

April 25, 2023

The Honorable Roger Marshall
U.S. Senate
B33 Russell Senate Office Building
Washington, D.C. 20510

The Honorable James Comer
U.S. House of Representatives
2410 Rayburn House Office Building
Washington, D.C. 20515

Dear Senator Marshall and Representative Comer:

The undersigned organizations write in strong support of the “Save Local Business Act,” and we commend you both for your efforts to support workers and small businesses by introducing this legislation. This commonsense bill would amend the National Labor Relations Act and the Fair Labor Standards Act to make clear that an employer may be considered a joint employer in relation to an employee only if such employer directly, actually, and immediately exercises significant control over the essential terms and conditions of employment. This legislation comes at a critical time as the National Labor Relations Board (NLRB) plans to finalize its proposed joint employment rule by August 2023. In the face of a harmful new NLRB standard, Main Street businesses are seeking the legal clarity promised by the Save Local Business Act to help them grow their businesses, create jobs and serve their communities as they work to meet local, state and federal obligations to their employees, customers and the general public.

Your constructive legislation stands in stark contrast to the “Protecting Right to Organize Act (PRO Act, H.R. 20/S. 567),” which would devastate many small businesses that have survived a very challenging economic period. Among many other provisions, the PRO Act would codify a harmful joint employer standard and accordingly expose nearly every business relationship to potential liability for unlawful behavior committed by business partners, such as contractors, suppliers, and franchisees. If enacted, the PRO Act would likely force primary companies to stop assisting their franchisees, suppliers or contractors or cease partnering with these more specialized businesses. In these circumstances, small business owners will bear the negative repercussions of PRO Act, and the American dream of business ownership will be far more difficult to achieve for countless entrepreneurs.

Thank you again for your work on this important legislation, and we look forward to supporting the bill in Congress. We appreciate our partnership with you to help foster an economic and legal landscape that helps America’s small businesses thrive long into the future.

Sincerely,

American Bakers Association
American Hotel and Lodging Association
American Pipeline Contractors Association
American Staffing Association
American Trucking Associations
Associated Builders and Contractors
Associated Equipment Distributors
Associated General Contractors of America
Coalition to Promote Independent Entrepreneurs
Communication Contractors Association

Franchise Business Services
Global Cold Chain Alliance
Home Care Association of America
HR Policy Association
IHRSA-The Global Health & Fitness Association
Independent Electrical Contractors
International Foodservice Distributors Association
International Franchise Association
International Warehouse Logistics Association (IWLA)
MSPA-Americas
National Association of Convenience Stores
National Association of Professional Employer Organizations
National Association of Wholesaler-Distributors
National Federation of Independent Business
National Franchisee Association
National Grocers Association
National Lumber & Building Material Dealers Association
National Ready Mixed Concrete Association
National Restaurant Association
National Retail Federation
National Roofing Contractors Association
NATSO, Representing America's Travel Plazas and Truck Stops
Private Care Association
Retail Industry Leaders Association
SIGMA: America's Leading Fuel Marketers
Small Business & Entrepreneurship Council
Tile Roofing Industry Alliance
U.S. Chamber of Commerce
Workplace Policy Institute