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Congress' Contracting Scam

As the lawyer who initiated the litigation by farm workers against Texas A & M University, I was gratified to see Gus Tyler's excellent piece on the widespread nature of the independent contracting scam ("The Contracting Caper," Forward, Sept. 8). In two respects, however, Mr. Tyler has understated the problem. Farmers need not unlawfully classify their laborers as self-employed to deprive them of the right to organize under the National Labor Relations Act: For the last 60 years, Congress has done them the favor of excluding all agricultural employees from protection.

Similarly, many employers no longer need classify their one-day-a-week cleaning women as self-employed to avoid Social Security taxes: In 1994 Congress amended the tax code to deprive tens of thousands of domestic employees of disability insurance and old-age pension credits by freeing their employers of any liability for Social Security tax for any household employee to whom they pay less than \$1,000 per year.

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