

114TH CONGRESS
1ST SESSION

H. R. 3459

To clarify the treatment of two or more employers as joint employers under the National Labor Relations Act.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2015

Mr. KLINE (for himself, Mr. ROE of Tennessee, Mr. WALBERG, Ms. FOXX, Mr. ROKITA, Mr. WILSON of South Carolina, Mr. HUNTER, Mr. THOMPSON of Pennsylvania, Mr. SALMON, Mr. GUTHRIE, Mr. BARLETTA, Mr. HECK of Nevada, Mr. MESSER, Mr. BYRNE, Mr. CARTER of Georgia, Mr. BISHOP of Michigan, Mr. GROTHMAN, Mr. RUSSELL, Mr. CURBELO of Florida, Mr. ALLEN, Mr. CHABOT, Mr. LUETKEMEYER, Mrs. HARTZLER, Mr. SMITH of Missouri, Mr. HARDY, and Mr. KNIGHT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To clarify the treatment of two or more employers as joint employers under the National Labor Relations Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Local Busi-
5 ness Opportunity Act”.

1 **SEC. 2. TREATMENT OF JOINT EMPLOYERS.**

2 Section 2(2) of the National Labor Relations Act (29
3 U.S.C. 152(2)) is amended by adding at the end the fol-
4 lowing: “Notwithstanding any other provision of this Act,
5 two or more employers may be considered joint employers
6 for purposes of this Act only if each shares and exercises
7 control over essential terms and conditions of employment
8 and such control over these matters is actual, direct, and
9 immediate.”.

○