



March 12, 2020

The Honorable Mitch McConnell  
Majority Leader  
U.S. Senate  
S-230 The Capitol  
Washington, D.C. 20510

The Honorable Kevin McCarthy  
Republican Leader  
U.S. House of Representatives  
H-204 The Capitol  
Washington, D.C. 20515

Dear Leader McConnell and Leader McCarthy:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 69 chapters representing more than 21,000 members, I write to express our serious concerns regarding the *Families First Coronavirus Response Act* (H.R. 6201) and the federal mandates it places on our nation's employers. ABC and our members understand the unique threat that the coronavirus presents to the construction industry and is committed to working with Congress to combat this global pandemic.

ABC believes that any emergency legislation approved by Congress should prioritize combatting the spread of the disease and providing health care to those impacted while focusing on the immediate threat that COVID-19 poses to the personal safety and wellbeing of U.S. workers. Creating permanent federal programs that will place unfunded and onerous mandates on employers in the United States would be detrimental at a time when companies will also face virus-related declines in revenues.

As currently written, provisions in the *Families First Coronavirus Response Act* could severely impact the construction industry. These additional employer mandates include:

- Seven days of accrued sick leave combined with an emergency 14 days of leave for public health emergencies when they occur provided by all employers regardless of size. While employers of 50 or less can seek reimbursement from the government, this would have a significant impact on the construction industry.
- Expansion of the Family and Medical Leave Act unpaid leave for two years to cover COVID-19-related absences, including illness, quarantine, caring for other and school closure. This provision would apply to employers of any size even though FMLA currently applies only to employers with 50 or more employees.

ABC and our members are committed to ensuring the safety and health of construction workers. While well intentioned, these types of unfunded mandates put a strain on construction companies when they can least afford it and invite increased business closures and job loss. Further, implementing these far reaching and permanent requirements for employers requires much deeper analysis and debate that is not permitted under an emergency response bill, and ABC welcomes the opportunity to be a part of that larger conversation.

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As Congress continues to negotiate this critical legislation, it may also want to consider suspending the collection of certain taxes while expanding access to credit for our nation's businesses. This will help to avoid unnecessary bankruptcies and layoffs and ensure a healthy economy as employers and employees work to weather this storm.

ABC appreciates your efforts to contain this ongoing health crisis and urges a bipartisan solution that focuses on immediate relief for workers, employers and the economy, as well as addresses the needs of our health care system to combat this virus.

Sincerely,

A handwritten signature in black ink, appearing to read "K Swearingen". The signature is written in a cursive, flowing style.

Kristen Swearingen

Vice President of Legislative & Political Affairs