

Patch this loophole in NYC's freelancer law

Employers who don't pay can hide their dirty deeds

By Joanne Cleaver




Photo: Flickr/Rich Orris

Thirty years ago, on a first-generation listserv for freelancers, a brand-new writer enthused about her overwhelming love of writing. “What is your favorite thing to write?” she gushed to the group. “Invoices,” I typed back.

She was not amused: my business-first approach to building a lifelong career as a freelance business journalist, and now, as a content strategist, project manager and writer, was an insult to those who wrote purely for the love of it. She shared her indignation with many extraneous exclamation points (one is sufficient!).

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Contrary to the pretensions of those who want to make a living producing only what they please, successful freelancing in any industry pivots on practice management. If you write (or design, or code) for a living, you must invoice and collect what is due you.

With [about 36%](#)  of Americans making all or part of their living from freelance and contract work, prompt payment in full is essential for it to realize its potential as an economic development engine. Cities and rural areas that hope to attract highly paid professionals who can bring their jobs with them would be wise to advocate for freelancers' rights. Universal broadband is important, but to realize the collective economic power of independent workers, cities and regions should adopt an improved version of New York City's [Freelance Isn't Free Act](#), which took effect May 15, 2017.

In the 12 months that followed, 77% of the 264 freelancers who initiated proceedings through the Department of Consumer Affairs were paid once their clients were notified of the complaint.

I was not among them. My experience pursuing payment from a once-valued client illustrates how the Freelance Isn't Free Act can be improved into model legislation that other cities and regions should rapidly adopt if they are serious about cultivating the freelance economy.