

# Andrew S. Berns Quoted In Law360 Article, "Fear Reigns That NJ Crackdown Might Bruise Employers"

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By Jeannie O'Sullivan

Management-side employment lawyers say it's no coincidence that the heightened enforcement comes as Murphy scrambles to replenish the record \$8.5 billion in unemployment and extended unemployment benefits the state has paid out from its own coffers since the pandemic hit in March 2020. That figure doesn't count the federal unemployment benefits the state administers.

"They can call it employee protection all they want, and to some extent it makes sense," says [Einhorn Barbarito Frost & Botwinick PC](#) partner [Andrew S. Berns](#), chair of the firm's commercial litigation and employment practices.

But on the other hand, Berns said, it boils down to revenue for the state in the form of unemployment compensation fund tax and other costs employers will have to start paying if they're found to be misclassifying their workers as independent contractors.

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