

**UNDERGROUND ECONOMY AND EMPLOYEE
MISCLASSIFICATION TASK FORCE MEETING**

Tuesday, August 12, 2014

9:00am

**1511 Pontiac Avenue, Bldg 70, 2nd Floor Conference Room
Cranston, RI 02920**

In attendance:

Charles Fogarty, DLT Director - Chair

Genevieve Allaire Johnson, Attorney General's Office Designee

Phil D'Ambra, representing David Sullivan, Tax Administrator

**Joseph Degnan, Assistant Director DLT Workforce Regulation and
Safety**

George Salem, Associate Judge, Workers' Compensation Court

Not in attendance:

**Major Todd Catlow, Commissioner of the Department of Public Safety
Designee**

George E. Healy, Jr, Chief Judge of Workers' Compensation Court

Paula Pallozzi, Department of Business Regulation

**Also in attendance were Matt Weldon, DLT Assistant Director and
Sean Fontes, DLT Executive Counsel.**

1.) Call to Order: The meeting was called to order at 9:04am by DLT Director and Chair, Charles Fogarty. There is a quorum.

2.) Approval of the Previous Meeting's Minutes: George Salem made a motion to accept the minutes to the previous meeting of July 15, 2014 as presented; seconded by Genevieve Allaire Johnson; and passed unanimously.

3.) Employer Education / Outreach:

Informational Flyer: In conjunction with the Division of Taxation and DLT, an informational flyer that will be included in mailings has been drafted and was reviewed by the task force members. The mailing is scheduled for early September.

Phil D'Ambra (Taxation) informed the task force that a website is being worked on and recommends adding a link for task force information to existing websites.

It is also noted that the actual "hotline" telephone number is not available yet.

With the exception of the web information and the hotline telephone

number, Joseph Degnan made a motion to approve the flyer as presented; seconded by George Salem and passed unanimously.

Seminars: Phil D'Ambra informed members that the dates for seminars could not be confirmed with CCRI until the end of August as they are working on their own class scheduling. December and/or January appear to be the earliest possibilities. It is noted that the seminars would be taking place at all CCRI locations.

Taxation will prepare an agenda and have a draft available for review at the next meeting.

DLT Director Fogarty recommends the seminars be video taped and be made available online.

The next tax form will be going out in December and a notice flyer can be included.

DLT Assistant Director, Matt Weldon, informed the task force that he will reserve space in quarterly mailings for task force information.

****Phil D'Ambra distributed the 2013 Annual Report for the Massachusetts Joint Enforcement Task Force on the Underground Economy and Employee Misclassification. The Massachusetts task force has existed since 2008.**

4.) Data-Sharing Report: DLT Executive Counsel Sean Fontes addressed the task force. Counsel Fontes has reached out to the legal units of the member agencies and has received the State and Federal statutes that may be impacted. Counsel Fontes will draft a memorandum of understanding of how to handle shared data. The draft will be available at the next meeting.

5.) Public Comment Period:

Attorney Gregory Mancini addressed the task force. Mr. Mancini expressed agreement with the task force on the need for definitions of terms. Mr. Mancini noted that simpler is better. Mr. Mancini also informed the task force of a “misclassification” complaint that he had filed with DLT that came back to him as a “wage” complaint and noted that as more complaints come in this may be confusing. DLT Director Fogarty later noted that the department will internally look at “misclassification” vs. “wage” complaints.

Mr. Mancini also inquired if the Contractor’s Registration Board was part of the task force. The Contractor’s Registration Board is not part of the task force. Director Fogarty recommends reaching out to CRB to inform them of future meetings.

6.) Adjournment: A motion to adjourn was made by Genevieve Allaire Johnson and seconded by George Salem. There being no opposition, the meeting adjourned at 9:23am.