

**CU
NY** | Immigrant
Student Success

 **NYSYL**C



NYU | LAW

Immigrant Rights Clinic

A Deep Dive into Independent Contracting Workshop

Thursday, April 6, 2023

**WHO WE ARE
NYSYLC.ORG**

UNDO CU MEET UP



Agenda

1. What is an Independent Contractor?
2. How to become an independent contractor?
 - a. Marketing yourself
 - b. For DACA recipients working as employees
 - c. Negotiating a job offer into independent contracting
3. Brainstorming Worksheet and Breakout Groups
4. Large Group Shareback



What is an Independent Contractor

An independent contractor is **self-employed and contracted** to perform work or provide services.

Because employers **don't have to check the work authorization** of independent contractors, it is a way for people who don't have a work permit to work.

Pros

- IC are their own boss
- Flexibility over their hours, clients, experiences, and earning potential
- Can claim tax deductions

Challenges

- IC don't have the same labor protections as employees
- Many employment relationships provide benefits that IC don't get such as min. wage, overtime, and paid vacation.

Who are Independent Contractors?

36%
of American
workers freelance



Truck Drivers



Writers



Yoga/Fitness Instructors



Artist/Designers



Construction Workers



Barbers/Beauticians



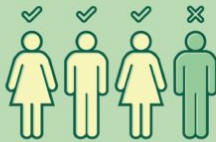
Healthcare Workers



Real Estate Agents



30%
of freelancers
chose to leave
a full time job



3 in 4
would like to
stay independent

Marketing Yourself as an Independent Contractor

Look for independent contracting postings!

Where?

- General job postings sites (Ziprecruiter, Indeed, etc.)
- Work posting sites specifically for independent contracting
- Community job posting boards

Look for: “independent contractor”, “1099” “contracting”

For folks with DACA working as an employee...

You can ask your company if you can turn your job into independent contracting

For folks with DACA, this is a good time to start thinking about becoming independent contractors. You have a work permit right now. Even if DACA ends in the future, as a contractor, they don't have to check your work authorization.

There is no perfect script to make it happen. How you do it and whether you can do it depends on your role, your workplace, and your supervisor.

For folks with DACA working as an employee...

You can ask your company if you can turn your job into independent contracting

Things to Keep in Mind

1. Ask for a higher rate to offset your own costs (health insurance, self-employment tax, etc.)

2. You don't have to think about it as the company doing you a favor. This benefits the company as well!

3. Every company is different. We might not get the outcome we're hoping for.

4. Advocating for yourself can be hard or terrifying. Consider practicing these conversations with friends and family!

For folks with DACA working as an employee...

You can ask your company if you can turn your job into independent contracting

Example Conversation

Remember, there is no script for doing this in the real world.

Negotiating job offer into independent contracting

There is no perfect script to make it happen. How you do it and whether you can do it depends on your role, the workplace, and the supervisor.

When? Typically after you get an offer or close to the offer stage

An employer cannot ask about the applicant's immigration status or citizenship during the hiring process

Evidence of work authorization is not required until after there is an accepted job offer.

Show:

1. Why this will **benefit the company**
2. Why this will **benefit you**
3. Why **this role** can be done by an independent contractor

Negotiating job offer into independent contracting

Benefits to the worker:

- Be your own boss
- Control over your own work
- Flexibility
- Tax deductions for business expenses
- Gain experience and skills to start your own business

Benefits to the employer:

- Only pay you for the work you do
- Flexibility in staffing
- Don't have to pay employment tax, or other benefits they may provide to employees like health insurance, and vacation pay

This conversation may be easier for roles where the worker has **more control & independence.**

Negotiating job offer into independent contracting

Example Conversation

Remember, there is no script for doing this in the real world.

Worksheet and Breakout Groups

We'll spend the first 10-15 minutes filling out Part 1 of the Immigrant Rising's Independent Contractor Brainstorming Worksheet

Groups

- 1. Negotiating job offer into independent contracting**
- 2. Converting job into independent contracting**
- 3. Brainstorming about monetizing skills as an independent contractor**
- 4. Making income besides being an independent contractor**
- 5. Reflecting about making income and being undocumented**

Breakout Group Shareback

Groups

- 1. Negotiating job offer into independent contracting**
- 2. Converting job into independent contracting**
- 3. Brainstorming about monetizing skills as an independent contractor**
- 4. Making income besides being an independent contractor**
- 5. Reflecting about making income and being undocumented**



Thank you for joining our event!

We hope it was helpful! Please fill out the feedback survey, which you will receive by email tomorrow.