



**Coalition of Practicing
Translators & Interpreters
of California**

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Will Language Service Professionals Be

UNDONE by AB 5?

What California Lawmakers and Staff Need to Know About the Independence of Our Work and Keeping It In California

Interpreters and translators, along with voice-over and subtitling professionals, are part of the diverse and growing field of **language services** in California. We number more than 5,000 throughout the state, in every county, and contribute an estimated **\$1.7 billion** annually to the California economy.

As translators and transcriptionists, we perform our work in writing. Interpreters communicate verbally, in real time. Some professionals do both as well as voice-over or subtitling work. We are in the private and public sectors, operating anywhere people need to overcome language barriers. We run thousands of small businesses. For the most part, we operate as independent contractors and have done so for decades. We set our own hours and our own rates, choose the work we undertake and how to fulfill it, and enjoy broad discretion in the tools, resources, and strategies we use. We have notable professional associations, the largest of which, the American Translators Association (ATA), has supported an exemption.

1) AB 5, to combat misclassification of California workers, threatens to impose a presumptive employee status on language service professionals. The law lacks an explicit exemption for us that state lawmakers did confer on other occupations with a similar tradition of autonomy.

2) The employee designation would apply even to translators or interpreters in California who take one assignment a month, or two a year, from a hiring entity. For many, enforcement of the new law under current terms would result in being an employee of 10 to 20 different entities or more, which is utterly impracticable.

3) The independence of language service professionals has strong footing in state law. For instance, the **California Unemployment Insurance Appeals Board held as recently as July 2019 that interpreters greatly value their independence and ruled that they are “deemed to be contractors and not employees.”**

4) Language service professionals in California are **already losing business due to the lack of an exemption of the law, which takes effect Jan. 1, 2020**. Hiring entities are sending letters to contractors in the state canceling work: According to one such letter, “we’re unfortunately unable to work with freelancers based in California... **If you happen to move out of California...please let us know.**”

5) Failing to exempt language services from the law is not only cutting off work in the state, but is also driving work out. This disincentive to skilled work in our state is corrosive to the integrity of our fields and hurts us, our families, and our communities.

6) Many language service companies in California are women-owned sole proprietorships or small businesses operated by people of color. Jeopardy to the contributions and economic inroads by these leaders is a troubling factor we now face.

7) **We ask for a remedy:** State legislation that respects the independence of our professions and completes the exemptions. As we noted, time is of the essence.

CoPTIC includes leaders from every segment of language professions throughout the state. We are poised to work with lawmakers and staff to address this need.

Coalition of Practicing Translators & Interpreters of California

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