

November 9, 2023

Support Using the Congressional Review Act to Overturn the NLRB's Final Joint-Employer Rule

Dear Member of Congress:

The undersigned organizations, on behalf of a diverse group of workers, small businesses, and critical sectors of our economy, write in strong support of H.J.Res.98/S.J.Res.49, a joint resolution of disapproval under the Congressional Review Act to nullify the National Labor Relations Board's (NLRB) Final Rule on Joint-Employer Status. This misguided rule will harm millions of workers and small businesses across the country, and we urge you to vote to protect your constituents from the NLRB's overreach.

Issued in October 2023, the NLRB's Final Joint-Employer Rule institutes an unworkable, overly broad set of circumstances under which a company is considered a "joint employer" under federal law. The Final Rule will cripple small businesses in numerous sectors by exposing them to frivolous litigation, eliminating jobs, and slowing wage growth across the country – just like it did when a similar standard was implemented in 2015. At a time of continued economic uncertainty, it is alarming that the NLRB has chosen to move forward on such a divisive and damaging joint employer rule.

Fortunately, in the coming weeks, members of Congress will have the opportunity to vote to nullify the NLRB's Joint-Employer Final Rule by utilizing the Congressional Review Act. By voting in favor of H.J.Res.98/S.J.Res.49, members can demonstrate that they support workers and small businesses in their states. Accordingly, we urge your support for nullifying the NLRB's Final Rule and look forward to our continued partnership.

Sincerely,

Air Conditioning Contractors of America
American Bakers Association
American Car Rental Association
American Health Care Association
American Hospital Association
American Hotel & Lodging Association
American Pipeline Contractors Association
American Seniors Housing Association
American Staffing Association
American Supply Association
American Trucking Associations
Argentum
Asian American Hotel Owners Association
Associated Builders and Contractors
Associated Equipment Distributors

Associated General Contractors of America
CAWA - Representing the Automotive Parts Industry
Coalition to Promote Independent Entrepreneurs
Family Business Coalition
FMI – The Food Industry Association
Franchise Business Services
Global Cold Chain Alliance
Heating, Air-conditioning, & Refrigeration Distributors International
HR Policy Association
IHRSA – The Health & Fitness Association
ICSC
Independent Electrical Contractors
International Foodservice Distributors Association
International Franchise Association
International Warehouse Logistics Association
NATSO, Representing America's Travel Plazas and Truckstops
National Association of Convenience Stores
National Association of Electrical Distributors
National Association of Home Builders
National Association of Manufacturers
National Association of Professional Employer Organizations
National Association of Realtors
National Association of Small Trucking Companies
National Association of Wholesaler-Distributors
National Center for Assisted Living
National Cotton Ginners Association
National Council of Chain Restaurants
National Federation of Independent Business (NFIB)
National Franchisee Association
National Grocers Association
National Lumber & Building Material Dealers Association
National Multifamily Housing Council (NMHC)
National Ready Mixed Concrete Association
National Restaurant Association
National Retail Federation
National Roofing Contractors Association
National Small Business Association
National Tooling and Machining Association
National Waste & Recycling Association
Power & Communication Contractors Association
Precision Machined Products Association
Precision Metalforming Association
Real Estate Roundtable
Retail Industry Leaders Association (RILA)

Small Business & Entrepreneurship Council
TechNet
Technology & Manufacturing Association
The Association for Hose and Accessories Distribution
The Community Gyms Coalition
Tile Roofing Industry Alliance
Transportation Alliance
TRSA – The Linen, Uniform and Facility Services Association
Truck Renting and Leasing Association
Wholesale Florist and Florist Supplier Association
Workplace Policy Institute
Workplace Solutions Association
U.S. Chamber of Commerce