

# NRF<sup>®</sup> National Retail Federation

May 13, 2021

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

Dear Representative Comer:

I write to express the support of the National Retail Federation (NRF) for the “Save Local Business Act” and thank you for your efforts to protect small businesses through this important legislation.

NRF is the world’s largest retail trade association, representing discount and department stores, home goods and specialty stores, Main Street merchants, grocers, wholesalers, chain restaurants and internet retailers from the United States and more than 45 countries. Retail is the nation’s largest private-sector employer, supporting one in four U.S. jobs — 52 million working Americans. Contributing \$3.9 trillion to annual GDP, retail is a daily barometer for the nation’s economy.

Under the Save Local Business Act, a company would be considered a joint employer of a worker if and only if it “directly, actually and immediately” exercises significant control over the primary elements of employment, such as hiring, firing, determining pay, or supervising employees on a routine basis.

This legislation is particularly needed now, when many in Washington are eagerly trying to codify the National Labor Relations Board’s controversial *Browning-Ferris Industries (BFI)* joint employer standard despite the devastating impact it will have for small businesses nationwide. Implementation of the *BFI* standard would expose businesses to liability for any unlawful behavior committed by any entity with which they do business, such as contractors, suppliers, and franchisees.

Thank you again for introducing this important legislation, and we look forward to working with you on this and other matters critical to the survival of small businesses.

Sincerely,



David French  
Senior Vice President  
Government Relations