



COMMITTEE ON
EDUCATION AND
THE WORKFORCE

COMMITTEE STATEMENT

**Opening Statement by Rep. Virginia Foxx (R-NC)
Chairwoman, Committee on Education and the Workforce
Markup of H.R. 3441, the *Save Local Business Act*
October 4, 2017**

Today, the committee will consider H.R. 3441, the *Save Local Business Act*. Since the National Labor Relations Board unilaterally redefined what it means to be an employer in 2015, more than two dozen witnesses have come before this committee and others in Congress to tell us, in practical terms, what the decision means for the future of American jobs.

We've heard firsthand how the board's decision, and the actions of regulators and activist judges that followed, have disrupted the daily operations of business owners across the country.

The consequences have been far-reaching. Basic, business-to-business relationships that have long been a part of the American way of life and a critical component to the success of our economy have been called into question.

The lines of responsibility for important worker protections are now blurry. Small business owners fear they will lose the independence they worked so hard to achieve. Others who rely on contracting opportunities fear their options for growth, along with their limited stream of revenue, will suddenly diminish.

Meanwhile, many hardworking men and women are left wondering why the relationship they have with their employer is changing, or if unelected bureaucrats or activist judges will dictate that they have a new boss at some distant company.

And that's not all. While we've all been working together here in Congress to support workforce development reforms, we've simultaneously heard how the joint employer scheme makes it harder for employers effectively to do their part in addressing our nation's skills gap.

All of this damage began with one extreme and obstructive ruling. We wouldn't be here today if the overwhelming consensus wasn't that the NLRB and Obama-era bureaucrats made serious mistakes.

We're here today to complete one of the most important steps in correcting those mistakes. Mr. Byrne has introduced the *Save Local Business Act* with the support of most of the members of this committee.

The bill directly addresses the mistakes the NLRB made when it redefined the concept of joint employment and put so many jobs and livelihoods at risk. And it addresses the mistakes the Obama administration made when it spread the board's flawed policy to other areas of federal labor law.

Both of our workforce subcommittee chairmen, Mr. Byrne and Mr. Walberg, have carefully examined the statutes under their respective jurisdictions. They worked together to ensure that the scope of the bill under consideration today appropriately clears up the existing confusion and restores the commonsense concept of joint employer for businesses of every size.

American workers deserve to know who they're dealing with in their workplaces. They should have the power to speak for themselves on matters of pay, schedules, professional development – anything that helps them have the successful life they want for themselves.

In order to do that, they need to know with certainty who their employer is. But both employers and employees have made clear to this committee that the current joint employer standard is confusing at best, devastating at worst, and simply not sustainable.

We have heard them, and that's what leads us to where we are today. I thank Mr. Byrne for his hard work bringing the *Save Local Business Act* this far, and I thank all of our members for being here and for ensuring the joint employer problem and this solution get the thorough attention they deserve.