

COALITION FOR A
DEMOCRATIC WORKPLACE

November 6, 2017

The Honorable Paul Ryan
Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Nancy Pelosi
Democratic Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Speaker Ryan and Leader Pelosi:

The undersigned employer and business trade associations, representing millions of employers that operate in every industry and sector of our nation's economy, write to express our continued serious concerns about the growing harm to businesses caused by the National Labor Relations Board's (NLRB) changes to the "joint employer" standard. Without a congressional solution, businesses of all sizes will continue to be exposed to unlimited and unpredictable joint employment liability. For these reasons, our organizations write to express our strong support for restoring the clear, traditional joint employer standard by passing H.R. 3441, the Save Local Business Act.

In 2015, the NLRB issued its decision in *Browning-Ferris Industries of California, Inc.*, upending more than thirty years of bipartisan precedent. The Board replaced the predictable and clear "direct and immediate control" standard for determining joint employer status with a vague test based on "indirect" and "potential" control over workers' terms and conditions of employment. The decision has created immense uncertainty and undermined the relationships between a brand company and local franchise business owners, contractors and subcontractors, and businesses and their suppliers and vendors – all of which have created millions of jobs and allowed hundreds of thousands of individuals to achieve the American Dream of owning their own small business.

The NLRB's excessively broad definition of "joint employer" will continue to impede business development and economic growth until Congress enacts a permanent, legislative solution, and we strongly urge you to lend your support for H.R. 3441 on the House floor. Thank you for your attention to this important issue.

Sincerely,

Alabama Restaurant and Hospitality Association
Alaska Cabaret, Hotel, Restaurant and Retailers Association
Alaska Hotel & Lodging Association
American Fire Sprinkler Association
American Foundry Society
American Hotel & Lodging Association

American Moving & Storage Association
American Supply Association
Argentum
Arizona Lodging & Tourism Association
Arizona Restaurant Association
Arkansas Grocers and Retail Merchants
Arkansas Hospitality Association
Asian American Hotel Owners Association
Associated Builders and Contractors
Associated Equipment Distributors
Associated General Contractors
Association of Kentucky Fried Chicken Franchisees
Auto Care Association
Building Services Contractors Association International
California Hotel & Lodging Association
California Restaurant Association
CAWA - Representing the Automotive Parts Industry
Center for the Defense of Free Enterprise
Colorado Hotel & Lodging Association
Colorado Restaurant Association
Colorado Retail Council
Connecticut Lodging Association
Connecticut Restaurant Association
Culver Franchising System, LLC
Custom Electronic Design & Installation Association
Delaware Hotel & Lodging Association
Delaware Restaurant Association
Equipment Dealers Association
Farm Equipment Manufacturers Association
Florida Restaurant & Lodging Association
Florida Retail Federation
Food Marketing Institute
Franchise Business Services
Franchise Management Advisory Council
Georgia Hotel & Lodging Association
Georgia Restaurant Association
Global Cold Chain Alliance
Heating, Air-conditioning & Refrigeration Distributors International (HARDI)
Hotel Association of New York City, Inc.
Hotel Association of Washington DC
HR Policy Association
Idaho Lodging & Restaurant Association
Idaho Retailers Association
Illinois Hotel & Lodging Association
Illinois Restaurant Association
Independent Electrical Contractors

Independent Office Products & Furniture Dealers Alliance
Indiana Restaurant & Lodging Association
Indiana Retail Council
International Council of Shopping Centers
International Foodservice Distributors Association
International Franchise Association
International Sign Association
International Warehouse Logistics Association
Iowa Restaurant Association
Job Creators Network
Kansas Restaurant and Hospitality Association
Kentucky Restaurant Association
Louisiana Hotel & Lodging Association
Louisiana Restaurant Association
Louisiana Retailers Association
Maine Innkeepers Association
Maine Restaurant Association
Maryland Hotel & Lodging Association
Maryland Retailers Association
Massachusetts Lodging Association
Massachusetts Restaurant Association
Metals Service Center Institute
Michigan Lodging and Tourism Association
Michigan Restaurant Association
Michigan Retailers Association
Minnesota Lodging Association
Minnesota Retailers Association
Mississippi Hospitality and Restaurant Association
Missouri Restaurant Association
Missouri Retailers Association
Montana Lodging & Hospitality Association
Montana Restaurant Association
Motor & Equipment Manufacturers Association
MSPA Americas
National Apartment Association
National Association of Home Builders
National Association of Manufacturers
National Association of Professional Employer Organizations
National Association of Theatre Owners
National Association of Wholesaler-Distributors
National Club Association
National Council of Chain Restaurants
National Federation of Independent Business (NFIB)
National Franchisee Association
National Grocers Association
National Lumber and Building Material Dealers Association

National Multifamily Housing Council
National Office Products Alliance
National Pest Management Association
National Precast Concrete Association
National Ready Mixed Concrete Association
National Restaurant Association
National Retail Federation
National Small Business Association
National Tooling and Machining Association
National Waste & Recycling Association
NATSO, Representing America's Travel Centers and Truckstops
Nebraska Hotel & Lodging Association
Nebraska Restaurant Association
Nebraska Retail Federation
Nevada Restaurant Association
New Hampshire Lodging & Restaurant Association
New Jersey Hotel & Lodging Association
New Jersey Restaurant and Hospitality Association
New Jersey Retail Merchants Association
New Mexico Restaurant Association
New York Restaurant State Restaurant Association
New York State Hospitality & Tourism Association
North American Die Casting Association
North Carolina Restaurant & Lodging Association
North Carolina Retail Merchants Association
Northeastern Retail Lumber Association
Office Furniture Dealers Alliance
Ohio Hotel & Lodging Association
Ohio Restaurant Association
Oklahoma Hotel & Lodging Association
Oregon Restaurant & Lodging Association
Oregon Retail Council
Pennsylvania Restaurant & Lodging Association
Piggly Wiggly of Sanford
Plastics Industry Association
Precious Metals Association of North America
Precision Machined Products Association
Precision Metalforming Association
Printing Industries of America
Private Care Association
Puerto Rico Restaurant Association
Restaurant Association of Maryland
Retail Association of Maine
Retail Industry Leaders Association (RILA)
Retailers Association of Massachusetts
Rhode Island Hospitality Association

Small Business & Entrepreneurship Council
Society for Human Resource Management
South Carolina Restaurant & Lodging Association
South Dakota Retailers Association
Tennessee Hospitality & Tourism Association
Texas Hotel & Lodging Association
Texas Restaurant Association
Texas Retailers Association
Textile Care Allied Trades Association
Textile Rental Services Association
The Georgia Retailers
The Hawaii Lodging & Tourism Association
The Latino Coalition
The Minnesota Restaurant Association
The Ohio Council of Retail Merchants
The Real Estate Roundtable
Truck Renting and Leasing Association
United Motorcoach Association
U.S. Chamber of Commerce
Utah Hotel & Lodging Association
Utah Restaurant Association
Vermont Chamber of Commerce
Virginia Restaurant, Lodging, & Travel Association
Virginia Retail Federation
Virginia Retail Merchants Association
Virginia Small Business Partnership
Washington Hospitality Association
Washington Retail Association
West Virginia Hospitality & Travel Association
Western Electrical Contractors Association
Western Growers Association
Wisconsin Hotel & Lodging Association
Wisconsin Restaurant Association
Workforce Fairness Institute (WFI)
Wyoming Lodging & Restaurant Association

cc: Members of the United States House of Representatives