

October 6, 2023

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

The National Demolition Association (NDA) represents nearly 500 U.S. and Canadian companies that offer standard demolition services as well as a full range of demolition-related services and products. NDA educates members on the latest advances in equipment and services, provides educational programs and tools to stay abreast of regulatory and safety matters and keeps regulators informed about issues in our industry. NDA also increases public awareness of the economic and societal benefits of demolition.

For the last several years, NDA member companies have faced unprecedented obstacles in recruiting and retaining qualified employees to work in the demolition industry. The ongoing challenge of maintaining a reliable workforce is having a negative effect on demolition contractors and hampering the overall U.S. economy. According to the latest data from the Bureau of Labor Statistics released on Oct. 3, 2023, there are currently 9.6 million job openings in the United States.¹ This includes nearly 350,000 unfilled job openings in the construction industry alone. This economic data acutely conveys the urgency to find effective solutions to solve the workforce crisis in America.

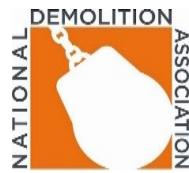
Given these extraordinary challenges, NDA is growing increasingly concerned with several recent regulatory actions taken by your Administration that will make it more difficult to attract and retain talent in the demolition industry. One of these proposals is the Department of Labor's (DOL) rulemaking to overhaul overtime regulations. This proposed rule would drastically increase the minimum salary-level threshold from \$35,568 to \$55,068 and implement automatic increases to the threshold every three years, regardless of economic conditions. If finalized, this rulemaking threatens to increase labor costs for employers and lower employee morale by eliminating middle management positions, flexible work agreements, and worker development and career advancement opportunities.

Further, your Administration's proposals to significantly alter the joint employer standard, independent contractor classification rules, noncompete agreements, and other burdensome workplace regulations will only lead to greater economic uncertainty for employers and exacerbate their ability to sustain a qualified workforce.

In light of these recent proposals, NDA urges your Administration to refocus its efforts on addressing labor shortages and prioritizing policies that will bolster the workforce development system. NDA strongly supported the Bipartisan Infrastructure Law you signed into law in 2021 and believes it was a positive step in helping to restore and rebuild America's infrastructure. However, overbearing and complex workplace regulations will make it more challenging for construction employers, such as demolition contractors, to hire workers and ensure these critical infrastructure projects are delivered on time for the American people.

NDA calls on your Administration to work with Congress on bipartisan solutions that will strengthen and improve workforce development in essential industries, such as demolition. This includes policies such as new employer tax credits to recruit and train workers, improved programs for career and technical education, and enhanced apprenticeship and job training opportunities.

¹ Press release, "Job Openings and Labor Turnover, August 2023," U.S. Bureau of Labor Statistics, October 3, 2023



While not exhaustive, below you will find a list of policies supported by NDA along with specific legislation that can help promote a more robust and skilled workforce.

- Support legislation to improve and expand apprenticeship opportunities, vocational training and other work-based learning initiatives to address the shortage of skilled labor in the private sector.
- Support legislation addressing the shortage of qualified candidates for high-skilled jobs by improving and promoting STEM (Science, Technology, Engineering and Mathematics) education in secondary and postsecondary education settings.
- Support and reform educational programs, such as Pell Grants and the Carl D. Perkins Career and Technical Education program, to boost technical training in secondary and postsecondary education settings and make these programs more responsive to the needs of employers and workers.
- Support the use of federal block grants to states for workforce development initiatives.
- Support policies that encourage the training and hiring of military veterans for careers in the demolition industry.
- Oppose policies that discourage individuals from joining the workforce and negatively impact employee retention.

Workforce legislation introduced in the 118th Congress:

- S. 1213 - Training America's Workforce Act
- H.R. 496 - Promoting Employment and Lifelong Learning (PELL) Act
- H.R. 1656 - USA Workforce Tax Credit Act
- H.R. 4685 - Workforce Development Investment Act
- S. 550 - Prioritizing Evidence for Workforce Development Act
- S. 343 - Apprenticeships to College Act
- H.R. 658 - Strengthening Youth Apprenticeships Act
- H.R. 793/S. 161 - Jumpstart Our Businesses by Supporting Students (JOBS) Act of 2023
- H.R. 2900/S. 242 - Apprenticeship Hubs Across America Act
- H.R. 1403/S. 662 - STEM RESTART Act
- H.R. 3804 - Workforce and Education Partnership Act
- H.R. 3416/S. 454 - Youth Workforce Readiness Act

Thank you for the opportunity to provide comment on this important issue. For any questions, please contact NDA's Director of Government Affairs Alex McIntyre at amcintyre@demolitionassociation.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Lambert".

Jeff Lambert
Chief Executive Officer
National Demolition Association (NDA)