



February 11, 2014

Senator Kevin Mullin
Chair of the Senate Economic Development Committee
The State House
115 State Street
Montpelier, VT 05633

Dear Senator Mullin,

I am writing to you to express concern regarding the new statutory definition of independent contractors proposed in S220. UPS proudly employs approximately 570 workers in Vermont, providing competitive pay, tuition reimbursement and industry leading health and welfare benefits to our employees. We are concerned about the unintended consequences of the new language which appears to loosen the law in Vermont by creating a new multi-factor Independent Contractor Test for the purposes of workers' compensation and unemployment insurance.

As an employee based company we feel this would create an un-level competitive playing field for companies that are following the law and appropriately categorizing their workers as employees. We are not against the legitimate use of contractors in business. However, we are concerned that making it easier for a company to classify a worker as an independent contractor benefits companies who substantially control their workers, but are not paying workers' compensation, unemployment insurance and other payroll taxes that are critical to your state revenue.

I would welcome the opportunity to discuss the matter further at your convenience and I ask you to please share this letter with the other members of your committee. Thank you in advance for your consideration.

Sincerely,

Mark E. Giuffre

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