

The Challenge of Preserving Employment Records — and Exposure to Asbestos

The hazards and cancer risks linked with asbestos are well known, but how does this affect independent contractors, or 1099 workers?

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Beyond Traditional Employment Records: Asbestos Exposure and the Documentation Gap Impacting Exposed 1099 Workers

Fundamentally, [asbestos has played a pivotal role](#) in the advancement of the country, being an indispensable component of myriad buildings, machinery, vehicles, and infrastructures for most of the 20th century. Initially praised for its cost-effectiveness as well as insolubility and fireproofing capabilities, this natural mineral became widespread in a broad range of sectors—creating opportunities for occupational exposure that stretch far beyond the walls of industrial hubs. Yet while the hazards associated with asbestos have been extensively documented, far less attention has been paid to how such a risk affects independent contractors—or 1099 workers—whose careers often unfold across diverse clients, projects, and job sites. Unlike traditional employees who may leave behind personnel records, union archives, and employer logs, these self-employed individuals frequently rely on fragmented business documents that were never intended to serve as a long-term occupational history—a critical distinction given that asbestos-related diseases can take several decades to emerge.

Asbestos Contamination Continues to Endanger American Workers

Notwithstanding the growing public awareness and decades of regulatory action—including a [landmark 2024 federal ban](#) on chrysotile—asbestos exposure remains one of the most enduring occupational health challenges in the country. This precarious legacy largely stems from the mineral's extensive use during [World War II](#), when its low cost as well as resistance to heat, fire, and chemical deterioration made it a favorable component in insulation, pipe systems, cement products, roofing materials, automotive parts, and numerous other commercial applications. And because these materials were incorporated into workplaces and infrastructure nationwide, the

exposure concern was never confined to a narrow segment of the labor force. Accordingly, as industries like construction, manufacturing, transportation, and agriculture interacted too often with asbestos-containing products at various points, a substantial number of skilled workers—with many operating as independent contractors—correspondingly encountered the toxic mineral while performing routine tasks across different job sites.

Yet what makes this hazard particularly troubling is that its repercussions are usually delayed for years—or even decades. Science explained that when asbestos-containing materials are disturbed, countless long, thin fibers can become airborne and lodge deep within the lungs, where they may remain indefinitely and eventually lead to [serious illnesses](#) such as asbestosis, lung cancer, and mesothelioma. Consequently, the scale of this problem has been apparent in national data. Data indicate that between 1940 and 1979, an estimated [27 million Americans](#) were exposed to asbestos at their workplaces—potentially contributing to a [20.2% increase in attributed deaths](#) from 1990 to 2019. Even today, [approximately 3,000 new mesothelioma cases](#) continue to be recorded annually. But because [this disease commonly takes 20 to 50 years](#) to develop, many individuals do not receive a diagnosis until long after the work that caused the exposure has been forgotten.

Preserving the Occupational Record for 1099 Workers

Undeniably, understanding occupational asbestos exposure is crucial, yet this often hinges on the ability to accurately reconstruct a person's work history—including the types of materials they encountered as well as the conditions under which they performed their tasks. In many cases, [traditional employment records](#)—such as personnel files, payrolls, union logs, and worksite documents—provide crucial references that help maintain these details even long after a job has ended. For [numerous 1099 workers](#), however, comparable documentation is far less likely to exist. As these independent contractors frequently move between clients, projects, and locations, their professional experiences may concomitantly be reflected only in dispersed invoices, tax filings, permits, business papers, and personal recollections. Unfortunately, as time progresses, the risk increases that these records may become incomplete, lost, or entirely inaccessible. And such a situation is especially dire when assessing the seriousness of the asbestos crisis, where serious health issues typically develop decades after exposure. By the time an asbestos-related diagnosis is made, the necessary documentation to trace exposure could already be lost.

At this point, enhancing the recordkeeping system to track this ongoing crisis thoroughly must be recognized not only as an administrative duty but also as a vital aspect of promoting occupational health awareness. Federal entities—like the Environmental Protection Agency, Centers for Disease Control & Prevention, Occupational Safety & Health Administration, and National Institute for Occupational Safety & Health—as well as trade associations and other concerned stakeholders are well-positioned to help advocate for long-term record preservation and exposure-awareness initiatives tailored to self-employed workers. The aim is not to guarantee specific outcomes or predetermine claims, but to ensure that freelancers are included in occupational records, regardless of the nature of their careers. Since asbestos exposure does not discriminate among

workers, the country's efforts to grasp its impact should also be equally inclusive so that no affected individuals are left behind.

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