

October 2, 2017

United States House of Representatives
Washington, D.C. 20515

RE: Support for the Save Local Business Act (H.R. 3441)

Dear Representative:

On behalf of HR Policy Association, I am writing to urge you to support the bipartisan Save Local Business Act (H.R. 3441). The bill would simplify what constitutes joint employer status, granting businesses and workers across the country the clarity needed to establish relationships that work best for both employers and employees.

HR Policy Association is a public policy advocacy organization representing the chief human resource officers of more than 375 of the largest employers in the United States. Collectively, their companies employ more than 10 million people in the United States. Our members believe the legislation will help answer the seemingly simple question, “who is an employer?”

Currently, there are almost as many different legal tests for who is a joint employer under the Fair Labor Standards Act (FLSA) as there are Circuit Courts of Appeal in the United States. Moreover, the new joint employer test that the National Labor Relations Board has developed is exceedingly broad and ambiguous, and arguably permits a finding of joint employer status even if the entities in question possess unexercised and indirect authority to control terms and conditions of employment. H.R. 3441 would establish a clear and uniform definition of joint employment for both the FLSA and the National Labor Relations Act that is consistent with current court decisions. It would also provide companies the legal certainty they need to establish corporate social responsibility standards for their contractors and franchisees regarding pay, benefits, and training.

HR Policy Association urges you to support H.R. 3441 as it moves through the committee process and is hopefully voted on by the full House of Representatives. If you or members of your staff are interested in discussing the matter with our policy team further, please do not hesitate to reach out to me. We thank you for your consideration.

Sincerely,



Daniel V. Yager
President and Chief Executive Officer