

Submitter: Thomas Busse  
On Behalf Of:  
Committee: Senate Committee On Rules  
Measure, Appointment or Topic: SB1166

As a tax accountant who used to volunteer to prepare tax returns under the IRS/VITA program for rideshare drivers, I have a better idea: classify rideshare drivers as Statutory Employees.

The IRS actually recognizes four classifications of employment: Common Law Employee, Statutory Employee, Independent Contractor, and Statutory Nonemployee. Classifying rideshare drivers as common law employees, as this bill does, is unfair to all parties. The correct classification is Statutory Employee without salary minimums, which is an already existing hybrid between common law employee and contractor.

In a statutory employee relationship:

1. Employee and Employer share the FICA payroll tax
2. No unemployment tax
3. Employee sets his/her own hours
4. Employees have option to unionize with security agreement
5. Employee deducts business expenses (car depreciation, gas, etc.) in addition to standard deduction
6. Employer may elect to provide worker's compensation benefit in exchange for liability shield but this is not mandatory
7. Employee may contribute to a SIMPLE Ira with higher contribution limits.
8. Employee may elect to voluntarily contribute to Paid Leave Oregon coverage

I hope this proposal gets serious consideration because it is the best for all parties involved.