

approach to workforce development and level the playing field for apprenticeship programs not registered under the U.S. Department of Labor.

H.J. Res. 98, Joint Employer Congressional Review Act Resolution:

The new joint employer final rule from the National Labor Relations Board will drastically alter the existing contractor and subcontractor relationship in the construction industry, implementing a harsh new standard. In construction, a general contractor must exercise a certain amount of control over its subcontractors and their employees simply to ensure the safe and efficient performance of the work. The most common construction jobsites are multi-employer worksites, and the general contractor or construction manager schedules and coordinates the work of many subcontractors, often in multiple tiers, who perform their services simultaneously or in sequence. The general contractor directs the work on the site and controls the schedule, which may be affected by weather, availability of materials, local building inspection regimes and many other factors.

Unfortunately, the new rule reverts to an unworkable standard a nonexhaustive list of factors, some of which have yet to be determined. Under the new final rule, general contractors, in most cases, would be considered joint employers of their subcontractors. This will undoubtedly cause chaos, muddying the waters and making many of these previously successful and effective business relationships unsustainable.

H.J. Res. 98, if enacted, would not only prevent the rule from going into effect but would also prohibit the issuance of a similar rule in the future. This CRA resolution of disapproval is critical to combatting this ill-advised rule and ensuring that the construction industry can continue its important work unimpeded.

H.R. 3400, the Small Businesses Before Bureaucrats Act:

Under President Biden, the NLRB continues to impose a harsh regulatory agenda that is making it harder for many small businesses to support their operations and ensure compliance with ever-changing, complicated new rulemakings. H.R. 3400 would modernize decades-old jurisdictional standards adjusting the annual revenue requirements from \$500,000 to \$5,000,000 for retail businesses and \$50,000 to \$500,000 for nonretail businesses.

H.R. 3400 would reduce the unnecessary regulatory burdens placed on small businesses throughout the country, limiting legal bills and enhancing their focus on core business needs.

H.R. 6585, the Bipartisan Workforce Pell Act:

ABC will continue to advocate for an all-of-the-above workforce development strategy, including industry-driven and government-registered apprenticeship programs, so workers and employers

