



Pennsylvania Conference of Teamsters

Strength in Numbers 95,000

William Hamilton, President & Eastern PA Legislative Coordinator – Joseph Molinero, Sec.-Treasurer & Western PA Legislative Coordinator – Tim O'Neill, Consultant – Dan Grace, Trustee & Legislative Advisor – Robert Baptiste, Esq. Legal Advisor

LEGISLATIVE ACTION ALERT

ACTION NEEDED BY PA CONFERENCE AFFILIATES



TEAMSTERS

TAKE ACTION

(Harrisburg, PA November 2, 2017) Next week, the House could consider legislation that reduces an employee's ability to take action against an abusive employer. H.R. 3441, the Save Local Business Act redefines the term "employer" so narrowly that many workers will have no remedy when their employers violate wage laws or their rights to organize and bargain collectively.

The National Labor Relations Board (NLRB) previously affirmed in its Browning-Ferris decision that two or more employers are joint employers if they share the ability to govern a worker's terms and conditions of employment. H.R. 3441 would overturn this decision and make it more difficult for employees to collectively bargain with employers that make the decisions impacting their well-being. [Take Action Now!](#)

The so-called Save Local Business Act also adversely amends the definition of employment relationships under the Fair Labor Standards Act (FLSA). Currently, the FLSA recognizes that more than one business can be an employer preventing an employer from hiding behind labor contractors, brokers, or others to avoid responsibility for bad employment practices. For example, some contractors will use subcontractors or labor brokers who intentionally misclassify workers as independent contractors or pay them "off the books" to the disadvantage of responsible employers.

This legislation will serve as an incentive for worker misclassification in order to defeat employment and labor laws and facilitate tax avoidance. Additionally, due to FLSA changes in this legislation, seasonal workers covered by the Migrant and Seasonal Agricultural Workers Protection Act (MSAWPA) may find it more difficult to seek redress for wage theft and other employment abuses.

The Save Local Business Act will hurt employees by hindering their ability to seek redress for labor violations and undermining their right to bargain collectively. The IBT and PA Conference of Teamsters encourage you to [contact your Representative today to tell them to oppose H.R. 3441, the Save Local Business Act.](#)