

[Blogs](#)

January 20, 2021

Wage & Hour Developments

California's Supreme Court Confirms the Retroactivity of the ABC Test Established in the 2018 Dynamex Decision

On January 14, 2021, the California Supreme Court decided *Vazquez v. Jan-Pro Franchising International, Inc.* The decision holds that the ABC test used to determine independent contractor versus employee status for purposes of California's Wage Orders, announced in *Dynamex Operations West, Inc. v. Superior Court* (2018) 4 Cal.5th 903, applies retroactively. [Read the full update on PerkinsCoie.com.](#)

Authors



[Heather M. Sager](#)

Partner

HSager@perkinscoie.com [415.344.7115](tel:415.344.7115)



[Jill L. Ripke](#)

Senior Counsel

JRipke@perkinscoie.com [310.788.3260](tel:310.788.3260)

Explore more in

[Labor & Employment](#)

Blog series

Wage & Hour Developments

The regulatory landscape, appetite for administrative agency enforcement, and judicial interpretations related to wage-and-hour issues are rapidly evolving. Our blog is a one-stop resource for federal- and state-level updates and analysis on wage-and-hour-related developments affecting employers.

[View the blog](#)