

Are Contractor Agreements Not Worth the Paper They're Printed On?

A recent ruling in an Alabama federal court illustrates how having a valid independent contractor agreement is not necessarily an impenetrable magic shield automatically rendering misclassification claims null and void, according to Fisher Phillips' **Gig Employer Blog**.

Partner **Richard Meneghello** describes the case in which a company's former worker claimed that he faced discrimination on account of his race, gender, and age during his three months on the job. The company, however, countered that the plaintiff had been an independent contractor and did not have legal standing to bring employment discrimination claims under Title VII or the ADEA.

The company also cited an independent contractor agreement, confirming that the worker was a contractor and had no employment rights. The plaintiff cited work requirements that would have been appropriate for an employee.

"When the two were compared—the world contained in the contractor agreement against the reality as alleged by Nemo's complaint and evidence—the court found inconsistencies that led it to rule in [the plaintiff's] favor," Meneghello writes.

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