

Comparison of the Oregon Interagency Compliance Network with current Washington activities.

Oregon Interagency Compliance Network	Washington
Work to establish consistency in agency determinations relating to worker classification.	In 2008 the Washington State Legislature attempted to create a common definition for an independent contractor. Engrossed Substitute House Bill 3122 created a common definition for independent contractors in the construction industry. The bill did not address a common definition beyond the construction industry.
Gather and share information relating to persons who pay workers in cash and who do not comply with laws.	Labor and Industries, Department of Revenue, and Employment Security all share audit data on all audits that are conducted including employers who pay cash, don't report, or misclassify employees as independent contractors.
Gather and share information relating to the misclassification of workers, including misclassification as independent contractors.	Labor and Industries and Employment Security share audit data on a quarterly basis that includes employers who misclassify workers as independent contractors.
Develop investigative methods for auditing persons.	Labor and Industries, Department of Revenue, and Employment Security meet on a quarterly basis to discuss best practices, data mining techniques, and evaluate the usefulness of previously shared audit data.
Conduct joint audits.	Labor and Industries, Department of Revenue, and Employment Security have conducted joint audits in the past. It was determined that agencies could conduct more audits when acting independently and sharing findings that indicate a benefit for further investigation by the other agency.
Identify opportunities for and obstacles to improving compliance with laws.	The Employment Security Department submitted request legislation to the Governor's office including a provision for employers who knowingly fail to register with the department would be subject to additional penalties of up to \$1,000 or double the taxes due per quarter, whichever is higher. The penalty does not apply if the employer had good cause to believe registration was not required.
Create a coordinated enforcement process.	Labor and Industries, Department of Revenue, and Employment Security work together sharing audit and collections information. When an agency is unsuccessful in obtaining an employer's records or collection information, the records/information is

	often obtained from another agency.
Engage in public outreach efforts on the distinctions between independent contractors and employees and laws on classification of workers.	<p>Labor and Industries (L&I), Department of Revenue (DOR), and Employment Security (ESD) conduct outreach efforts on a regular basis.</p> <p>Labor and Industries hosts a Contractor Training day in various locations across the state. Classes on tax training are presented to contractors by all three agencies.</p> <p>All three agencies also work together to conduct new employer workshops across the state as well.</p>
Take other action to improve compliance with laws.	The Department of Labor and Industries, Department of Revenue, and Employment Security Department work together on proposed legislation. The agencies continue to discuss legislation that would be of benefit to each other.
Enter intergovernmental agreement for coordinating efforts.	Labor and Industries, Department of Revenue, and Employment Security have data sharing agreements in place and exchange data and coordinate efforts regularly.