

*Mason v. Helping Our Seniors*, a federal appeals court, for purposes of federal anti-discrimination laws, reclassified approximately seventy independent contractors as employees. The individuals at issue provided in-home companionship, cleaning, and nonmedical care services to its clients. In so finding, the appeals court noted that the individuals at issue had oversight from the contracting entity, received substantial training from the contracting entity, completed a mandatory orientation checklist issued by the contracting entity, could be disciplined or discharged by the contracting entity, and received hourly wages from the contracting entity. Further, the independent contractor agreement between the individuals at issue and the contracting entity was not determinative of independent contractor relationship. A copy of the *Mason v. Helping Our Seniors* decision can be found here: [Mason v. HELPING OUR SENIORS, LLC, Court of Appeals, 5th Circuit 2023 - Google Scholar](#).

On January 10, 2024, the U.S. Department of Labor issued final regulations regarding Employee or Independent Contractor Classification Under the Fair Labor Standards Act. In the introductory section to the final regulations, the DOL noted that home health and personal care aides are particularly vulnerable to be misclassified as independent contractors. The final regulations can be found here: [2024-00067.pdf \(govinfo.gov\)](#).