

Rachel Demarest Gold Employer Risk Alert: 1099 Misclassification & Boar's Head Appellate Win

FEATURED ATTORNEY



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Abrams Fensterman, LLP is proud to share that Partner and Director of the [Employment & Labor Law Practice](#), **Rachel Demarest Gold**, has been featured in *amNY Law* with her latest **Employer Risk Alert**: “[You Can't 'Choose' a 1099, and the 'Boar's Head' Decision](#).”

Rachel delivers a clear message to employers: **worker classification is not a business preference, it is a legal determination subject to rigorous, multi-agency scrutiny.**

The article highlights our firm's [appellate case involving Boar's Head Provisions](#), where the court revived Labor Law claims brought by distributors despite their designation as “independent contractors.” The decision reinforces a critical point under New York law: when a company exercises meaningful control over how work is performed, classification as an independent contractor may not withstand legal challenge.

Key Takeaways for Employers:

- Misclassification risk is rising—and actively enforced
- Labels alone do not determine independent contractor status
- Written agreements with freelancers are now mandatory statewide

Read [Rachel's full article as published in amNY Law](#).

Boar's Head Case Coverage & Employer Risk Guidance

This latest feature adds to the growing media presence, including coverage in the [New York Post](#) and the [New York Law Journal](#), particularly following Abrams Fensterman's litigation success on behalf of distributor clients in the Boar's Head matter. Read more about the [Boar's Head worker misclassification](#)

case.

Rachel Demarest Gold, Esq. is a Partner and Director of Abrams Fensterman's **Employment & Labor Law Practice**, representing clients in complex workplace and misclassification disputes. As part of the firm's ongoing **Employer Risk Alert** series, Rachel continues to provide practical, real-time guidance to help employers navigate evolving labor and employment risks. She is counsel in the firm's Boar's Head distributor litigation, a closely watched case involving independent contractor classification and control.

Contact Our Law Firm

For more information about Abrams Fensterman's **Employment & Labor Law Practice Group**, please contact **Rachel Demarest Gold, Esq.**, Partner and Director, at **(516) 328-2300**, rgold@abramslaw.com, or visit www.abramslaw.com.