

December 2023

Dear North Dakota Members of Congress,

The undersigned, on behalf of workers and small businesses in your state, urge you to support bipartisan Congressional Review Act (CRA) resolutions of disapproval to overturn the National Labor Relations Board (NLRB) final rule “Standard for Determining Joint Employer Status” as published on October 27, 2023.

The final rule issued by NLRB dramatically expands the definition of who is considered a “joint employer” under federal law, increasing liability for businesses, and guaranteeing sweeping economic harm to small businesses. Accordingly, we are proud to stand behind bipartisan CRA resolutions of disapproval to protect North Dakota small businesses, workers, and consumers from this reckless rule.

In 2015, the NLRB issued a restrictive joint employer standard that resulted in a sharp increase in frivolous litigation against employers, lost jobs, and tens of billions in associated costs for small businesses.^[1] The NLRB’s new rule is even more expansive than the 2015 rule, and unless Congress acts, the economic consequences will be dire for many different industries. In an economy landscape already destabilized by inflation and slow growth, North Dakotans cannot afford the NLRB’s joint employer rule.

On behalf of workers and small businesses in your state, we strongly urge you to support Congressional Review Act resolutions of disapproval to reverse the NLRB’s Final Joint-Employer rule and thank you for your consideration.

Signed,

Associated Builders and Contractors of ND
North Dakota Franchise Action Network
North Dakota Motor Carriers Association
Independent Electrical Contractors Dakotas

[1] <https://jointemployerfacts.com/>