



July 25, 2019

The Honorable Frederica Wilson
Chairwoman, Health, Employment, Labor,
and Pensions Subcommittee
2445 Rayburn House Office Building
Washington, DC 20515

The Honorable Tim Walberg
Ranking Member, Health, Employment, Labor,
and Pensions Subcommittee
2266 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Wilson and Ranking Member Walberg:

On behalf of the American Hotel & Lodging Association (AHLA), the sole national association representing all segments of the U.S. lodging industry, including hotel owners, REITs, global brands, franchisees, management companies, independent properties, bed & breakfasts, state hotel associations, and industry suppliers, I would like to thank the House Education and Labor Subcommittee on Health, Employment, Labor, and Pensions for holding a hearing today on "Protecting the Right to Organize Act: Modernizing America's Labor Laws" (PRO Act - H.R. 2474).

The lodging industry is one of the nation's largest employers. Supporting more than 8 million jobs across the country, the hotel industry provides \$75 billion in wages and salaries to our associates and generates \$600 billion in economic activity from the 5 million guestrooms at more than 54,000 lodging properties nationwide. It's particularly important to note that this industry is comprised largely of small businesses, with nearly 60 percent of all hotels falling under the SBA's definition of what constitutes a small business in the lodging sector.

Our Hospitality Is Working campaign underscores the innovative and proactive efforts underway to recruit and retain talent, protect our employees and guests, and invest in our communities. Our employees are the backbone of our hotels, but without stable and reliable rules and regulations around our workforce, we cannot thrive and continue to offer lifelong careers in our industry.

AHLA has significant concerns about H.R. 2474 and joins the Coalition for a Democratic Workplace (CDW), a broad-based coalition of hundreds of organizations representing millions of employees in various industries, in their concerns with the sections of the *PRO Act* including, but not limited to, eliminating workers' free choice, right to a private ballot election, and the privacy of personal information. Many of these ideas have been rejected by the judicial system, opposed on a bipartisan basis in Congress, and abandoned by agencies asked to enforce them.

Most concerning to AHLA, the *PRO Act* would codify the National Labor Relations Board's (NLRB) controversial *Browning-Ferris Industries (BFI)* decision, which greatly expanded and muddled the definition of joint employment. The monumental shift in labor law established under the *BFI* decision upended the most basic employment questions for any employer: "Who do you employ?" and "Are you liable for the actions and activities of employees that are not your own?" As a highly-franchised and segmented industry, our members rely on this business model to achieve the American Dream, and they are extremely concerned by the expanded definition of joint employment liability and the potential negative impacts on their business.

For these reasons, we urge Members to oppose H.R. 2474 and protect small business from the damaging *PRO Act*.

Thank for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Chris Burgoyne". The signature is written in a cursive, flowing style.

Chris Burgoyne
Vice President, Government and Political Affairs

CC: House Education & Labor Committee