

American freelancers' healthcare hustle

*Featuring Rafael Espinal,
Executive Director, Freelancers Union*



IN THIS EPISODE

This time on Code WACK! Why are so many Americans choosing to freelance these days? What are some of the benefits - *and risks* - of choosing to work for yourself? What challenges do gig workers face when it comes to getting the basics, like health insurance and quality health care?

To find out, we spoke to [Rafael Espinal](#) and [Jonathan Gray](#) of the New York-based [Freelancers Union](#). Rafael, a [former New York state assemblyman and former New York City councilman](#), is executive director and Jonathan is their member benefits manager. This is the first of two episodes with the Freelancers Union.

SHOW NOTES

WE DISCUSS

Why are so many Americans choosing to freelance?

"What we often see is that, especially during economic recessions, people begin to rethink how they want to restructure how they bring income into their homes and lead their careers moving forward..."

"...more workers, especially younger generations, prefer the idea of being able to work for themselves than to work for an employer or a large company. People want to be more autonomous. They want to be able to pick and choose when they're going to work ..."

"... also freelancing creates an opportunity for you to earn more money ..."

"And lastly, it's especially helpful for those who have families that they're caring for. It helps cut down on the cost of childcare. ... And I think especially because of the pandemic, you know, people are now longing for that flexibility. They got a taste of what it's like to work from home and to be able to choose their hours." - **Rafael Espinal**

Talk about the challenges freelancers face.

"Once you decide to go freelance, it really opens you up to a lot of vulnerabilities because you don't have the protections that a 9-5 job bring you, for example, *unemployment insurance* if you're out of work - *paid leave*, if you have to take time off to take care of yourself or a loved one - *health insurance*, which oftentimes is covered by the employer. All of these benefits start becoming an expense that the freelancer has to take on their own." - **Rafael Espinal**

What is the Freelancers Union and why was it founded?

“Freelancers Union was founded 25 years ago with the idea of creating an organization in which freelancers can come together under one umbrella and create a unified voice to be able to demand protections that they need in order to have a fruitful career in freelancing.

Because what we know is that once you decide to go (into) freelancing, you don't have the proper protections you need in order to ensure that you're able to have a career with dignity and also have the protections you need in case you fall into hard times.” – ***Rafael Espinal***

Health insurance must be a major concern for freelancers.

“That's definitely a point of concern for folks who would like to go freelance. And again, just (talking) about what other countries have in place. I mean, that's not something folks in Canada or in Europe have to think about ... if you're in Europe or you're in Canada, there is a single payer healthcare system so you don't have to worry about where your health care is coming from... You know, if they want to freelance, they'll know that they'll get the same health coverage that they would whether or not they're working individually or working with the company.” – ***Rafael Espinal***

What issues does the Freelancers Union work on?

“... expanding the social safety net so that freelancers are paid on time, so that freelancers have access to affordable health insurance, [so] that they have programs like Paid Leave, for example, available to them ... ”

“... how do we create a national paid leave model so that freelancers across all 50 states can take 12 weeks if they are planning to have a family [or] take care of a sick loved one?”

"... We're looking at how do we create an unemployment insurance model ... You know, if you're for some reason out of work and you need a few weeks in order to find your next client ... unemployment insurance will be there to help you get through those days, for example."

"So the idea is, how do we create a benefit system for all workers? Benefits should not be exclusive only to the traditional 9 to 5 employee. They should be available to all Americans." - **Rafael Espinal**

Helpful Links

[Freelancers Union](#)

[Freelancing in America](#), *Freelancers Union*

[The Freelance Isn't Free Act passes to protect workers contracted by New York companies \(even if they don't live in the state\)](#), *Nieman Foundation at Harvard*

[LA City Council Passes Blumenfield's 'Freelance Isn't Free Act' Creating New Protections for Freelance Workers](#), *Los Angeles City Councilmember Bob Blumenfield*

[Health insurance for freelancers](#), *Policy Genius*

Episode Transcript

Read the full [episode transcript](#).

Biography: Rafael Espinal

Rafael Espinal is the Executive Director of **Freelancers Union**. Born and raised in Brooklyn, [Rafael Espinal](#) became New York's youngest elected official when he joined the State Assembly at age 26. The son of Dominican immigrants who were union members as well as freelancers, Rafael quickly became a leader fighting on behalf of workers, small businesses, artists, low-income communities, and the environment. In 2013, he was elected to the New York City Council, representing Brooklyn's diverse 37th District.

Rafael has been a steadfast advocate for freelancer rights throughout his career. On the City Council, he was an early supporter and a co-sponsor of the first-of-its-kind Freelance Isn't Free legislation that passed in New York City in 2016, giving freelancers unprecedented protection from nonpayment and late payment. He co-sponsored a bill passed in 2019 to extend protections against harassment and discrimination to independent workers under the City's Human Rights Law.

Rafael's efforts to ensure worker rights included co-sponsorship of the nation's first "Right to Disconnect" bill, introduced in New York City in 2019, which would give workers at companies with more than 10 employees the right to not respond to electronic work communications after business hours. As chair of the City Council's Committee on Consumer Affairs and Business Licensing, he oversaw the implementation of NYC's successful Paid Sick Leave Law.

Rafael's other legislative accomplishments on the City Council include negotiating a \$250 million comprehensive investment plan for his district,

one of New York's most underserved. The New York Times Editorial Board said in 2019, "In a 51-member body, Mr. Espinal has been a standout." *Time Out* magazine named him a New Yorker of the Year in 2017 for leading the repeal of New York's "no dancing" Cabaret Law—which had been used to target black-owned clubs, gay bars, and underground establishments since the Prohibition Era—and the establishment of the city's new Office of Nightlife.

Rafael attended public schools and graduated from Queens College with a degree in English.

He served as an adult literacy teacher and as chief of staff for New York City Councilman Erik Martin Dilan before running for elective office.

As only the third leader of Freelancers Union since its founding in 1995, Rafael is committed to engaging with freelancers across the country, listening to their concerns, amplifying their voices in important policy debates, and continuing to strengthen and expand a movement that serves a broad spectrum of independent workers and helps them thrive in a fast-changing economy.

Get Involved / Take Action

Are you a gig worker? Check out the [Freelancers Union](#)!

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