

The National Writers Union Urges Gov. Pritzker To Sign Legislation Protecting Freelance Workers' Pay

Chicago IL, 28 June 2023 — The National Writers Union today called on Illinois Governor J.B. Pritzker to sign a proposed new law designed to protect freelance writers, graphic artists, photographers, online content providers, website designers and numerous other contract workers from being cheated out of all or part of their pay.

The president of the Writers Union, Larry Goldbetter, urged Governor Pritzker to sign the Freelance Workers Protection Act (FWPA), which is sitting on his desk awaiting his signature. The legislation, HB 1122, was passed this Spring in both the Illinois Senate and House of Representatives. The effort to pass the legislation in Illinois was led by NWU with lobbying help from the Illinois-based Joint Council 25 of the International Brotherhood of Teamsters.

“If Governor Pritzker signs the bill quickly, Illinois will become the first state in the Union to enact specific legislation requiring that freelance workers get paid for their work,” Goldbetter said. A similar bill has passed this year in both legislative houses in New York State but is still being considered by Governor Kathy Hochul.

In Illinois, the chief sponsors of the legislation to protect freelance workers (HB 1122) are: State Representative Will Guzzardi (D-Chicago) and State Senator Cristina H. Pacione-Zayas (D-Chicago).

In his letter to Gov. Pritzker, Goldbetter noted that “freelancers make up more than a third of the workforce in the United States.” He added that, according to one study, more than 70 percent of freelancers have reported experiencing late or non-payment, and some lose thousands of dollars each year to wage theft.

If HB 1122 is signed by the Governor, it will take effect as of July 1, 2024. The new law, Illinois FWPA, will provide freelancers with the right to a written contract outlining the scope of the work, pay rate, and payment method.

The new law will require that clients pay their freelancers within 30 days of completion of work specified in a contract unless otherwise agreed upon. It also empowers the Illinois Department of Labor to help resolve claims by unpaid freelancers.

It also contains anti-retaliation and “double damages” protections, where freelancers who are victims

of underpayment are entitled to damages equal to at least double the unpaid amount originally specified in their contract.

“Freelance workers are workers, entitled to full payment for their work. And considering the majority of freelancers report that they live ‘paycheck to paycheck,’ we need these statutory protections to help people stay afloat,” said Rep. Will Guzzardi on May 11, after the bill was passed by the Illinois Senate.

“Without legal protections, contracting entities can exploit their freelance workers by not paying them on time for what they are owed, or bargaining with them to accept a lower wage than they deserve,” Senator Cristina Pacione-Zayas said after Senate passage of the bill. “Practices like this need to be put in check. This legislation will enshrine these basic workers’ rights for freelance employees in our state,” she added.

Earlier this year, the National Writers Union and its Freelance Solidarity Project led a two-year effort to get both houses of the New York State Legislature to pass a bill similar to Illinois’ FWPA. In New York, the bill is entitled Freelance Isn’t Free. Other labor unions and organizations representing freelance workers supported passage of the NY bill. They included The Authors Guild, the IBT, the Graphic Artists Guild, National Press Photographers Association, American Society of Media Photographers.

In 2017, New York City passed the Freelance Isn’t Free Ordinance to protect freelance workers. The NYC’s Department of Consumer and Worker Protections enforces the ordinance. Since that 2017 ordinance was passed, NYC freelance workers have collected more than \$2.5 million in late and unpaid compensation for hundreds of freelance workers.

NWU’s president, Larry Goldbetter, said that similar efforts to pass legislation to protect freelance workers are underway in other cities throughout the nation. Los Angeles passed a similar law in March, which will become effective this July 1, 2023. It also was passed on May 1, 2023, in the City of Columbus, Ohio. The effort to win passage of the bills in Los Angeles and Columbus was spearheaded by the National Writers Union.