

# Key Vote Alert

January 12, 2024

To the Members of the House of Representatives:

The U.S. Chamber of Commerce strongly supports H.J. Res. 98, a resolution of disapproval under the Congressional Review Act to nullify the National Labor Relations Board's (NLRB) Final Rule on Joint-Employer Status. **The Chamber will consider including votes on this legislation in our *How They Voted* Congressional scorecard.**

The NLRB's final rule overturns a reasonable and well-balanced standard established in 2020 to determine when an employer is engaged in a joint employment relationship. In its place, the current Board majority has reinstated and expanded a deeply flawed standard that was first implemented in a similarly flawed 2015 case decision. It represents an unprecedented and unwarranted expansion of the Board's joint-employer doctrine beyond what the law allows.

Through its expansive new standard, the final rule has the potential to treat virtually any common business relationship as an indicator of a joint employment relationship. In doing so, the new standard will expose businesses of all sizes to potential liability for workers they do not actually employ and workplaces they do not actually manage.

The unfortunate result of the NLRB's final rule will be expensive and frivolous litigation against employers, creating increased economic uncertainty. Employers and employees alike will feel the negative effects of this rule in the form of lost jobs and slower wage growth.

The Chamber strongly urges all members to vote in favor of H.J. Res. 98.

Sincerely



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