To Whom it May Concern:

My name is Rick Antezana, and I’m a partner at Dynamic Language, a Seattle-based language service company, and I am also the president of the Association of Language Companies, a U.S.-based national trade association made up of companies that provide language services, like translation, interpretation, narration, and more.

I’m writing today to address the issue of worker classification, which has become increasingly contentious and misunderstood over the past few years.

From the perspective of industry insiders – of which I consider myself to be one, having worked at a language company for over 27 years, and participated in multiple industry associations for over 20 – it is entirely appropriate to classify linguists (like translators and interpreters) as independent contractors and not exclusively as employees.

Most companies in the industry classify their workers as independent contractors, and the workers themselves – including Ted Wozniak, president of the American Translators Association – have publicly and clearly stated their preference to be classified as independent contractors and not exclusively as employees. For reference, the ATA has been the largest trade association of interpreters and translators worldwide since its establishment in 1959, and the opinions of their representatives cover both interpreters and translators, neither of which groups have a majority preferring to work as employees.

The numbers support the assertions above. A recent industry survey conducted by the ALC determined that 81% of all interpreters and translators working in the United States work as independent contractors. A survey from the American Translators Association from the early 90’s also shows that more than 75% of interpreters and translators work as independent contractors.

Another section of the industry that is important to consider are the workers who interpret American Sign Language (ASL), almost all of whom work exclusively as independent contractors. The Registry for Interpreters of the Deaf (RID) is an association dedicated exclusively to support independently contracted ASL linguists and the RID was founded in 1964, further illustrating the long-standing industry standard practice of linguists working as independent contractors for well over the past 50 years.

The data shows that the language industry’s relationship with linguists as independent contractors has been established both as a long-standing practice and one where a significant majority of industry workers are currently classified in that manner.
Some misguided people have tried to compare linguists with commoditized “gig economy” workers, like ride-share drivers or other types of temporary workers. However, it is critical to realize how incorrect that assertion would be, since translators and interpreters are highly trained professionals who have high standards and requirements to be able to adequately perform the work.

It is much more accurate to say that linguists should be classified as “knowledge economy” workers, since the barrier for entry into performing their duties is so much higher than the “gig economy” jobs since, for example, anyone with a clean background check, a late-model car, and a driver’s license, can drive for any ride-share service. Translators and interpreters are not a commodity, and by comparison, perform work in critical and high-risk (sometimes life-critical) areas like translating content for pharmaceutical products and medical devices, or interpreting for government officials, in emergency rooms, and in court.

If it were to become mandatory to classify workers as employees, there would likely be widespread negative impacts that would affect not only language companies, but society as a whole. The added cost of providing full benefits to every single contractor would likely put many LSCs in danger of going out of business, or force relocation of operations to another state or country.

Further, a worker classification mandate would also be a major disruption for the 4th fastest-growing industry in the US, with a steady growth projection of over 6% per annum. Over 80% of that revenue comes from around 6,000 small businesses.

The fact that language service companies are found in almost every sector of the economy—from medical to government, technology to legal, education to finance—means that a worker classification mandate to an employee-only model would also result in major implications for hospitals, courts, schools and universities, government offices, military bases and others who depend on language services.

This reduction in available services would drastically impact vulnerable populations in the U.S. including immigrants and refugees throughout the country.

The only logical solution is to treat the workers of the language industry primarily as independent contractors, with the qualifying possibility that companies choosing to work in an employee model, can do so if they’re exclusive and consistent with their employment policies (not mixing their worker base with both employees and independent contractors).

Sincerely,

Rick Antezana