

May 13, 2021

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 Sen. Marshall and Rep. 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 through 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 in the economic recovery when so many small businesses are emerging from the COVID-19 pandemic and are seeking legal clarity to help them grow their businesses, create jobs, serve their communities and 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. 842/S. 420),” which would devastate many small businesses that have survived a very challenging pandemic. The PRO Act would codify into law the National Labor Relations Board’s controversial *Browning-Ferris Industries* joint employer standard, and expose nearly every business relationship to liability for unlawful behavior committed by business partners, such as contractors, suppliers, and franchisees. Out of fear of this increased responsibility, larger corporations will stop assisting their franchisees, suppliers or contractors, impose far more control over them, abandon the franchise model, or cease partnering with these more specialized businesses. In these circumstances, small business owners will bear the negative repercussions of this policy change, and the American dream of business ownership will be far more difficult to achieve.

Thank you again for your work on this important legislation, and we look forward to working with you to help foster an economic and legal landscape that helps America’s small businesses recover from the COVID-19 pandemic and thrive long into the future.

Sincerely,

Alabama Restaurant and Hospitality Association  
American Bakers Association  
American Hotel & Lodging 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  
The Association for Hose and Accessories Distribution

Auto Care Association  
Catapult  
Coalition of Franchisee Associations  
Coalition to Promote Independent Entrepreneurs  
Consumer Technology Association  
Equipment Services Association  
Fluid Power Distributors Association  
Foodservice Equipment Distributors Association  
Franchise Business Services  
Global Cold Chain Alliance  
HR Policy Association  
Home Care Association of America  
Independent Electrical Contractors  
Institute for the American Worker  
International Association of Plastics Distribution  
International Foodservice Distributors Association  
International Franchise Association  
International Sealing Distribution Association  
International Council of Shopping Centers  
MSPA Americas  
Manufactured Housing Institute  
Metals Service Center Institute  
NACS  
NFIB  
National Apartment Association  
National Association of Home Builders  
National Association of Manufacturers  
National Association of Professional Employer Organizations  
National Association of Truckstop Operators  
National Association of Wholesaler-Distributors  
National Council of Chain Restaurants  
National Franchisee Association  
National Grocers Association  
National Marine Distributors Association  
National Multifamily Housing Council  
National Ready Mixed Concrete Association  
National Restaurant Association  
National Retail Federation  
National Roofing Contractors Association  
National Small Business Association  
National Waste & Recycling Association  
Outdoor Power Equipment and Engine Service Association  
Petroleum Equipment Institute  
Private Care Association  
Retail Industry Leaders Association  
Retail Packaging Association  
Security Hardware Distributors Association  
Small Business & Entrepreneurship Council

Society for Human Resource Management  
Society of Independent Gasoline Marketers of America  
Tile Roofing Industry Alliance  
Truck Renting and Leasing Association  
U.S. Chamber of Commerce  
Wholesale Florist and Florist Supplier Association  
Workplace Policy Institute