
Hughes Hubbard & Reed

Hughes Hubbard Assists Music Ensemble With Department of Labor Inquiry

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Hughes Hubbard & Reed obtained a favorable ruling for pro bono client Ensemble Signal when the New York State Department of Labor determined on Aug. 10, 2012 that the Ensemble Signal musicians are independent contractors rather than employees.

Ensemble Signal approached Hughes Hubbard in June after receiving a questionnaire from the Labor Department designed to help the agency determine whether workers are employees or independent contractors.

The firm prepared a response in which Ensemble Signal explained that its musicians are world-class freelance musicians who have control and discretion over their own individual performances. As a result, the Labor Department found that Ensemble Signal properly classified the musicians as independent contractors, thereby avoiding various tax-collecting and other administrative burdens.

Called by The New York Times "one of the most vital groups of its kind," Ensemble Signal is a critically acclaimed nonprofit arts organization. It brings contemporary classical music to a broad audience through performance, educational outreach, recording and commissioning of new works. Both within and outside of New York, the group performs year-round at such diverse venues as Carnegie Hall, (Le) Poisson Rouge, the Tanglewood Festival and the Guggenheim Museum, and features the work of a wide range of contemporary composers including Philip Glass, Morton Feldman, Hilda Paredes and Helmut Lachenmann. Jesse James and Christine Fitzgerald represented Ensemble Signal with assistance from Michael Salzman.

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Michael E. Salzman