



OFFICE OF THE GOVERNOR

SEP 23 2018

To the Members of the California State Assembly:

I am returning Assembly Bill 2496 without my signature.

This bill would establish in statute the presumption that persons who perform services for janitorial employers are employees rather than independent contractors.

I share the Author's concern about protecting the most vulnerable workers as well as the general concern about providing clarity regarding worker classification. The California Supreme Court recently issued a significant decision establishing a new test to determine whether a worker is properly classified as an employee or an independent contractor, *Dynamex Operations West, Inc. v. Superior Court* (2018) 4 Cal.5th 903. The Administration and the Legislature are still reviewing this decision and any statutory changes to such tests would be premature.

Sincerely,


Edmund G. Brown Jr.