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Webcast: U.S. DOL's Independent Contractor Proposal: What It Says and Next Steps

Webcasts | March 12, 2026

On February 27, 2026, the U.S. Department of Labor issued a proposed rule addressing independent contractor and employee status under the Fair Labor Standards Act and Family and Medical Leave Act. Our lawyers discuss what is in the proposal, how it came about, and how to participate in the rulemaking.

PANELISTS: Michael Holecek is a litigation partner in Gibson Dunn's Los Angeles office, where he focuses on labor and employment and consumer class actions. He regularly advises companies on independent contractor issues in the gig economy, technology, transportation, and healthcare industries, and he has defended some of the nation's largest misclassification cases, including a case involving 1.1 million independent contractors. **Andrew G.I. Kilberg** is a litigation partner in Gibson Dunn's Washington, D.C. office, and a member of the firm's Labor and Employment, Administrative and Regulatory, and Appellate and Constitutional Law practice groups. Andrew served as Counselor to Secretary Eugene Scalia at the U.S. Department of Labor from 2019-2021, when the Department first issued a rule addressing independent contractor status under the Fair Labor Standards Act. He has significant experience challenging onerous federal regulations, advising on regulatory proposals, and defending agency enforcement actions and investigations. © 2026 Gibson, Dunn & Crutcher LLP. All rights reserved. For contact and other information, please visit us at www.gibsondunn.com. Attorney Advertising: These materials were prepared for general informational purposes only based on information available at the time of publication and are not intended as, do not constitute, and should not be relied upon as, legal advice or a legal opinion on any specific facts or circumstances. Gibson Dunn (and its affiliates, attorneys, and employees) shall not have any liability in connection with any use of these materials. The sharing of these materials does not establish an attorney-client relationship with the recipient and should not be relied upon as an alternative for advice from qualified counsel. Please note that facts and circumstances may vary, and prior results do not guarantee a similar outcome.

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