



October 3, 2017

Representative Virginia Foxx  
Chairman  
Committee on Education and the Workforce  
2176 Rayburn House Office Building  
Washington, DC 20515

Representative Robert C. Scott  
Ranking Member  
Committee on Education and the Workforce  
2176 Rayburn House Office Building  
Washington, DC 20515

Dear Chairman Foxx and Ranking Member Scott,

On behalf of the more than 70,000 members of the International Council of Shopping Centers (ICSC), ICSC offers its strong support of H.R. 3441, the Save Local Business Act, and encourages the committee to approve this important bipartisan legislation.

The expanded definition of a “joint employer,” following the August 2015 Browning Ferris Industries (BFI) decision by the National Labor Relations Board, has caused ICSC members great concern about their ability to operate as independent entities. The broadening of what constitutes a “joint employer” means shopping center owners, service providers and tenants throughout the country that rely on contractors and subcontractors may be held liable for the actions of those with whom they contract or the venues in which they operate. In an effort to adhere to the unnecessary expansion of the “joint employer” definition, current and future contractual relationships have been jeopardized.

ICSC believes H.R. 3441 will restore the decades-long and widely-accepted definition of what constitutes a “joint employer” and provide needed clarity to America’s shopping center owners, service providers and tenants.

We are committed to continue to work with Members of Congress to codify the “joint employer” definition. ICSC applauds Representative Bradley Byrne and the 80 additional cosponsors of this legislation and hopes that Congress can complete consideration of this necessary clarification as soon as possible.

Sincerely,

A handwritten signature in black ink that reads "Betsy Laird".

Betsy Laird  
ICSC  
Senior Vice President, Global Public Policy