parents model for me the value of being self-employed. My mother, Diana, is a swim instructor, operating her own small business since I was 2. She and my dad pursued careers they loved with the flexibility to be present as parents and not pay for childcare.

Today my ability to carry on my family's tradition of self-employment is severely threatened by [AB 5](#), the new California labor law. Sponsored by Assemblymember Lorena Gonzalez, a Democrat from San Diego, [AB 5 sought to address](#) the problem of worker misclassification by companies such as Uber and Lyft. But it also sweeps up hundreds of other professions into its wide-reaching net, including interpreters and translators who have a decades-old history of being independent contractors.

Now [Assembly Bill 2257](#), a cleanup bill for AB 5, also introduced by Gonzalez, is in the state Senate. The author has made assertions about interpreters being misclassified that [don't stand up to fact-checking](#). The ultra-narrow exemption in this bill originally covered only "certified translators."

It still falls short, threatening to impose red tape on professional interpreters like me. That could make being an employee of someone else the only way we can do highly skilled work in California.

Shortcomings in the bill can still jeopardize the livelihoods of thousands of professional interpreters. We are a highly skilled, highly flexible professional workforce whose expertise [protects language service](#) for millions of Californians with limited English proficiency, about 20% of our state, in everything from access to emergency medical care to voting.

I learned Spanish as a second language beginning in 9th grade, majored in it in college and served for three years as a missionary in Nicaragua. In 2012, I became nationally certified by the Certification Commission for Healthcare Interpreters, a



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signal of expertise for interpreting in health care settings. Over the years, my clientele grew to include 30 to 40 language service entities that contract with me for intermittent two- to three-hour assignments.

As a freelancer, I set my own professional fees and cancellation policy. I decide which assignments to accept or decline. This allows me time to provide preventive self-care to manage bipolar disorder, which was diagnosed in college, and to care for my young family. I have contributed to a retirement account since I graduated from college and have always paid for private health insurance, which, thanks to the Affordable Care Act, [cannot cut me off for a pre-existing condition](#).

At least [75% of professional interpreters and translators](#) are independent contractors. Not only is our profession [built on this model](#), but also most language professionals greatly value the flexibility and variety this affords.

I am not misclassified or mistreated. I am on good, professional terms with interpreting agencies with whom I do business. Imposition of employee status knocks the wind out of my dream and destroys what I have built.

My ability to operate and [serve others with talent and credentials](#) developed at great cost over two decades now hangs in the balance. My family's livelihood is at risk, and our state's immigrant communities' access to language services, during the [added perils and barriers of COVID-19](#), is endangered.

I have invested months of advocacy with my state lawmakers, and I will not back down. Now is the time to amend AB 2257 and protect the independent contractor status in California for us: professional translators and interpreters. Fixing the bill with those four words can save my livelihood. The rest of the nation and even the world are watching. State senators must get this right.

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<https://calmatters.org/commentary/my-turn/2020/08/amendment-to-clean-up-bill-for-ab-5-needed-to-protect-professional-translators-and-interpreters/>