

INSERT ON YOUR LETTERHEAD

DATE

The Honorable (Insert Name)
State Capitol
Sacramento, CA 94249

Dear (Senator or Assemblymember _____):

As a family child care business provider that supports working families in (INSERT COUNTY) I respectfully ask that an immediate legislative remedy be identified to remove the application of a recent court ruling be applied to child care providers. If a legislative remedy is not secured, then at least a half to two-thirds of the allocated 192,000 child care slots that were just funded in the 2018-2019 budget package will need to be eliminated.

As a family child care business, it is simply not right to force me to either become an “employee” of someone else or put me out of business. Through no fault of my own I am pushed into scenario.

Specifically, on April 30, 2018, the Supreme Court issued *Dynamex Operations West v. Superior Court* to reclassify independent contractors as employees. The ruling was focused on addressing the misclassification of independent contractors in “gig” economies; however it appears to apply to our independent child care providers that support working poor families.

For fiscal year 2018-2019, the California Legislative Women’s Caucus (LWC) made it the top priority to secure more child care slots for working families to access¹. As justification in making child care the priority, the LWC noted a recent report estimated that six out of seven children eligible for subsidized child care in California did not receive services from state programs; the estimated number of children eligible for subsidized childcare is 1,479,000². *Dynamex* takes away all of the gains made in recent years.

I am part of California’s child care delivery system. I do not consider myself as part of a “gig” economy and therefore the *Dynamex* decision ought not to apply. The California legislature must immediately act and remedy or risk the harm that will befall on tens of thousands of working families that will lose their child care.

Sincerely,

¹ <http://womenscaucus.legislature.ca.gov/sites/womenscaucus.legislature.ca.gov/files/PDF/LTR%20-%20LWC%20budget%20Gov%205.7.18%20Final.pdf>

² <https://calbudgetcenter.org/resources/1-2-million-california-children-eligible-subsidized-child-care-not-receive-services-state-programs-2015/>