



October 8, 2024

Dear Senators Sanders and Cassidy:

Recently, a new version of the Warehouse Worker Protection Act was introduced and referred to the Senate Health, Education, Labor, and Pensions Committee for consideration. As responsible employers, protecting those who work for us is a priority for our member companies. The Warehouse Worker Protection Act, however, would impede our ability to meet that commitment. The Coalition for Workplace Safety¹ (CWS) and the 45 undersigned organizations restate our opposition to this legislation, which would impose wholly unworkable and burdensome regulations on warehouse distribution centers nationwide, as well as other workplaces.

The new version of the legislation purports to exempt small businesses from the bill's myriad of onerous mandates. However, the exemption language is insufficient as many businesses considered small by the Small Business Administration's standards would still be covered by all the provisions in the bill. Further, the exemption language in the legislation does not apply to the provision of the bill that expands the National Labor Relations Act to make the imposition of a quota an unfair labor practice.

The bill, as presently crafted, would curtail employers' due process rights when challenging citations from the Occupational Safety and Health Administration (OSHA), expand the authority of the Federal Trade Commission, and establish a new bureaucratic system to micromanage the warehousing and distribution industry.

Further, the Warehouse Worker Protection Act would resurrect OSHA's long-discarded and discredited ergonomics standard. When this regulation was first promulgated a quarter century ago, it was found to be so unworkable that a strong bipartisan majority of Congress invalidated it in the first-ever use of the Congressional Review Act. Congress was right then and should not revisit this issue now. In addition, the bill would force employers to implement costly remedial measures even before OSHA has proven any violation.

Despite its narrow sounding title, the legislation would impact workplaces in nearly every industry sector nationwide and undermine the efficiency of American supply chains. Protecting workers is a priority for all employers, but this bill would only impede efficient operations without improving workplace safety. The wide variety of employers and industries reflected in the list below reiterate our opposition to the legislation and our concerns about the serious consequences it would have on the economy.

We urge the Committee to reject this bill.

¹ CWS is comprised of associations and employers who believe in improving workplace safety through cooperation, assistance, transparency, clarity, and accountability. The CWS believes that workplace safety is everyone's concern. Improving safety can only happen when all parties – employers, employees, and OSHA – have a strong working relationship.



Sincerely,

Coalition for Workplace Safety
Alliance for Chemical Distribution
American Bakers Association
American Pyrotechnics Association
American Supply Association
American Trucking Associations
Associated Builders and Contractors
Associated Equipment Distributors
Ceramic Tile Distributors Association
Convenience Distribution Association
FMI – The Food Industry Association
Foodservice Equipment Distributors Association
Gases and Welding Distributors Association
Global Cold Chain Alliance
Heating, Air-conditioning, & Refrigeration Distributors International
HR Policy Association
Independent Electrical Contractors
Institute of Makers of Explosives
International Foodservice Distributors Association
International Warehouse Logistics Association (IWLA)
Kansas Cotton Association
Litter Workplace Policy Institute
Manufacturer & Business Association
MHEDA - Material Handling Equipment Distributors Association
National Association of Manufacturers
National Association of Sporting Goods Wholesalers
National Association of Wholesaler-Distributors
National Cotton Ginners Association
National Federation of Independent Business
National Grocers Association
National Lumber & Building Material Dealers Association
National Marine Distributors Association
National Ready Mixed Concrete Association
National Retail Federation
National Roofing Contractors Association
Non-Ferrous Founders' Society
Outdoor Power Equipment and Engine Service Association
Pennsylvania Food Merchants Association (PFMA)
PRINTING United Alliance
Small Business & Entrepreneurship Council
Southeastern Cotton Ginners Association
Southern Cotton Ginners Association



Technology & Manufacturing Association
Texas Cotton Ginner's Association
Tile Roofing Industry Alliance
U.S. Chamber of Commerce