



June 25, 2019

The Honorable R. Alexander Acosta  
Secretary of Labor  
c/o Melissa Smith, Director  
Division of Regulations, Legislation, and Interpretation  
Wage and Hour Division  
U.S. Department of Labor  
200 Constitution Avenue NW, Rm S-3502  
Washington, DC 20210

Re: Comments in Response to Notice of Proposed Rulemaking Titled "Joint Employer Status Under the Fair Labor Standards Act," RIN 1235-AA26, 84 *Fed. Reg.* 14043 (April 9, 2019)

Dear Secretary Acosta:

The Center for Worker Freedom (CWF) is a nonprofit, educational organization that is dedicated to warning the public about the causes and consequences of unionization. CWF supports freedom of association and believes all workers should have the right to decide for themselves whether or not they would like to belong to a labor organization.

**CWF is interested in the Department of Labor's proposed rule on joint employer because of its effect on workers and employment. Because the rule will clarify the definition of joint employer for workers, the Center for Worker Freedom strongly supports the Labor Department's proposed rule.**

Currently, courts use multiple tests to determine whether there is joint employment. This leads to confusion and different results for workers who sue their employers for wage violations. The Department of Labor's proposed rule, however, would provide courts with one clear test to use.

In addition, workers would benefit from this rule because the rule ensures that certain business models are not more likely to be joint employers. For example, there are over 700,000 franchises in this country with more than 7 million jobs. An expanded definition of joint employer, like the definition the Obama administration's Department of Labor issued in 2016, would lead to fewer job opportunities. However, the Trump administration's joint employer rule would result in greater certainty for businesses and more opportunities for workers.

**Because this proposed rule would clarify the definition of joint employer for workers and help businesses hire more workers, the Center for Worker Freedom strongly supports the Labor Department's proposed rule on joint employer.**

Sincerely,

Olivia Grady  
Senior Fellow