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