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# california supreme court holds that *dynamex* abc test applies retroactively

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Jeremy Mittman & Hilary Feybush  
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On January 14, 2021, the California Supreme Court in *Vasquez v. Jan-Pro Franchising, Inc.*, 2021 WL 127201 (Cal. Jan 14, 2021) held that its landmark April 2018 *Dynamex* decision for determining independent contractor status applies retroactively. This question was posed to the California Supreme Court by the Ninth Circuit after it withdrew its May 2019 holding that the *Dynamex* test applied retroactively.

In *Dynamex Operations West, Inc. v. Superior Court* (2018) 4 Cal. 5th 903, the California Supreme Court adopted the "ABC test" of which a company must satisfy all three parts to classify workers as independent contractors under California's wage orders. Under the three-part test...

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Jeremy Mittman

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