

**NOMINATION OF JULIE SU TO SERVE  
AS DEPUTY SECRETARY OF LABOR**

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**HEARING**  
OF THE  
**COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS**  
**UNITED STATES SENATE**  
**ONE HUNDRED SEVENTEENTH CONGRESS**  
FIRST SESSION  
ON  
EXAMINING THE NOMINATION OF JULIE A. SU, OF CALIFORNIA, TO BE  
DEPUTY SECRETARY OF LABOR

MARCH 16, 2021

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## NOMINATION OF JULIE SU TO SERVE AS DEPUTY SECRETARY OF LABOR

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Tuesday, March 16, 2021

U.S. SENATE,  
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 10:05 a.m., in room 106, Dirksen Senate Office Building, Hon. Patty Murray, Chair of the Committee, presiding.

Present: Senators Murray [presiding], Casey, Baldwin, Murphy, Kaine, Hassan, Smith, Rosen, Hickenlooper, Burr, Collins, Cassidy, Murkowski, Braun, Marshall, Scott, and Tuberville.

### OPENING STATEMENT OF SENATOR MURRAY

The CHAIR. Good morning. The Senate Health, Education, Labor, and Pensions Committee will please come to order.

Today we are holding a hearing on the nomination of California Secretary of Labor Julie Su to serve as Deputy Secretary of Labor. Senator Burr and I will each have an opening statement, and then I will recognize Senator Padilla to introduce Secretary Su. After Secretary Su gives her testimony, Senators will have 5 minutes each for a round of questions. I am happy to stay for a second round if any Senator has any remaining questions.

Before we begin, I do want to walk through the COVID-19 safety protocols in place. We will follow the advice of the Attending Physician and the Sergeant at Arms in conducting this hearing. We are all grateful to everyone, including our clerks, who have worked so hard to get this set up and help everyone stay safe and healthy.

Committee Members are seated at least six feet apart, and some Senators are participating by video conference. While we are unable to have the hearing fully open to the public or media for in-person attendance, live video is available on our Committee website at [help.senate.gov](https://help.senate.gov).

If you are in need of accommodations, including closed captioning, you can reach out to the Committee or the Office of Congressional Accessibility Services.

We received Secretary Su's formal nomination on February 13th; her Office of Government Ethics paperwork, including her public financial disclosures and ethics agreement, on February 18th; and her Committee paperwork on March 2nd.

Secretary Su, thank you for joining us today. I'm pleased to welcome your daughter, LiMei, who is here with you today. And I

know your family, including your parents and your daughter, AnLing, are watching as well. They must be very proud.

Our Country is not yet through the COVID-19 crisis, but with the passage of the American Rescue Plan and President Biden announcing he will direct all states, tribes, and territories to make all people 18 and over eligible to be vaccinated no later than May 1st, we're finally on the right track. There is a light at the end of the tunnel. But we have to make sure we do not run out of steam before we reach it.

We are going to need a full team working together to make that happen, which is why it is so important we work to get qualified nominees like Julie Su quickly confirmed.

President Biden has taken important, historic steps, as has Congress, but there is more work to be done to not only fully rescue America from this pandemic, but to recover from this crisis and rebuild a stronger and fairer economy.

I'm incredibly glad we were able to extend the unemployment benefits millions of families need to help them get by in the American Rescue Plan, but we also need to increase wages. One in nine workers is making poverty-level wages, and some workers are still being paid discriminatory sub-minimum wages.

I'm glad we were able to take steps that will cut child poverty in half, but we need to do more to help families get quality, affordable child care and provide national paid sick days and family and medical leave, especially since, in the midst of a pandemic, one in four workers do not have paid sick leave.

I'm thrilled we were able to protect millions of workers and retirees from having the pensions they earned dramatically cut, but we need to help more people plan for retirement. One in four people have no retirement savings, and women are 80 percent more likely to face poverty in retirement.

In addition to the American Rescue Plan, there is more progress we are making that we must build on. President Biden has taken important steps toward protecting workers, but we know that work is not done yet, and even when it is, we will need to do more to ensure people are safe from workplace hazards, pandemics, harassment, and discrimination, something my BE HEARD in the Workplace Act works to address.

President Biden has also moved to withdraw the previous administration's joint employer and independent contractor rules, which shielded the largest corporations from being held accountable for violations of workers' rights and significantly restricted workers' right to minimum wage and overtime.

In addition to these much needed steps, the Senate needs to join the House in passing the PRO Act, which I introduced last month, to strengthen the right to join a union and collectively bargain.

While we all know our economy can't work without women, it's also painfully clear it is not working for them. One in four women have considered down shifting their careers because of this pandemic. More than 2 million women left the workforce over the last year.

Women of color face an even larger pay gap, higher rates of unemployment, and a steeper climb to recovery.

We need to do so much more to ensure equity in our economy and address the sexism, racism, ableism, and bigotry that has hurt too many for so long.

But, if we are going to build an economy that works for all working families, we need someone serving as Deputy Secretary of Labor who will fight for them, and that someone is Julie Su.

Julie Su's experience leading one of the largest state labor departments in the Nation, her decades-long commitment to fighting for workers' rights, and her personal story as the multilingual daughter of Chinese immigrants, have given her the experience, background, and values to be a successful Deputy Secretary of Labor.

As a labor lawyer, Julie Su fought to defend Thai garment workers who were trafficked into the United States and forced to work behind barbed wire and under armed guard, and she then pushed to change the law to ensure corporations are held responsible for working conditions in their supply chains.

As California Labor Commissioner, Julie Su cracked down on wage theft and launched a multilingual campaign to help workers understand their rights and feel safe speaking up about employers stealing their wages.

As California's Secretary of Labor, Julie Su has implemented increases to the state minimum wage, created good-paying, high-quality jobs, expanded access to benefits for gig workers and workers who are paid low wages, and protected essential workers who are bearing the brunt of this pandemic, including by establishing and enforcing mandatory emergency COVID workplace safety standards.

In short, Secretary Su's record as a champion for workers is long and clear, and the need to confirm her is obvious and urgent.

We need a fully staffed Department of Labor to protect workers and help us end this pandemic, to foster healthy communities, and to build a stronger, fairer economy.

We need a Deputy Secretary of Labor like Julie Su who is committed to ensuring workers have a fair and just workplace, a livable wage, a secure retirement, safe working conditions, access to accommodations, the right to join together and collectively bargain, and are treated with dignity and respect.

I urge my colleagues to work with me on a bipartisan basis to confirm her without delay.

Finally, I seek unanimous consent to put in the record 44 letters in support of Secretary Su's nomination, from more than 650 labor unions, former colleagues, labor leaders, and more.

So ordered.

[The information referred to can be found on page 42.]

The CHAIR. With that, I will recognize Ranking Member Burr for his opening remarks.

#### OPENING STATEMENT OF SENATOR BURR

Senator BURR. Good morning and thank you, Chair Murray. Thank you for scheduling this hearing to consider the nomination of Secretary Julie Su for Deputy Secretary of Labor.

Welcome, Secretary Su. I congratulate you on your nomination, and I know your family is proud of what you've accomplished.

Article 2, Section 2 of the United States Constitution gives the Senate the power of advice and consent to approve or reject nominations for executive offices made by the President. The Senate is not a rubber stamp but an equal partner in shaping the staff of the executive branch.

It's an important responsibility, and I do take it personally; I do not take it lightly. I have supported nominees of presidents of both parties even when I didn't agree with the president or the nominee if I thought that the nominee was qualified for the job and deserving of my support.

In fact, a month ago I supported the nomination of Marty Walsh to be Secretary of Labor. I said then that Mayor Walsh has the background, the skills, and the awareness of the need for balance in conversations between labor and management.

Mayor Walsh emphasized during his nomination hearing that he wanted to work with us collaboratively to help the American workers improve and expand opportunities. Mayor Walsh committed to making sure commerce and labor work cooperatively. So I'm pleased to be able to support his nomination and provide my consent.

California is not a model to emulate for the rest of the country. According to the Bureau of Labor Statistics, California's unemployment stands at 9 percent, the second highest in the country, and has had one of the worst increases in unemployment over the last year of COVID.

The state has imposed some of the most onerous restrictions on businesses and individuals, and has been one of the slowest to recover from the pandemic.

The controversial AB 5 bill would have decimated many of the companies that have helped to give the state its reputation of innovation.

For example, Uber and Lyft were both born in California and have revolutionized how people around the world get from place to place. Both companies would have had to cease operations in the very state in which they're headquartered if the AB 5 bill would have been implemented as passed.

The law was so radical that the same California voters who overwhelmingly supported President Biden overturned the core of AB 5 by a whopping 17 percent.

California is also known for high taxes, and that applies both to individuals as well as businesses, and those rates aren't likely to go down anytime soon considering the staggering amount of state liabilities on the state's balance sheet. The Tax Foundation ranked California 49th out of 50 states in terms of business climate. The classic idea of "if you want less of something, make it more expensive" applies to employing people in California.

The Mercatus Center has also found that California has the most state regulatory restrictions in the country, nearly 30 percent more than the state with the second most restrictions. The tax and regulatory burden weigh heavily on employers, and it's another reason why we are seeing so many businesses flee California in favor of other states with more reasonable policies.

Maybe that explains why so many companies are moving from California and bringing their jobs to North Carolina, Texas, and

elsewhere. I see a lot of moving trucks with California plates in Charlotte and Raleigh, North Carolina, and as long as they don't bring their politics, we're happy to welcome them with open arms.

Turning to our nominee, Madam Secretary, you have a few challenges in gaining the support for your nomination.

First, some of your friends have made it clear that they think you will be a shadow Secretary, when the role of Deputy Secretary is really that of Chief Operating Officer. Your friends may have thought they were helping you, but some of what they have said raises some real questions.

Secretary Su, we discussed this yesterday in my office, so I hope you can convince the Committee that you understand the job you've been nominated for.

I also hope you can demonstrate that you aren't aiming to drag Mayor Walsh away from what I think is a sensible agenda he committed to pursuing when he sat right where you sit today in his confirmation hearing.

Second, and more importantly, I'm even more concerned about the failures and fraud in California's unemployment insurance. California suffered some of the largest fraud in our Nation's history during the pandemic. Over \$11 billion, and perhaps as high as \$30 billion, in fraud occurred in California's unemployment system. Even death row inmates received unemployment checks.

I'm sure there is a reasonable debate to be had about the death penalty, but I can't imagine one that involves paying people on death row for being unemployed.

What's worse about the fraud committed on California and the U.S. taxpayer is that it was entirely preventable.

It's my understanding that an auditor made a series of recommendations just as you took office, specifically recommending that California exclude sensitive information, including Social Security numbers, from its identification system. But nothing changed.

In fact, when the fraud was ramping up and billions being stolen from taxpayers, California actually made things worse. You ordered the agency to eliminate some important safeguards to speed up payments, which led to even more fraud.

Additionally, the people waited months for their benefits, and a state audit showed that call centers only answered 1 percent of their calls.

These are operational failures of extreme proportion.

What's worse is that California has received hundreds of millions a year, every year, over the past decade in Federal funds for administration of their unemployment systems, but no changes or improvements to those systems were made.

It's not Washington's fault that the California system still uses COBOL. You'd think with all of those tech companies still in Silicon Valley, that one or two of them would have been able to provide new technology and new systems.

As we discussed yesterday, it is true that all states struggled, but California's struggles swamp everyone else, and none of their Secretaries of Labor are here today seeking a promotion.

While you may not personally be responsible for every case of fraud that happened, the fraud did happen under your watch. So

please help this Committee understand why that is an experience the Senate should reward with a promotion.

I'll keep an open mind as we go through this hearing, and I appreciate your willingness to discuss these issues with me and with the Committee today.

I thank the Chair.

The CHAIR. Thank you, Ranking Member Burr.

Now I will turn it over to Senator Padilla—welcome to our Committee—to introduce Secretary Su.

#### STATEMENT OF SENATOR PADILLA

Senator PADILLA. Thank you, Chair Murray and Ranking Member Burr, for once again inviting me to address the HELP Committee to introduce a fellow Californian. I'm honored to introduce Julie Su to be Deputy Secretary of the Department of Labor, and I'm confident that her experience as Secretary for the California Labor and Workforce Development Agency will enable her to immediately hit the ground running at the Federal level.

As I believe we all agree, our Nation's workers and businesses are struggling to survive the economic impacts of the COVID-19 pandemic, and it's critical that we have experienced leadership in place. There is simply no better preparation for the challenges that we're facing than serving at the state level in the State of California, a state that represents the fifth largest economy in the world, the largest economy of any state in the Nation, and that reflects the local variations in business conditions that we see across the country.

As you will hear from her, Julie is the proud daughter of immigrants. Her parents came from China in search of a better life for their family, just like my parents did. Her parents worked at minimum wage jobs for decades. Julie understands how hard families in America are working right now just to make ends meet.

Her upbringing engrained in her how to run a small business. She watched her parents run a dry cleaning and laundromat business, and later a pizza restaurant. She learned firsthand what goes into making businesses succeed, and she knows how to help them and how to help workers.

As a seasoned lawyer fluent in Mandarin, and Spanish as well, Julie spent two decades representing workers, including immigrant workers and workers of color. She became deeply familiar with their struggles, the struggles of garment workers, hotel housekeepers, caregivers, nurses, restaurant and retail workers, workers in all the industries that have been severely impacted by the pandemic and are critical to our Nation's economic recovery.

As California Labor Commissioner from 2011 to 2018, Julie launched the first Wage Theft is a Crime campaign to help low-wage workers and employers understand their rights. And most recently, as Secretary of the California Labor and Workforce Development Agency, Julie has overseen seven major departments, boards, and panels that improve access to training, promote quality jobs, eliminate barriers to employment, create innovative career pathways, and level the playing field for employers large and small.

Julie knows that collaboration with employers and the business community is key to success, and that's why we see so many small



business groups and Chambers of Commerce supportive of her nomination.

Now, I know that California has struggled with fraud in its unemployment system in recent months, perpetuated by the same organized criminals that have targeted several states around the country. That's why Julie's experience is even more helpful and needed by the Federal Government as the Federal Government will work with states to crack down on unemployment fraud nationwide.

I know that Julie will take every opportunity to do right by both our Nation's workers and employers, to think boldly and to expand opportunities to achieve the American Dream, just as her parents did.

Julie Su is a proven leader who is uniquely qualified to take on the challenges of the Department at this moment. I believe it's critical that this Committee give her the fair and respectful consideration that she has earned, and I urge the Committee to support her nomination.

Thank you, Madam Chair.

The CHAIR. Thank you very much, Senator Padilla.

Senator Hirono was planning to be here with us today to help introduce Secretary Su. Unfortunately, she needed to fly home to Hawaii for a personal emergency. But she has written a statement of support. I ask unanimous consent to enter it in the record.

So ordered.

[The information referred to can be found on page 40.]

The CHAIR. Secretary Su, you may now begin your testimony.

#### **STATEMENT OF JULIE SU, SACRAMENTO, CA**

Ms. SU. Madam Chair Murray, Ranking Member Burr, and Members of the Committee, I am honored to appear before you today and am grateful for the time that you took to meet with me prior to this hearing. I have enjoyed our discussions about the Department of Labor and its critical role in meeting the challenges of our time. I have appreciated the chance to share with you my vision for the Deputy Secretary of Labor's role.

I want to start by thanking President Biden for this incredible opportunity. I also want to thank my parents, who are watching from California along with my daughter AnLing, a high school senior who will attend Amherst College in the fall and play on the basketball team.

My older daughter, LiMei, is with me today. She is a student at Yale, and I'm so grateful that she could be here in person. My children and I are proud products of the American Dream.

I am the daughter of Chinese immigrants. My mom immigrated to the United States on a 30-day voyage on a cargo ship because she could not afford a passenger ticket. Both of my parents came to America for opportunity, and they found it in Provo, Utah, where they studied; in Madison, Wisconsin, where my sister Shirley and I were born; and ultimately in the home they built in search of warmer weather in Southern California.

My parents worked minimum wage jobs while going to school and instilled in me a deep appreciation for the struggles and pride in work. My mom eventually got a job working at Los Angeles

County, starting as an office clerk, and retired after 27 years. That job gave our family financial security and health insurance. It also gave my mom stable, predictable hours and, now that she's retired, a pension. I know well what a good union job does for a family because I am a direct beneficiary.

While I was growing up, as Senator Padilla mentioned, my family also owned a dry cleaning and laundromat business, and later a pizza restaurant. I remember for years my dad would go to his day job and then go directly to our business, returning home after 10 p.m., often with a pizza that a customer had rejected for my sister and me to pack in our school lunches the next day. I have a first-hand appreciation for small businesses, who are the engines of our economy.

I also grew up translating for my parents, a common experience in immigrant families. After college I went to law school and became the first lawyer in my family. My experience as a translator at home shaped my commitment to making the law understandable and meaningful to individuals and communities too often left out of our economy. I spent nearly two decades representing workers, including immigrant workers and workers of color—garment workers, hotel housekeepers, caregivers, nurses, restaurant and retail workers—many of the same workers who have been hardest hit by the COVID pandemic. What I learned from these courageous individuals is that too many people still work full-time year-round and live in poverty. Too many are denied a just day's pay for a hard day's work. As we've seen during the pandemic, too many workers have to choose between their safety and their livelihoods.

At the same time, I learned that working people, when given a chance to organize, to be heard, not only make things better for themselves but bring the hope of such opportunity to those around them. If confirmed, I will bring these lessons and experiences to my role as we collectively continue to navigate these trying times.

For the past 10 years I have served the people of California to build a fair and inclusive economy that values workers and supports businesses, all of whom want a fair shot at opportunity and security. I have prioritized innovative partnerships with employers, ensured robust enforcement of labor laws, and worked to combat wage theft. During my time leading and managing labor department programs in California, the world's fifth largest economy, I have seen firsthand three things that I want to share today.

One, with a clear vision, bold ideas, and commitment to making government work, rejecting the idea that we have to do it this way because it's always been done this way, for example, we can transform what we do and how we do it.

Two, government has a meaningful role to play in providing support to employers who play by the rules. One of these roles is investments in workforce programs to provide training to meet the need for skilled workers and give more workers access to quality jobs. So much of what government can do is good for both employers and employees. I have been a leader dedicated to finding and expanding those areas of common ground.

Three, the lowest-paid workers, who often work crushing hours under brutal conditions, deserve their government's support and respect. It is possible that we cannot only ensure that their earned

wages make it into their pockets, we can also build their faith in the very idea of government itself.

These lessons drive my desire to serve in the Federal Government. I am grateful for this chance to work to preserve and expand the American Dream for all Americans. And, if confirmed as the Deputy Secretary of Labor, I look forward to my partnership with you in the years to come. I look forward to your questions.

[The prepared statement of Ms. Su follows:]

PREPARED STATEMENT OF JULIE SU

Chair Murray, Ranking Member Burr, and Members of the Committee, I am honored to appear before you today and am grateful for the time you made to meet with me prior to this hearing. I have enjoyed our discussions about the Department of Labor and its critical role in meeting the challenges of our time. I have appreciated the chance to share my vision with you for the Deputy Secretary position.

I want to start by also thanking President Biden for this incredible opportunity. I also want to thank my parents, who are watching today from California along with my daughter AnLing, a high school senior who will attend Amherst College in the fall and play on the basketball team. I'm also fortunate to have my older daughter, LiMei, with me today. She is a student at Yale, and I'm so grateful she could join me in person. My children and I are proud to be products of the American Dream.

I am the daughter of Chinese immigrants. My mom came to the United States on a 30-day voyage on a cargo ship because she couldn't afford a passenger ticket. Both of my parents came to America for opportunity, and they found it in Provo, Utah, where they studied; Madison, Wisconsin, where my sister and I were born; and ultimately in the home they built in search of warmer weather in Southern California.

My parents worked minimum wage jobs while going to school and instilled in me a deep appreciation for the struggles and pride in work. My mom eventually got a job working at Los Angeles County, starting as an office clerk, and retired after 27 years. That job gave our family financial security and health insurance, and also gave my mom stable, predictable hours and, now that she's retired, a pension. I know well what a good union job does for a family because I am a direct beneficiary.

While I was growing up, my family also owned a dry cleaning and laundromat business and then a pizza restaurant. I remember for years my dad would work his day job and then go directly to our business, returning home after 10 pm often with a pizza that a customer had rejected for my sister and I to pack in our school lunches the next day. I have a first-hand appreciation for small business owners, who are the engines of our economy.

I also grew up translating for my parents, a common experience in immigrant families. After college, I went to law school and became the first lawyer in my family. My experience as a translator at home shaped my commitment to making the law understandable and meaningful to individuals and communities too often left out of our economy. I spent nearly two decades representing workers, including immigrant workers and workers of color—garment workers, hotel housekeepers, caregivers, nurses, restaurant and retail workers—many of the same workers who have been hardest hit by the COVID pandemic. What I learned from these courageous individuals is that too many people still work full-time year-round and live in poverty. Too many are denied a just day's pay for a hard day's work. As we've seen during the pandemic, too many workers have to choose between their safety and their livelihoods. At the same time, I learned that working people, when given a chance to organize, to be heard, not only make things better for themselves but bring the hope of such opportunity to those around them. If confirmed, I will bring these lessons and experiences to my role as we collectively continue to navigate these trying times.

For the last 10 years, I have served the people of California to build a fair and inclusive economy that values workers and supports businesses, all of whom want a fair shot at opportunity and security. I have prioritized innovative partnerships with employers, ensured robust enforcement of labor laws, and worked to combat wage theft. During my time leading and managing labor department programs in California, the world's fifth largest economy, I saw firsthand that:

- With a clear vision, bold ideas, and commitment to making government work—rejecting the idea that it has to be this way because we've always

done it that way, for example—we could transform what we do and how we do it.

- Government has a meaningful role to play in providing support to employers who play by the rules. One of these roles is investments in workforce programs to provide training to meet the need for skilled workers and give more workers access to quality jobs. So much of what government can do is good for both employers and employees. I have been a leader dedicated to finding and expanding those areas of common ground.
- The lowest-paid workers, who often work crushing hours under brutal conditions, deserve their government's effort and respect. It is possible that we not only can ensure their earned wages make it into their pockets, we can also build their faith in the very idea of government itself.

These lessons drive my desire to serve in the Federal Government. I am grateful for this chance to work to preserve and expand the American dream for all Americans, and, if confirmed as the Deputy Secretary of Labor, I look forward to my partnership with you in the years ahead. I look forward to your questions.

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The CHAIR. Thank you very much, Secretary Su.

We will now begin our round of 5-minute questions. I ask my colleagues to please keep track of your clock and stay within those 5 minutes. I am happy to stay if anyone has additional questions for a second round.

Secretary Su, as we continue to grapple with the health and economic impact of the COVID-19 pandemic, I'm optimistic about the rising rates of vaccinations and the drop in cases and deaths in recent weeks, but we have a long road of economic recovery ahead. Our nation's essential workers have spent the last year responding on the front lines, but many lack paid sick days, fair wages, and proper health and safety protections. Millions of workers remain unemployed.

In late 2020, some estimates showed nearly a quarter of small businesses remained closed, with the most severe losses among businesses owned by women, people of color, and immigrants.

Secretary Su, you have led California's labor agency's response to the pandemic, overseeing implementation of state and Federal rules, defending the rights of workers, and ensuring health and safety on the job. Tell us what you have learned from your experience in leading the response of the Nation's largest state to the COVID pandemic, and how will your state leadership experience inform how you approach the Federal COVID response from the Department of Labor?

Ms. SU. Thank you so much, Madam Chair Murray. Thank you for the question, and thank you for your ongoing leadership, especially when it comes to women in the workplace.

Every worker I have ever represented, assisted, or worked with taught me something different. But the one thing they all taught me is that what we are able to do when we work together is far more than what we can do when we work alone. And that spirit of collaboration, of listening, the idea that we can accomplish big things if we create big tables and create a seat for everyone to be heard, is the way that I would approach the job of Deputy Secretary of Labor.

In my career, and especially over this last year during the pandemic, I have experienced working across many interests. I know that in government we need to work across all agencies to meet the

challenges our Country faces. It is how we have approached COVID in the pandemic, and I welcome this approach.

I know that all levels of government—Federal, state, and local—have to work together. At the end of the day, people don't care how we draw our lines, they just want to know if we've made their lives better.

I understand how to support career staff in government agencies to enable them to meet the mission of their departments. I believe that organizations, including government, have to invest in making things work. Last week, the President spoke directly to the American people about the pain that this pandemic has wrought. He talked about that longest walk that any parent has to make to their children's bedroom to tell them I've lost my job. And this past year, too many Americans have had to do that.

The unemployment insurance system is supposed to be a safety net for those times. In California, over the course of the pandemic, UI claims jumped dramatically. From the last week in February to just two weeks later, they jumped 1,400 percent. The number of claims by mid-April was more than the total number of claims filed in all of 2019.

This meant that, like just about every other state, California's unemployment insurance system was overwhelmed. And each claim represented somebody who suddenly had the ground fall out from under them. I personally heard from thousands of these individuals, people who one day had a job and the next day didn't know how they were going to pay rent, were going to food banks, living in their cars, and worried about whether they would be able to buy life-saving medications. So the magnitude of the suffering cannot be overstated.

California had one in five claims in the entire nation, and we were working on a system built on outdated technology. I identified this as a priority when I came in during 2019. But, frankly, system upgrades are not quick endeavors. So when the pandemic hit, the arcane technology made the system both fragile and inflexible. Again, this didn't just happen in California, but it proves something that I have brought to my decades of work improving systems and organizations, that we have to invest in making things work in good times so that they can meet our needs in bad.

This is especially true in unemployment insurance, because it is a system that is most needed in the worst of times, as we've seen in this last year. We took steps in California to process the historic numbers of claims. We did ramp up. We got to the point where we were paying over a billion dollars a week in benefits to individuals who needed it, money that was a lifeline to individuals, and also put money back into the economy because recipients of these benefits paid them directly for the basic necessities—groceries, rent, and the like.

According to the Century Foundation, which evaluates UI performance across the country, in November California was second. Colorado was first, but California was second in the percentage of initial claims paid. This means that despite the large numbers and despite the failing technology, the steps we took helped to deliver.

But I mention the people that I heard from because this should never happen, that the safety nets in place do not work and are

not strong enough. So we have to update our systems. We have to get payments out when we stop fraud. And we need a Department of Labor that works with the states, that understands the real-world challenges and can set a big table to approach these issues with a national approach because they are a national problem. And if confirmed, I would be really proud to work with all of you on these problems.

The CHAIR. Thank you very much for that response.

Senator Burr.

Senator BURR. Thank you, Senator Murray.

Again, welcome, Secretary Su.

Chris Lu and Patrick Pacella, two prior Deputy Labor Secretaries, have said that the role of Deputy Labor Secretary is one of chief operating officer. However, in an interview with Vox, V-O-X, Congresswoman Judy Chu expressed that before you agreed to take on the deputy role, you had a talk with Marty Walsh to get assurances that you would have the ability to concentrate on your areas of expertise.

These are yes or no answers.

Do you see the role as Deputy Secretary of Labor as the chief operating officer, yes or no?

Ms. SU. Thank you so much, Ranking Member Burr. Thank you so much for the time you took to meet with me. I appreciated the chance to talk about this then, too. I absolutely see the role of Deputy Secretary of Labor as the chief operating officer of the Department.

Senator BURR. Will your priority be managing the Department of Labor's 15,000-plus employees and 10 regions, yes or no?

Ms. SU. My priority will be to best serve hopefully soon-to-be Labor Secretary Walsh and the Administration on making sure that the Department of Labor delivers on its mission, and absolutely a key part of that priority is what you just mentioned in terms of supervising, managing, making sure the Department works well and that the staff have what they need in order to perform their jobs at the highest level.

Senator BURR. The buck stops with you as Labor Secretary in California. California has provided at least \$10.4 billion, and up to \$31 billion, in fraudulent unemployment insurance payments under your leadership.

Again, these are yes or no answers.

Shortly after you were appointed Secretary, a state auditor urged the Employment Development Department to address its mailing system after millions of Social Security numbers were included in a mailing sent to wrong addresses. Did you implement the recommendations made by the auditor, yes or no?

Ms. SU. Ranking Member Burr, thank you again. There are a lot of issues in the unemployment insurance—what has happened over the last year. That audit happened well before the pandemic; and, yes, the recommendations of that audit have been implemented.

Senator BURR. In August 2020 the California State Auditor's Office identified as a high-risk issue the Employment Development Department's management of Federal funding in response to COVID-19, and in September 2020 California's state auditor, Elaine Howell, was directed by the California Joint Legislative

Audit Committee to conduct an emergency audit of EDD. Is that, in fact, true? Yes or no?

Ms. SU. Yes. There were a couple of audits conducted in relation to the pandemic. One was about fraud, and the other was on operations.

Senator BURR. According to state auditor Howell, you directed the Employment Development Department to pay certain claimants UI benefits without making key eligibility determinations and to temporarily stop collecting bi-weekly eligibility certifications. Knowing the unemployment insurance system was at risk of fraud, you chose to remove the checks and balances; yes or no?

Ms. SU. Thank you, Ranking Member Burr. I think what's important here is I mentioned there were two different audits. The pandemic-related fraud that has been perpetrated across the country is really a nationwide, insidious criminal scheme. That is a different audit and a different situation. I'm happy to talk about that, as well. But then the audit about operations which mentioned, yes, that I took steps consistent with what was then the Department of Labor's guidance in order to try to make sure that benefits continued to get out to Californians when we saw that there were threats to the stability and the security of our system. We did not waive any fraud checks at the time. There was no finding that decision led to the massive fraud that—

Senator BURR. You didn't waive any certifications?

Ms. SU. We did not waive certifications. What we did was, because we saw that individuals were coming into the system to certify every 2 weeks and this was threatening the stability of the system itself, what we said was that there was a period of time in which people, especially because of the pandemic, it was very unlikely that people were going back to work, that if they went back to work and were no longer eligible, they had to come and inform us of that separately but not through the system that was supporting the entire UI—

Senator BURR. Let me get my last question in, then, if I can, Secretary. As Deputy Secretary of Labor, your job will be to prevent fraud and abuse of taxpayer spending. Will you prioritize expedience over protecting against fraud and taxpayer waste, yes or no?

Ms. SU. The UI system is a constant—it's a dual effort both to get payments out to people who need them, especially in the most desperate of times, and to stop the fraud. I will certainly prioritize the continued fight against fraud. The President called our Nation's battle against COVID the need to be on a war footing. I would say that the battle against the criminal enterprises that have relentlessly attacked our pandemic-related benefits system is one front in that fight. And in California, we have been on those front lines.

When we saw the initial spike in claims on the pandemic unemployment assistance, we stopped the automatic back-dating of claims. After we did, the Department of Labor instructed all states to do it. It shut down a number of the fraudulent claims that came through. We have also adopted technology—I know we talked about this yesterday. We were one of the first five states to do so. This is an effort to stop the identity theft fraud, which was a big part of the fraud that, again, cost—that hit every state and that the Department of Labor estimates is about 10 percent of all of the pan-

demic unemployment system's claims. We put that in place. Now over 20 states have also done that.

I would take the experience that we had in California to stop fraud, to shut the front door to fraud, and to send a strong message that our systems are secure, to make sure that we can—that the Department of Labor supports the states in this effort rather than leaving states to fend for themselves as they are attacked one by one.

Senator BURR. Thank you, Madam Chair.

The CHAIR. Thank you.

Senator CASEY.

Senator CASEY. Secretary Su, thank you for putting yourself forward for this position. We're grateful to have this opportunity to ask some questions. And I wanted to first make just a brief comment on your nomination from a personal perspective. Your family story and your story is a great American story of success and hard work, and we're grateful that you're able to now have an opportunity to serve at the Federal level, and we appreciate the work that you've done in the State of California.

I wanted to start with a question about Americans with disabilities. I know that we talked about this. I spoke to Mayor Walsh about this as well, about expanding employment opportunities for people with disabilities.

We've made a lot of advances, as we know, in the last couple of decades in areas like assistive technology to help folks with disabilities. Job coaching is another where that has advanced. There are other supports that enable people with disabilities to succeed in the workplace, and quality employment opportunities for people with disabilities at the same time continue to be far too limited. So even though we've made some advancements, we still have a long way to go to provide those quality employment opportunities.

We know that thousands of individuals with disabilities also continue to be paid a sub-minimum wage under Section 14(c) of the Fair Labor Standards Act, which I think is wrong.

My first question, Secretary Su, is will you commit to working with me and other Members of the House and the Senate to create more and better employment opportunities for people with disabilities and to expand competitive, integrated employment opportunities?

Ms. SU. Thank you so much, Senator Casey. And, yes, absolutely I would commit to working with you on that issue. I know that this Administration shares your concern about the sub-minimum wage. We believe that is a matter of equity and fairness, and certainly as we recover from this pandemic we have to make sure that we are creating as many employment opportunities, particularly for those who face additional barriers to employment, as we can to ensure the strongest recovery we can.

Senator CASEY. Thanks very much.

I wanted to ask a question about the agency itself. As you know from your work in state government, and I had experience in state government as well, sometimes coming into a department and facing challenges that confront that agency becomes fairly common. I know that there are some concerns about what has transpired the last couple of years, including issues like staffing vacancies in crit-



ical parts of the Department. So you have some experience coming into an agency in state government that had some challenges. Can you talk about your experiences, then, in the context of taking over an agency at the state level and gaining the buy-in of new employees and the cooperation to achieve a mission and how that would prepare you to assume the role as Deputy Secretary?

Ms. SU. Thank you so much, Senator Casey. I really enjoyed our conversation about this particular point and the shared experiences we've had in managing government agencies.

I take great pride in the investments that I have made in my time in leadership in the staff of the agencies that I've been a part of, and I think this goes back to Ranking Member Burr's initial question, too. I think one of the things I'm most excited about, if confirmed, is the opportunity to work directly with the career staff at the Department of Labor who I understand have felt somewhat marginalized over the last few years and who I think would be anxious and excited to work along with Mayor Walsh and hopefully me if I'm confirmed to really restore a sense of mission at the Department of Labor.

I think it's really important to invest in staff. I always tell the staff I work with that I've spent my career fighting for working people. That includes my own staff. So really looking at the needs of our employees, the need for training, the need for clear direction, the opportunity to create creative teams in order to tackle different problems, the idea of setting clear vision and then allowing people to innovate and to make decisions in fulfillment of the Department's vision, those are all areas of work that I both have experience in and would be very, very excited to bring to the Department.

Senator CASEY. Thank you, Secretary Su.

Thank you, Madam Chair.

The CHAIR. Thank you, Senator Casey.

I'll turn to Senator Collins.

Senator COLLINS. Thank you, Madam Chair.

Secretary Su, welcome. First let me say that I believe that every Member of this panel would agree with you that unemployment insurance is absolutely critical to individuals who have lost jobs through no fault of their own. However, there can be no excuse for the kind of rampant fraud that has been so prevalent in California.

Now, I recognize that there has been UI fraud across the country, including in the State of Maine. But the sheer scale and scope of the fraud in California not only dwarfs that of every other state, to be at least \$11.4 billion in fraud, but also seems to be directly related to directives that you issued. And these fraudulent payments are incredible: a \$21,000 payment to our colleague, Senator Diane Feinstein; \$800 million worth of payments that went to prison inmates; 1,700 claims from a single address, yet they were paid.

You gave a confusing answer, in my judgment, to Senator Burr about the directives that you issued. So I pulled up a press release that your department issued, and it says very clearly that you sent a memorandum to the Employment Department development director directing that department to temporarily suspend unemployment eligibility certifications. So, in other words, they're paying UI benefits before determining if the applicants are eligible. You also

directed the agency to temporarily stop collecting eligibility certifications from claimants.

Now, the U.S. Department of Labor did not waive those requirements, and a California state audit found that your directives jeopardized the integrity of the system. So do you disagree with the state auditor and with the Federal requirements? Why did you take those actions? Why did you jeopardize the integrity of the system?

Ms. SU. Thank you, Senator. I appreciate in the hearing for Mayor Walsh you really laid out what was sort of the perfect storm in unemployment insurance benefits, the massive spike in claims on the heels of really record low levels of unemployment when the pandemic unemployment insurance funding was at a 50-year low nationwide, along with technological challenges or failure to invest in technology. And layer on top of all of that, the fraud really created, again, like a perfect storm of challenges.

First to your point about California. It's true, California has received a lot of attention because we are a very large state. As I said, California has processed one in five unemployment insurance claims in the entire country, more than Texas and New York combined, and we've also been very transparent about our challenges.

I should note that fraud in the unemployment insurance system itself—the system that has to do with the eligibility requirements that you're talking about in California has been, even in the pandemic, in the last year, about 5 percent, which is comparable to what it is in years prior, comparable to what it was in 2019.

The massive amount of fraud that you are legitimately concerned about—I am, too—occurred in the Pandemic Unemployment Assistance program, which did not have those same requirements. And on those, the 10 percent, the \$11 billion or so, which is 10 percent of the total payments, that 10 percent is about the same as what the Department of Labor estimates is the fraud nationwide on the system.

Again, I'm not trying to defend it or to justify it. I am putting it in context.

We also did bring in an external strike team in California to look at why there were so many—why there were delays in payments, to dig deep and figure out what we needed to fix, and then we made that strike team report public, too. So I think transparency is very, very important in government. It has raised more attention on what we're doing in California, but it also then allows us to talk about the early and aggressive steps that we took, as I mentioned, to stop the fraud.

The Pandemic Unemployment Assistance program was more vulnerable to fraud. I say it's one of the fronts in the war because we've all learned from—again, it was a balance there of wanting to get money out quickly because we needed to, and then once we saw the fraud we took immediate steps. Those steps led to the same steps being taken by the Department of Labor, instructing other states to do that, and Congress also took steps, including back in December with the Continued Assistance Act, putting in more criteria before payments could be made.

This is a front of the war that's going to require all hands on deck, and my sense is that on the fraud piece, because every state

has seen it and it has slowed payment in every state, it's further threatened technological systems that were already vulnerable, that we need a national approach to the national problem. And based on my firsthand experience in the trenches in California, I would bring that experience. I think we need people who understand and have a clear-eyed view of what the myriad problems are and how they interconnect and what we can do about them to both make sure that we're making payments when needed and we are stopping fraud where we need to.

Senator COLLINS. Well, my time has expired. I will follow-up with you on these issues because I still don't think I got an answer to my question about your suspending the requirements.

The CHAIR. Thank you, Senator Collins.

We'll turn to Senator Baldwin.

Senator BALDWIN. Thank you, Chair Murray.

Thank you, Secretary Su, for joining us today. I look forward to your swift confirmation, and I look forward to working with you to address the many challenges that our Nation's workers and families and businesses are facing.

Millions of essential health care workers, food service workers, and others have been on the front lines of this pandemic since it began, and I believe that it's time for the Congress and the Administration to step up and put their health and safety first.

Included in the January 21st Executive Order on protecting worker health and safety, President Biden asked Congress to pass legislation that strengthens and expands OSHA's ability to protect workers, just as provisions in my COVID-19 Every Worker Protection Act would do.

Do you believe that protecting worker health is central to combatting the spread of this pandemic? And do you believe that the issuance of an OSHA emergency temporary standard is still necessary to help protect workers from COVID and to help businesses safely reopen?

Ms. SU. Thank you so much for that question, Senator Baldwin. I so enjoyed our conversation, including our memories of childhood where my parents lived in Eagle Heights and what you said about the incredible diversity that you experienced as an elementary school student and how much that affected your whole worldview and your outlook. I really appreciated that.

The answer to your question is I do agree that we need to do everything we can to protect the health and safety of workers. What we have seen in this pandemic is really just what happens when workers are forced to go to work without proper protections. I think a global pandemic really drives home the point that worker health is public health, and we need to be sure that we are doing what we can both as a matter of worker protection but also as a matter of public health protection. If we cannot stop the spread in workplaces, we cannot get a handle on the pandemic, and that is a key prerequisite to getting our economy back on track.

At the heart of my decades of work has been protecting workers. I will say that in terms of—I think that there's also a very important role when we talk about workplace standards to do outreach to support employers who are working to put standards in place. I heard from hundreds of employers in California, especially at the

beginning of the pandemic, about the need for help in trying to figure out what exactly needed to be done to create safe workplaces.

To that end, in California we actually created an employer portal. What this does is it allows employers to enter in their address, their zip code, their industry, and it pulls from all the various guidance that is out there. It pulls from county public health guidance, workplace-specific guidance. It pulls from industry guidance and California State Public Health guidance in order to generate a roadmap for employers on what a site-specific workplace health and safety plan looks like. So it's an example of that I think we need to give employers the tools and clear guidance in order to protect their workers.

In terms of your question about the emergency temporary standard, I know that this is something that the Department is still working on, and I expect that the results of their work and consideration over the last couple of months will be imminent.

Senator BALDWIN. Thank you. I want to continue on the topic of worker safety. The COVID-19 pandemic has worsened many issues that health care and social service workers were already experiencing before the pandemic began. According to the GAO, these workers experienced incidents of violence at 12 times the rate for the overall workforce.

My Workplace Violence Prevention for Health Care and Social Service Workers Act would direct OSHA to create a standard to better protect these workers. Will you commit to placing this important safety issue back on the Department's agenda and work with this Committee to help tackle the issue of violence in the workplace?

Ms. SU. Yes. Thank you, Senator. I see that my time is up, so I will say that I definitely agree that preventing violence in the workplace is very important, and I would look forward to working with you on that issue.

Senator BALDWIN. Thank you.

The CHAIR. Thank you, Senator Baldwin.

Senator Cassidy.

[Pause.]

The CHAIR. Senator Cassidy is not in line. We'll turn to Senator Kaine.

Senator KAINE. Thank you, Chair Murray, Ranking Member Burr, and Ms. Su. It was good to visit with you. I enjoyed our visit the other day.

I think the questions that are asked about the fraud issues are important, but I do want to share a Virginia perspective, because we were really beset with some similar challenges.

At the time that the pandemic hit us, we were at a record low unemployment, and that also led in Virginia, and I'm assuming in California and elsewhere—staffing levels at our agencies had also dropped pretty significantly as the unemployment rate had come down for a number of years.

Congress, wanting to do the right thing, thank goodness, in a bipartisan way, did three things to put real significant burdens on our state unemployment agencies. First, we expanded the unemployment benefit, the additional \$600 a week, and that's now being

revised as we go. But that was an initial challenge, take the state normal reimbursement rate and add that \$600 to it.

Second, we extended the number of weeks that someone could claim unemployment insurance. Again, that was a smart thing to do.

But the third thing that was probably the really challenging thing was the PUA program, which dramatically expanded the universe of people who could get unemployment. I think I've often heard my colleague, Senator Warner, say that, sadly, in the current American workforce, only about 30 percent of American workers fit within the traditional UI model because it was designed so long ago. So now we have gig workers and part-timers and self-employed and sole proprietors. We have this huge universe of people who aren't in the system at all. And again acting quickly, as we needed to, we said, hey, look, this is a group of people that has some significant need right now, so we want to create an unemployment insurance program for them as well.

Now, as I understood your answer to Senator Collins' question, it sounds like the fraud challenges that you dealt with in California, and are still dealing with, and we are in Virginia too, are disproportionately in that third program, Congress' mandate that states offer unemployment benefits to this massive universe of people who had never been in the system before. Did I understand that answer correctly?

Ms. SU. Yes. Thank you so much, Senator. I enjoyed our conversation very much, too.

That is exactly correct. Over 95 percent of the fraud that we have experienced in California is in that Pandemic Unemployment Assistance program, which, as you said, by design was intended for people who were not eligible for regular unemployment insurance. It did not have the same checks against your employer or look at your prior earnings at the outset of the program.

Senator KAINE. Our design of it—again, we were trying to act quickly because the economy needed it, so I'm not saying we did anything wrong, but that expansion at a time when staffing levels were already at historic lows, it created fraud challenges in Virginia. It created unacceptable backlogs. I mean, people were flooding my offices with calls about how come, I'm supposed to qualify, I see what Congress has done, but I can't get an answer.

I think these are significant challenges, and I do think there has to be an answer about how we dealt with it, did we deal with it correctly or not. But there also has to be an answer for us because I think one of the challenges coming out of the pandemic is do we have a UI system that's fit for the 21st century versus a UI system that's designed for the 1950's. I mean, if we're going to have now a workforce that is largely maybe gig workers and sole proprietors and part-timers and things like that who aren't included in traditional UI, a question that we have to grapple with on the HELP Committee and in Congress generally is do we need to broaden the UI system? And if so, how do we do it, how do we pay for it, how do we avoid fraud, how do we avoid unacceptable waiting times for people to get benefits if we decide that they're entitled to them?

I think it's a really important issue not just because of past performance for all of us, but I think there's probably forward-looking

reforms that we might have to make, and the experience of people flooding in and saying, well, I'm a sole proprietor so you should give me benefits, it turns out they're not, we will probably have to have different fraud detection mechanisms if we expand the universe in that way than we would with traditional employees.

Let me ask you this. If we're going to do an infrastructure economic recovery bill, and I hope we will, I really worry that we don't have the workforce currently to do infrastructure. We don't have a sizable enough workforce to do infrastructure. The last question I'll ask is at DOL, how would you contemplate working together with the Secretary to think about the workforce challenges attendant upon hopefully a significant infrastructure investment?

Ms. SU. Thank you so much, Senator. I think this is one of the biggest opportunities we have to align the skills of the American workforce, especially coming out of this period of unemployment and economic difficulty, with the need to rebuild, an opportunity to rebuild infrastructure. Every goal that we have, every opportunity that we have to ensure a clean climate, to build enough housing, to ensure that we have roads and a transportation system and bridges that work, and schools, all of these are opportunities to create good jobs in the communities that need them the most, and I think that aligning our workforce system so that we are training for those jobs, and also ensuring equity and access to those jobs, that those who face the greatest barriers to employment who might otherwise be left out, we have an opportunity to be very thoughtful about all of those goals, and I really see them as opportunities, and I would look very forward to working with you and with the people at the Department of Labor to make those things happen if I'm confirmed.

Senator KAINE. I've run over my time. Thank you, Chair Murray.

The CHAIR. Thank you, Senator Kaine.

Senator Murkowski.

Senator MURKOWSKI. Thank you, Madam Chair.

Ms. Su, welcome, and thank you for the opportunity to have the conversation that we did. I appreciated the discussion, much of which you've raised here today with regards to unemployment insurance and how we deal with the matters of fraud. I think what Senator Kaine has raised just in terms of recognizing that going forward we need to be looking really structurally at that system that was built perhaps on a model that folks really didn't anticipate we would see these changes in this very mobile, very nimble workforce of today.

You and I didn't have an opportunity to speak to it in our conversation, but I understand that when you had a chance to visit with some of the staff here on the HELP Committee, the issue of H2A/H2B visas came up. I know that is something significant from my perspective with Alaska's seasonal workforce. And while that is something that is not exclusively within Department of Labor, it shares with Homeland as well, that is a matter that we struggle every season at just about this time of year to ensure that we have the necessary numbers of seafood workers able to come to the state, again for a very reduced season. And working within Department of Labor, with the folks over at Homeland, to assure that

those visas are able to be issued is something that continues to be a priority.

I wish that I didn't have to come back every year and make this case and make this argument. We would like to get a permanent fix, and we would hope that we would be able to work within the Department to achieve just that.

Just to follow on a little bit to what Senator Kaine mentioned with regards to what we're seeing with the gig worker, the regulations that we have in place currently, which define employee versus independent contractor, are ones that we see come into play for discussion and great debate from time to time. What steps—just kind of general conversation here—what steps would you take if you're confirmed to address these regulations as they relate to definitions of employee versus independent contractor?

Ms. SU. Well, thank you very much, Senator. And thank you also for the conversation that we had prior to this hearing.

I think that question is very important. It's important in our economy. I think that every worker who goes to work when they have the protections of employee status, they know that they will be protected by minimum wage and overtime laws. They know that they will be protected by workplace health and safety laws. They know that if they are injured, they have worker's compensation, and if they are unemployed they will get the unemployment insurance benefits. So this question is really important to the basic protections in the workplace.

I will also say that in my years of working in government, I have met with thousands of employers who speak about the need for a level playing field, who say that it is extremely difficult to comply with labor laws if their competition is allowed to evade those same labor laws, creating a race to the bottom.

I think that these issues are at the heart of the question that you asked. If confirmed, I would work closely with the Solicitor and the staff at the Department of Labor to be thoughtful, to seek input about guidance, and I think that the principles of worker protection and level playing field are just so important, especially as we look to what it means to build back better, what it means to build an economy that works for everybody.

I will also say something just on your question about H2Bs. I think that's a really important issue too, and if confirmed, I would work again with the Department to ensure that we have both timeliness and consistency of consideration of the visas that you're talking about, knowing how important they are especially to your state and to others.

Senator MURKOWSKI. Thank you for that.

My time is just about expired. But to the point about workforce and workforce development, we have good, strong training programs within our unions within the state. They do a great job. We've got a Job Corps that we think should be more of a model around the country in terms of how we ensure that it is workers trained for the jobs that are available, but would hope that you would have an opportunity to look to some of the successes that we have with our specific job training.

Thank you, Madam Chair.

The CHAIR. Thank you, Senator Murkowski.

We'll turn to Senator Hassan.

Senator HASSAN. Well, thank you very much, Madam Chair and Ranking Member Burr.

Thank you, Secretary Su, for being here today, and thank you for your willingness to serve.

I want to start with two questions about retirement, and then I have a couple of other questions if we get through those.

As you know, the United States Department of Labor is tasked with helping more workers save for retirement and helping retirees protect and utilize their savings. We know that Americans of all ages are struggling to save for retirement, and many American workers and retirees are at risk of outliving their retirement savings. One recent survey found that one in five Americans in their 70's have less than \$50,000 saved.

As Deputy Secretary of Labor, what policies would you focus on to help American workers save more for retirement?

Ms. SU. Thank you very much, Senator. I think this is such an important issue. Americans work so hard so that they can have a safe and secure retirement. I know from, again, my mom's experience that the pension that she has that now allows she and my father to live in retirement is absolutely critical to their health and their well-being.

A couple of things on that. I would say the issue you're raising is why the multi-employer pension relief that was part of the American Rescue Plan was so important, again just making sure that employees who have been paying into retirement and relying on their pensions get them is very, very critical.

Then I think that retirement savers also need to get the kind of advice that they need to make sure that they're investing their retirement in the best way possible for themselves. And if confirmed, I look forward to being briefed on the rulemaking process at the Department of Labor on this issue and to understanding what we can do to better protect retirees, which is a basic part of the fundamental mission of the Department.

Senator HASSAN. Thank you. In addition to helping more Americans save for retirement, I believe we also have to work to protect retirement accounts from potential cyber security threats. Yesterday, following a request from myself, Madam Chair, and House Education and Labor Chair Bobby Scott, the Government Accountability Office released a report highlighting the threat that cyber attacks pose to retirement plans. The report confirmed that cyber threats put private defined contribution retirement plans like 401(k)'s by more than 100 million Americans at risk and recommends that the Department of Labor take action to address this issue. I believe that Congress and the Department obviously must do everything that we can to protect against these cyber security risks.

As Deputy Secretary of Labor, what policies would you focus on to help ensure the security of retirement plans?

Ms. SU. I think that issue of ensuring against cyber attacks, we've certainly seen again in the last year, and even in this conversation, just how important that is, and I would again seek a full briefing from the Department on the steps that are already in place, do an assessment along with the Secretary on what else we



need to do, how we need to make sure that they're stronger and definitely consider this a very high priority, especially as we know that the President has actually called for providing almost all workers with access to a 401(k) of some sort. So I think it absolutely will be a priority for me and for the Department.

Senator HASSAN. I also think it's going to take convening not only government experts and agencies but the private sector, too.

Ms. SU. Absolutely.

Senator HASSAN. Because this has to be a joint effort, and it's critically important to the economic security of so many Americans, right?

Ms. SU. Without a doubt. And I think that is a—the point of creating more public-private partnerships, especially in things like this where there is tremendous expertise in the private sector, bringing that to bear on the challenges that we face in government is, I think, also very, very important, and I look forward to learning about partnerships that already exist and building on those, and also finding where there are gaps and making sure that we fill them.

Senator HASSAN. All right, thank you. And let's turn to one other issue quickly. As Secretary of the California Labor and Workforce Development Agency, you have firsthand experience executing traditional unemployment insurance programs and expanded benefits at the state level. While states have primary responsibility for distributing unemployment insurance, the Department of Labor plays a significant role as well.

Based on your own experience, how can the Department of Labor better support states administering these programs, and should Congress consider reforms to improve the administration of unemployment insurance going forward?

Ms. SU. Yes. Thank you, Senator. I see that I don't have a lot of time, but I'll try to—I do think this connects to Senator Kaine and Senator Murkowski, the points about that we have an opportunity now to look at the unemployment insurance system, how it works and how it doesn't.

At the first level I would say that the Department of Labor, in providing consistent and clear guidance, is absolutely critical to the states. Again, I have seen firsthand the importance of that consistency. And because it is a Federal-state program, I think there are many opportunities for better collaboration both on the administration of benefits and on the fight against fraud in a collaborative way between the Federal Government and all the states.

Senator HASSAN. Thank you very much.

Thank you, Madam Chair.

The CHAIR. Thank you.

Senator Cassidy.

Senator CASSIDY. Thank you, Madam Chair.

Ms. SU. I enjoyed our conversation on the phone.

Just to follow-up a little bit on what Senator Hassan said, and some others, she asked, going off of her last question regarding how can DOL better support a state agency, to return to an earlier line of questioning by others—obviously, one of the concerns, and just to hear your straightforward response to this, is that the DOL Office of Inspector General had warned your state agency in May

2020 that at least \$1.2 billion in benefits paid out in March and April were potentially fraudulent.

It seems as if these red flags were being raised and were not addressed by your department in California until August 2020, at which point the \$600 stimulus checks had run out. It kind of begs the question why did your agency not respond more quickly? And if DOL has to do more, what more should DOL do to have an agency be more responsive?

Ms. SU. Thank you so much, Senator. Thank you for our conversation also.

I think on those questions, again, the perfect storm of challenges that we faced in California that all states faced, there was the Federal Department of Labor's warning about fraud. That itself has also really been evolving over time. The estimate of what the fraud was at the beginning has gone up because we have seen that the massive attacks, they weren't the typical kind of fraud that usually hits the unemployment—

Senator CASSIDY. Well, let me ask, because I understand that the specific thing pinpointed was the lack of identification, insufficient requirement for identification. Now, that seems as if that would be roughly scalable; that, yes, we have a lot more, but we still have to check your identity because whether it's few or many, we have to know it's truly somebody who is worthy, who exists, is actually applying, and DOL flagged that.

I guess I'll just go back to my question. What could DOL have done differently, and why was there such a hesitancy in your department to respond to the warnings they did give?

Ms. SU. Senator, that question really goes to Senator Kaine's point. The concern that the DOL OIG raised was because, by design, the Pandemic Unemployment Assistance program was meant to pay out to individuals who were not eligible for regular UI and who did not have either employer records, which the traditional UI system checks against, or prior earnings, which the traditional UI system guards against. As I mentioned, in California, that kind of fraud was comparable to prior years of fraud.

The massive fraud was in a system that, by design, did not have those in place, and I believe what the DOL was doing was raising the concern about that.

The other vulnerability in the system was what is known as automatic backdating, basically when somebody applied for PUA, they could get benefits back to the beginning of the pandemic. It was that vulnerability that became exploited. Now, the rule that the DOL had at the time was automatic backdating. Again, once we saw the spike in those claims, which was in August, in the first weeks of September we shut down automatic backdating. That then triggered the Department of Labor followed by instructing all states to do so.

Again, I think that this is a front on the battle that we have to bring—build a table with experts to really be smart about how we address them, collaborate between the states so the states are not fighting the battle on their own. But at the end of the day, truly understanding what happened and why it happened is going to be very important for fixing the problem.

Senator CASSIDY. Next let me ask, as regards multi-employer pension funds, which Senator Hassan just raised, because I think you'll be part of that process, \$86 billion in debt was wiped away with no structural changes made. We could begin re-accumulating that debt.

What ideas do you have that could prevent us from just getting another \$86 billion until we blow out spending some time in the future and don't pay for it in a way to clear the deck?

Ms. SU. Senator, without a lot of time left to address that fully, I will say that I will commit to working on that issue, if confirmed. I think that relates to my general approach, which is that I do think we have to solve problems before they become bigger problems, and being clear-eyed and thoughtful and bringing experts to the table to really understand the problem, how we got there and how we prevent it in the future I would assure you would be a priority of mine in my approach to the job if I'm confirmed.

Senator CASSIDY. Okay, thank you.

I yield back.

The CHAIR. Thank you.

Senator Murphy.

Senator MURPHY. Thank you very much, Madam Chair.

Welcome. Thank you for your prior service and your willingness to serve at the Federal level.

I wanted to stay on the topic of your service in California but on a different subject, and that is a law that California has had on the books for a while effectively banning the use of something called non-compete agreements. Non-compete agreements cover today about 20 percent of U.S. employees. They impact low-skilled and low-wage workers, just as they impact higher-skill and higher-wage workers, and they are inherently non-competitive. They effectively give employers a veto right over an employee's right to choose where they work.

This is becoming a real area of bipartisan agreement. We have legislation modeled after California's in Congress now that's supported by a bipartisan coalition of Senators. And so while this is an issue that will more likely be regulated by the FTC than Labor, the Department of Labor still has the ability to glean information about the impact of non-competes. President Biden ran on a promise to address this issue.

I wanted to ask you about what your experience is in California with a fairly rigorous restriction on non-compete agreements and whether you'd be willing to work with the Committee and with the Senate to at least make sure that the DOL provides relevant information to help us make a decision moving forward on this issue.

Ms. SU. Yes. Thank you so much, Senator. Absolutely, yes, to working together on this issue if I'm confirmed. I think this is one of those examples of how something that's good for workers is actually also good for employers. The ability for employers to attract and train the talent that they need, I think it's just a very important part of, again, the many areas of common ground, that when we do something that protects workers, there's also a benefit to employers. So absolutely, yes, to working on the issue together.

Senator MURPHY. My sense is that in California you found that the existing protections for intellectual property and trade secrets

is sufficient in order to make sure that employees who are leaving one firm that's highly dependent on IP doesn't take it and bring it illegally to another company. It's important for folks to remember that just because the non-compete agreement may not be available to employers, they aren't bereft of other mechanisms to stop the illegal transfer of intellectual property. Is that correct?

Ms. SU. Absolutely, Senator. Yes.

Senator MURPHY. The second topic that I wanted to touch on is related to this issue of unemployment but specific to the issue of long-term unemployment. We have a workforce training agency in Connecticut called The WorkPlace that has been featured in national publications and national media because they have specifically attacked this issue of long-term unemployment with a program called Platform to Employment. And it recognizes the fact that for folks that have been out of the workforce for a very long time, for years in some cases, there are all sorts of ancillary effects to that individual and to that family that have to be dealt with in order to get them back into the workforce, and I think we're going to be looking at a very large population of long-term unemployed once we finally turn the corner.

Is this something that you have looked at specifically in a targeted way in California? Do you think it's worthwhile for the Department of Labor to think about this specific population of individuals who have been out of the workforce for a long time—frankly, right now, they don't even show up in our statistics—and look at programs like Platform to employ others that have had success in bringing people back into the workforce?

Ms. SU. That's right. Thank you, Senator. Yes, I think that it is definitely a population that needs and deserves our attention, again especially coming out of the pandemic, where we have seen long periods of unemployment for individuals and, frankly, people dropping out of the labor force as a result, disproportionately women workers. So I think that there is a tremendous need to target our workforce programs on those who face the greatest challenges, and the long-term unemployed are certainly one of those.

I will also just note that I know there are innovative and effective programs in your state and other states that we ought to be building on, and California too. We have invested in what we call high-road training partnerships, really demand-driven partnerships between employers and employees where industry comes together with business, management, labor, community colleges and other educational institutions, and community-based organizations to support people who try to get into the workforce, and creating opportunities for high-road jobs where people can actually support a family and lift themselves out of poverty.

I think finding those innovations and figuring out how we duplicate them, where appropriate, is something I would love to do, and I know there are models in your state that we could use.

Senator MURPHY. That's great to hear. Platform to Employment has an 80 percent success rate, and some economists suggest one out of three jobs that have disappeared during the pandemic aren't coming back. So this is going to be a problem that we all have to deal with.

Thank you, Madam Chair.

The CHAIR. Thank you, Senator Murphy.

Senator Smith.

Senator SMITH. Thank you, Madam Chair and Ranking Member Burr. It's great to be with everyone.

Secretary Su, I'm so happy to see you here and grateful for your willingness to serve, and I just want to thank you so much and congratulate you on your nomination.

I'm struck listening to this conversation and the questions from my colleagues about how important the Department of Labor is right now, and how the Department of Labor was envisioned as an agency, as an advocate for working people, and how crucial that is, especially as we emerge from COVID, a pandemic that has laid bare so many of the inequities in our system, and a pandemic that has had a particularly hard impact on women and people of color. So I, for one, am really grateful for your leadership, your management and experience, and the capacity that you can bring to this role.

I want to just take a minute of my time also to note how exciting it is that we have finally made progress in the American Rescue Plan on passing essentially the Butch Lewis Act, which will ensure that retirees and people who have counted on their pension through a multi-employer pension plan know that those pensions are going to be secure. This is something that I've worked on carefully and hard with Senator Brown and Senator Baldwin and many others. So it is fantastic that we've been able to get this done, and it is going to make such a difference to the 22,000 Minnesotans who count on the Central States pension for their safe and secure retirement, and for thousands and thousands more folks around the country. So I just wanted to take a moment to mention that.

Secretary Su, I want to ask you a question about wage theft. According to the Economic Policy Institute, Americans lose three times more in wage theft than they do in street robberies, bank robberies, gas station robberies, and convenience store robberies combined. And this is, of course, disproportionately impacting low-wage workers, women, and workers of color, who are more often than not the victims of wage theft.

I understand that you have done a lot of work on this in California, so I wonder if you could share with us how you think about wage theft and what do you think the Department of Labor should be doing to better stop it.

Ms. SU. Well, thank you so much, Senator. Actually, that statistic is one that I used when I was leading what's the equivalent of the Department of Labor's Wage and Hour Division in California both as a grounding and as a motivation for the importance of our work, so thank you for that.

I think that wage theft is one of those phenomena that fundamentally disrupts the basic promise of our society, that somebody who goes to work should be paid what they were promised. So I think the Department of Labor has a very important role to play. Again, in California, I launched the Wage Theft is a Crime campaign when I oversaw that department. What we did was we eliminated the random, scattershot inspections. I don't think that it's beneficial for employers or employees or, frankly, for government when our investigations are random. I think it's really impor-

tant to focus on those who willfully break the law and make sure that we send a clear message that's not going to be tolerated.

I also think it's very important to put the right tools in the hands of our staff. When I had that position in California I invested in technology, in making sure that we had tablets in the field, making sure that employees have what they need to do their jobs effectively. And then we engaged in outreach with employers and with employees to make sure that people knew what the rules were that they were supposed to play by, and that we were hearing about the effects of our enforcement.

I think it's a really important priority, a very important responsibility of the Department, and I understand it is one where it could use some attention. If confirmed, I would look forward to bringing a strategic and thoughtful approach to the fight against wage theft.

Senator SMITH. Thank you, and I look forward to working with you on that. You are talking about the value of technology. I totally agree with you on that. And also the importance of enforcement. If there isn't good enforcement, then people will continue to try to push the rules, the bad employers will continue to try to push the rules, and too often working people just don't have the power to protect themselves in these circumstances.

I also agree with you on the power of communications to make sure that employers and employees understand what's happening and how they can fight it. So, thank you very much.

Ms. SU. Thank you, Senator.

The CHAIR. Thank you.

Senator Burr, did you have an additional question?

Senator Rosen.

Senator ROSEN. Thank you, Madam Chair, I appreciate it.

Thank you, Ms. Su, for being here, for stepping forward to serve, for your inspiring family story. I really enjoyed our conversation, and I know how much you'll do to support working families who really are the backbone not just of Nevada but of this entire nation. They make our tourism, our hospitality, our entertainment economy possible for my home state, and I look forward to working with you.

But we have a lot of work to do, and I'd like to focus a little bit on the cyber workforce, because one of the things I really enjoyed talking with you about is apprenticeship programs, particularly in the IT and cyber fields. We tend to think of apprenticeships as just related to the building trades because they work so well there, but I believe that we really could expand the model to strengthen the pipelines in the critical IT and cyber security industries. This is going to give more young people a chance at these good-paying jobs or folks who want to be retrained for jobs.

I've introduced bipartisan legislation to help create and expand registered apprenticeship programs in cyber security, and I look forward to working with you on that when you're confirmed.

Can you talk about some of the work you did in California in this field and how you work to scale these programs at a Federal level? We all care about apprenticeships. How do we expand these opportunities in our states?

Ms. SU. Yes. Thank you very much for that, Senator. I would say that this topic of workforce development and job training programs

and how we invest in those who need jobs came up in nearly every one of my conversations with the Senators on this Committee. So I look forward, if confirmed, to working with everybody on these really important issues.

In terms of apprenticeships, you are absolutely right, I loved our conversation about it, and I certainly found in California that it is one of the strongest ways we have both to meet the needs of employers and to create pathways for individuals who might not otherwise have the opportunity for good jobs. As you said, apprenticeships in the building trades have really set the gold standard and created an opening for us to look at how we utilize the model of learn and earn, how we help people who otherwise wouldn't be able to stop working or to get training to train for good-paying, middle-class jobs.

I think a big part of making apprenticeships work is the partnership, is creating alignment between employers and employees, educational institutions, community-based organizations, and to create systems that really support the needs of employers and the needs of employees for jobs. I know I've talked to apprentices who got out of a domestic violence situation because they were given a chance to be an apprentice, who lived in homeless shelters but through an apprenticeship found a job working at a high-end hotel as a cook. I mentioned high-road training partnerships earlier. We have a hospitality training academy, a partnership with Local 11, which has trained individuals for hospitality jobs.

To your point, Senator, about cyber security, I think that's one of those in-demand jobs. They're good-paying jobs, and they're jobs that have already been identified as if we're not deliberate about diversity and access for communities, then it will not happen on its own.

Apprenticeships is a way for us to make sure that we create equal access to these jobs. And I've certainly talked to apprentices for whom their time in school, in high school, it didn't make sense to them why they were learning about right angles or measurements. But when you put them into an apprenticeship where they're really learning how these things apply in the real world, it makes a really big difference.

Senator ROSEN. I want to build on that really quickly with the minute I have left, because women have been hit the hardest in this pandemic. You were talking about it, apprenticeships and training people or retraining people. But I want to focus on returnships where we create pathways for mid-career workers who return to the workforce. We know this pandemic has really impacted women, their ability to return maybe after having to step away for child care or other caregiving. I have a STEM Restart Act that's going to create a national program that would bridge the gap between workers who are more likely to be long-term unemployed and underrepresented in STEM, and so I would love to talk to you about this idea not just of apprenticeships but returnships for that mid-career worker who really needs to retool for a variety of reasons or jobs now that may not even come back after the pandemic.

Ms. SU. Absolutely, Senator. Thank you so much. I think there's a spectrum, from pre-apprenticeships to what you're talking about

for incumbent workers and upward mobility, all very important. Thank you.

Senator ROSEN. Thank you very much. I really look forward to working with you, and my time has expired.

The CHAIR. Thank you, Senator Rosen.

We'll turn to Senator Marshall.

Senator MARSHALL. I thank the Madam Chair, and welcome as well.

I think my first question, as potentially to be the Deputy Secretary of the Department of Labor, your State of California, like our State of Kansas, really struggled with fraud in the unemployment insurance, really struggled and continue to struggle. What lessons did we learn, and what was the cause of it? Under your new leadership, what would you do to help stop the fraud?

Ms. SU. Thank you so much, Senator. So, yes, what I've described really as a perfect storm during this pandemic of very high demand for benefits on the heels of very low levels of unemployment, which in the UI world translates into very low levels of staffing, and then on top of that infrastructure and capacity issues, I think all of those provide important lessons. And then on top of that we have to layer what you mentioned. I know you experienced it in your state; we did in ours, of course, and it really hit state after state. The fraud, the criminal enterprise type of fraud, I think it's so important to understand just the scope and the scale and the relentlessness of the kind of fraud that we faced, which is a different animal really than what the unemployment insurance system was built to prevent.

I will answer this question with what I think are four basic lessons. The first I talked about earlier, which is I do think the Department of Labor's consistent and clear guidance about what the states need to do to implement benefit programs, especially new benefit programs at the Federal level that have not been in place before is really critical. That kind of guidance has to come out timely, it has to be clear, and it has to stay consistent.

The second is those investments in infrastructure, and by this I mean technology but not just technology. In fact, in many of the states where technology upgrades had been made, they were still hit by the kinds of fraud schemes that we're talking about. So it's the ability to create a flexible, reliable system that works but that is also nimble enough to respond to what we've seen over the last year.

The third is that I think that we need a coordinated response to the fraud that recognizes it was a national problem. It has been called the biggest fraud scheme in United States history. It is a national threat, and it needs to be responded to with a national response.

Now, it should be done as a Federal-state partnership. The states have struggled against significant odds to process the unprecedented volume of claims and to implement new Federal programs and I think would welcome that kind of partnership with the Federal Government.

The last piece I would just say is we still have to pay attention to equity in all of this. We saw that the pandemic disproportionately hit African American workers, Hispanic workers, Pacific Is-



lander workers, women workers, and our unemployment insurance benefits system has to be aware of and responsive to those kinds of needs. This applies also to rural workers—

Senator MARSHALL. I need to move on to the next question, if you don't mind. Thank you for that answer.

Our state of Kansas, our Governor, also struggled mightily getting out the unemployment insurance benefits. It's the number-one complaint we get from Kansans, typically still getting 15 complaints a day, story after story, people crying and calling and saying, look, we don't have money to pay for electricity, enough money to go get groceries, waiting on those unemployment checks still. So here's fraud happening. The people who need it aren't getting it. Would you add anything else to what you would do to improve that situation as well, other than the four points you already made?

Ms. SU. I agree. I think that was the challenge, and I think understanding the multiple reasons why that happened. But your point is that there is a tension between paying benefits out quickly to those who need them and stopping the fraud. The unemployment insurance system is a constant effort to make sure that we do both of those things well. I would say that the priorities I raised but other ideas that I know this Committee is likely to have based on the multiple experiences in your state, I would very much welcome conversations about how we tackle it.

Senator MARSHALL. Okay. Next I just want to go really at a high level, at least a 20,000-foot-high level, maybe even higher. Right now, employers are trying to figure out how to make a safe work environment with COVID, and we realize the science is not settled. The science is never settled. With viruses, the only predictability about them is that they're unpredictable.

We've been told to wear one mask, no mask, two masks. We've been told to have our kids three feet apart, six feet apart, and the truth is we don't know, that we're shooting from the hip. The science is really a stretch, for the most part.

But your guidance to employers is going to have a huge impact. You set the gold standard, you set the bar, this is what an employer needs to do. Just kind of describe how you look at that situation, maybe not real specifically, but what rules will guide you, your values?

Ms. SU. I think that's right, Senator. We have to be based on science. We have to be based on our evolving understanding of the virus that we face. And I agree with you that is why as clear guidance as we can put out so that employers know what they need to do to keep their employees safe, but also themselves, right? What's required in order for them to keep their business operating, it's very important for us to be based in science, and then to make sure that we are doing as much outreach as we can so that employers understand their obligations. And then, as I talked about earlier, creating tools for employers who are struggling to comply to do so.

Senator MARSHALL. The point I'm trying to make is there's not good science, and you try to apply the science, but the science we're getting now is not the Gospel. Half of it is wrong; I just don't know which half.

Thank you so much for being here.

Thank you, and I yield back.

The CHAIR. Thank you very much.

Senator HICKENLOOPER.

Sorry about that. I'm going to get this muting and unmuting eventually.

First I want to congratulate you, Ms. Su, on your nomination to be Deputy Secretary. It's a tremendous honor, obviously, and you being the child of immigrants, it is a great inspirational message to people all over this country, and I know you're going to bring the same passion and experience to your new role.

I listened with interest to your discussion with Senator Rosen about apprenticeships. I come at it from a slightly different point of view, with the recognition that almost half of the American workforce is in small businesses, and yet 70 percent or over 70 percent of all American workers actually had their first job with a small business. But we know that growth is hindered when those positions that need to be filled need technical training or some form of certification. I think small businesses in health care or in technology, manufacturing, computer technology, these all need some sort of support in getting skilled workers, especially when they are small businesses.

Are there ways that the public sector can assist private industry in these cases for the challenge, and would one of those ways be looking at a new form of apprenticeship and what that might mean for providing skilled employees to small businesses?

Ms. SU. Well, thank you very much, Senator. Yes, I think that the apprenticeship model could certainly apply there. Apprenticeships are win/win, and looking at how we might meet the needs of employers of all sizes in industries like manufacturing, and related to our conversation about infrastructure, where are the jobs that we have and how do we create opportunities for people to be trained in those jobs and to do them.

I also think that there are opportunities for government to help create bridges, right? A lot of our work is about aligning systems. So when you do have private industry that says I have the need for these workers, most of our employers are small, so the investments we would have to make in training site by site are really particularly high. We can look at opportunities to create broader training efforts for multiple employers and small employers that would help to meet their needs and again create those opportunities for good jobs for people who might not otherwise know about those jobs or might not otherwise acquire the skills for them.

Senator HICKENLOOPER. Great, we agree on that.

Let me switch gears a little bit. Back when I was a mayor, and that's a long time ago, we became aware of critical shortages in various industries for workers, but at the same time we saw again and again the lack of utilizing our senior workforce, and I think part of that comes back to the skills training that's hard to figure out how do we get people who are mid-career or toward the end of their career to get refreshed on skills training so that they are able to take on some of these jobs where we clearly have a need. I think Senator Rosen talked a little bit about this, as well, but this is kind of a different aspect of that.

Ms. SU. Yes, Senator, that's right. I do think that is, though, another important aspect of the opportunities and training that's

needed. I know we talked about this in our conversation, and I appreciated that. In California, we have what is called a Master Plan on Aging, which is meant to look at the needs of older Californians, and there is both the need on the—it raised all kinds of questions around care, but it also raises all kinds of questions for people staying in the workforce longer and what are the supports that are needed, what are the training as conditions in the workplace evolve, and I think those are all a really important part of our workforce challenges that, if confirmed, I would love to work with you on, and also work with good staff in the Department on.

Senator HICKENLOOPER. Great. Thank you. I look forward to working with you.

I've got 20 seconds. If you could very concisely just talk a little bit about the skills gap in cyber security in terms of small businesses and kind of a commitment to help us tackle that.

Ms. SU. Right. So, cyber security has been growing. It is a growth area. There are tens of thousands of cyber security jobs in large and small businesses, public and private, throughout the United State, and we have an opportunity to create a skilled workforce for those good, high-paying jobs, and I'd be very committed to working on that issue.

Senator HICKENLOOPER. Great. Thank you so much.

I yield.

The CHAIR. Thank you.

Senator Braun.

Senator BRAUN. Thank you, Madam Chair.

Secretary Lu, enjoyed our conversation. We covered a wide range of topics. I think it went up to a half-an-hour or so. I know we've only got 5 minutes here.

You've come from a unique spot, being labor secretary in one of the largest economies in the world. I'd love to know what you think has worked well in California that you'd like to see happen on a Federal basis, and I'd like you to also put it in context. My own company that got to California roughly 10 years ago, we recognize it as a fairly austere state when it comes to regulations of all sorts, and I think your report card would be graded by how many businesses choose to move into a state versus moving out. Maybe it's mostly anecdotal, but from our own experience we would say that it's not necessarily a business-friendly environment.

That being said, tell me what you think you've done well in California, what you think you've done poorly at, and what you'd want to bring to the Federal level.

Ms. SU. Well, thank you so much, Senator. I will say that, just going back to our conversation, one of the things you mentioned was that when you were hiring you found that there were more people with college degrees than needed, meaning that we need to make sure that those without college degrees have the skills needed for the jobs in their area.

I agree with the importance of that point, and that's why I think we need to focus on, and we have in California—this is one of our successes, for sure—is looking at alternative degrees, looking at two-year colleges. We have a very robust community college system that we partner with a lot on the workforce side of things. We need to look at other kinds of credentials and certificates that both meet

short term—the need to employ quickly, and the many desires and directions of job seekers.

I think that's one area where I think we would have some common ground; and, if confirmed, I would be interested in working with you on this for the experiences in your state and meeting the needs of employers and of employees.

I'll say another thing about growth of business in California. One of the things that I've seen in my work is that we have all kinds of businesses that both start there and come there. But one reason businesses come to California is because of the opportunity both to do well and to do good. Because of our training systems in place, especially for people who oftentimes would struggle to get a job at all—we're working with a business now who is interested in hiring, but also hiring formerly incarcerated individuals. So we have a training program for those individuals so that when they come out, they can actually get a job and get a second chance and find security and succeed.

I think having training programs for the need but for communities who will benefit from them the most is really important, something that I would hope to bring to the job and something that I think not only California but that California has some models for.

Senator BRAUN. I'm glad you brought that up because my experience back in Indiana was that we were wrestling with the Department of Education that was actually throughout the system stigmatizing that pathway of just better high school skills and the need to nurture as little education for those high-demand, high-wage jobs given the cost of how that has now eclipsed the cost of health care in terms of annual increases. So it's good that it seems in California, at least on workforce development, it sounds like something that you're doing well there.

Let's get to another item of big versus small. When it comes to large business versus small business, and I know your roots are from the small business world, and mine as well, do you think there's a place, whether it be in California or at the Federal level, that you'd differentiate on how you treat, through labor practices, through rules and guidelines, to make it easier for small businesses, especially how they've been traumatized through the whole journey through COVID? Is there a way to do that and yet make sure that you have the practices that need to be universal there? Is there a way to differentiate? Because I think large business and small business have different characteristics.

Ms. SU. Yes. I think that's very important, Senator. I know when I was growing up, my dad worked side by side with his employees. So as we talked about on the training side, I think there are some investments that for small businesses, it's harder for them to make. So are there ways that we can serve multiple employers by meeting an industry's needs.

I think there's also the issue of outreach and education that is really important for all businesses but especially for small businesses who may not have the same level of a legal department or an H.R. department. So we have really, in my time in leadership, focused on outreach to small businesses.

I know during the pandemic we have tried to make sure that supports and assistance to businesses were targeted to small busi-

nesses who also might not have the capital, for example, to last through the crisis that this pandemic has created.

I do think that we have to look at the real needs on the ground. As you mentioned, through my personal history I have a real sensitivity to that, and I do think it's very important for us to be thoughtful in our approach.

One other thing to your earlier point, I think you're absolutely right that on the workforce side of things there's such an opportunity for collaboration between the Department of Labor and the Department of Education, and if confirmed I would be very excited to work with my counterpart at the Department of Education so that our education and labor priorities from a workforce perspective are aligned.

Senator BRAUN. Do I have any time left?

The CHAIR. No, you're 2 minutes over.

Senator BRAUN. Okay. It seemed that way. Thank you.

The CHAIR. Thank you so much.

Senator Scott.

Secretary SCOTT. Thank you, Madam Chair.

Secretary Su, thank you for your willingness to serve in this very important role. I'm a person who comes from the small business sector as an employer. I remember growing up as a kid and earning less than the minimum wage and becoming an employer who understands the importance of paying more than the minimum wage.

I look at the labor agenda from the President and yours in California, and it really is very concerning to me what the impact of the President's policies will be on small business owners, but more importantly small business employees and independent contractors.

Having been an independent contractor myself for seven years of my professional life, I will say without any question some of the things I really enjoyed about being an independent contractor was the ability to have a flexible work schedule, to decide when I come in and when I go out. And one of the things that stands in the way of that is the ABC test in California. It seems like if you are a champion of small business and understand the importance of independent contractors, your position as a champion, not just an enforcer but a champion, a vocal champion of the ABC test, it is in stark contrast to what so many independent contractors wanted.

If you apply that test nationally, as President Biden has said he is committed to doing, you would forcibly reclassify as many as half of all independent contractors, if not more, and jeopardize up to about 8.5 percent of our Nation's GDP. The ABC test would destroy many of these independent jobs and kill the flexibility and the autonomy for many of the rest of those jobs, in addition to hiking consumer prices, despite the fact that more than nine out of ten independent contractors say they actually like and prefer their status.

Secretary Su, you've called California's ABC test law an important step to protect honest—I'm not sure what that means—businesses. Californians disagreed. They voted by a nearly 17-point margin last year to exclude base drivers from this new test, and lawmakers scrambled to include roughly 100 carve-outs in the law.

Have these developments caused you to rethink your outspoken support for the ABC test? And should we be concerned that you'll look to nationalize this very unpopular standard?

Ms. SU. Senator Scott, I would say to your point about what did I mean by honest businesses, I'll talk about some of the businesses that I have actually met with, from barbers to janitorial contractors, for whom the misclassification in their industry creates an untenable situation for these small business owners to continue to compete because they are being undercut by another contractor who says, well, the janitors show up and they do the work at my direction, they clean these buildings overnight but they're required to provide all their own supplies, and I'm going to call them an independent contractor.

I would also just note that I don't think that there is an inherent conflict between flexibility and worker protections. I think that there can be and often has been both, and we've certainly seen that through the pandemic. We've seen employers in large numbers move to more flexible work arrangements that, frankly, they didn't think possible. We've done that at the state level, so government, which is often slower to be flexible than the private sector, found that we could do that because we needed to do it.

For me, what I'd be really interested in working with you on, if confirmed, is looking at how we think about flexibility innovation.

Senator SCOTT. Thank you, ma'am, for your answer. I would certainly say government is slower at almost everything, by the way. I would agree with you there. I would also agree with you that the Federal employees did not face layoffs, whereas the private sector did, and one of the things that happens when we impose mandates on the private sector is that they lack the tax base to support their businesses. They actually have to run their businesses at a profit. So giving the employees of those businesses the type of flexibility that allows for them to pick and choose how they work, when the work is one of the reasons why nine out of ten of the independent contractors said, hey, wait, wait, wait, wait a second, I want to keep my status because it allows me to be autonomous. And having been that person, you can cherry-pick examples, but the truth of the matter is a simple truth, which is that if 90 percent of those folks in California disagree with your position, I can assure you that the Nation as a whole will see that ABC test as anathema to progress in our Nation as it relates to small businesses and, frankly, independent contractors, who want to divide their time any way they like.

I see my time is already out, Madam Chair. I'm not sure if that 5-minute clock is really 5 minutes or if it's just 2 minutes, but I wish we had more time. Hopefully we'll have a second round. Thank you so much, ma'am.

The CHAIR. Thank you.

Senator TUBERVILLE.

Senator TUBERVILLE. Thank you, Madam Chair.

Good morning.

Ms. SU. Good morning.

Senator TUBERVILLE. You're almost done, Okay?

I'm just going to go off the cuff here for a second. You're getting ready to tackle, if confirmed, one of the biggest jobs our Country

is going to face, putting people back to work. While your new boss, the Secretary, is going to be running around the country taking pictures and signing autographs, you're going to be in charge of 15,000 people, making sure people have a job so they can eat and pay their rent for the first time.

Organization is a key to success. You think you're ready for it?

Ms. SU. I do, Senator. I would not have accepted the nomination if I did not think I was.

Senator TUBERVILLE. It's going to be hard. Each state is different, and you handled California, a huge state. Will you be able to handle the smaller states? Because you're going to have to make adjustments because of the size and the people and the ability to have people to work with in some of those smaller states because we're less funded.

Ms. SU. Yes, Senator. In my other comments I talked about creating big tables where we invite and give everyone a chance to be heard. I really do believe in that philosophy in any role, as a manager, as a leader, as a government official. So I do believe that one of my strengths is listening and being willing and able to bring many people to a conversation. I do think that those are important traits in terms of understanding what I don't already know, and I know there's a lot in that area.

Senator TUBERVILLE. Would you promise, when confirmed and if confirmed, that you will work with workforce development across this country to get young kids ready to work? Most kids don't need to go to a four-year school. They need to go and learn how to use their hands, and we desperately need somebody in the Labor Department who will stress workforce development on kids who don't want to go to college but learn a skill, and I think that's going to be very important in the next 10 years after coming out of this pandemic.

Ms. SU. I would absolutely do that, Senator, and look forward to working with you on it. It's certainly been part of my role in California, to work directly with the workforce system, including local workforce boards. I know from your state and others, as I mentioned earlier, there are innovations and effective programs in place that we should look to build on and expand and possibly model. States sharing stories would be really valuable.

But absolutely, I think that everything that you've said there is important and would be a priority for me.

Senator TUBERVILLE. Thank you very much.

The CHAIR. Senator Burr.

Senator BURR. Thank you, Madam Chair. I'll be brief.

Secretary, the California legislature has just established a new program to provide \$600 payments with state money to undocumented adults. My question is very simple: Do you think that money could be better spent on anti-fraud efforts that the unemployment insurance, as you have expressed it, needs?

Ms. SU. I would say that the \$600 program was meant, again, to meet the tremendous ongoing pandemic-induced needs of California families. I do not believe that the only or maybe even the best solution for the massive fraud issues that we've discussed here at some length is just monetary. I think that what we've seen—and I've said this already; I apologize for repeating myself—is the need

to understand the full complexity of why the unemployment insurance system fell short of what we needed, why there was so much fraud. And, frankly, a lot of those changes have been made, Ranking Member Burr. I'm not going to say that—

Senator BURR. I'm going to grant you that there was \$20 billion that you considered to be fraud that is non-traditional. But \$10 billion was what you called a system that was broken. My question is—and you didn't elect to fix it while you were there. You were in the middle of a pandemic. Now California, the Governor just announced he's gotten \$10.3 billion more in revenue since he projected in January. This is mid-March. In 60 days they found \$10.3 billion worth of revenue, and the first thing that they do is pass legislation to put a \$600 check in the hands of undocumented adults.

I'm not debating whether that's worthwhile. I'm asking where the priority is in California were you still in charge. Would you be fixing the system you just said was broken and that lost \$10 billion, not the \$20 billion, in fraud?

Ms. SU. Well, Senator, again to be clear, the \$10 billion of confirmed fraud was overwhelmingly also in that PUA program, right? The vulnerabilities and the ways that criminals exploited that program is—we have to—

Senator BURR. Should California fix their UI program?

Ms. SU. Absolutely we should fix our UI program.

Senator BURR. And should that be a priority from the standpoint of funding?

Ms. SU. Absolutely it is a priority. And again, I'm grateful to the American Rescue Plan for having provided some resources for states. But I guess my point is that I think that the problems also require thoughtful coordination, not just a monetary investment. But of course it's a priority.

Senator BURR. We provided that money, \$1.9 trillion, based upon what Governors told us their revenue shortfalls were. Yet all of a sudden, California's got \$10 billion in new revenue that they weren't projecting, \$10.3, in 60 days. They're flush with cash, but it doesn't seem like they're directing it to fixing a problem. They're directing it to payouts to individuals. My only point is if it's a priority—if it's not a priority in California, how can I expect it to be a priority of the Department of Labor?

I thank the Madam Chair.

The CHAIR. Thank you, Senator Burr.

Secretary Su, the long overdue national discussion of systemic racism, as well as the Me Too movement, has increased awareness of the rampant harassment and discrimination that many workers face on the job because of their gender, race, sexual orientation, gender identity, disability, or religion.

I introduced the BE HEARD in the Workplace Act to address harassment, including sexual assault in the workplace, and I hope working with Members of this Committee on both sides of the aisle we can make some progress on that issue, because building an inclusive economy in the midst of a global pandemic means taking into account the needs of all workers and removing barriers that too many people hold back.



As Deputy Secretary of Labor, I expect you would use the authority of the DOL to respond to the impact the pandemic has had on women and workers of color, and to deal with the longstanding barriers that create unacceptable inequities in the workplace. Can you give us some examples of how you have approached those issues during your time as Secretary of Labor for California?

Ms. SU. Yes. Thank you, Senator. I agree wholeheartedly with your premise. We have certainly seen during the pandemic that essential workers went to the workplace, put themselves at risk, and probably in many ways women were disproportionately affected both in terms of the industries that were most needed on the front lines, care work, health care, and also in jobs that were lost, that were devastated by the pandemic, like hospitality and leisure and retail.

I think that we need to make sure that the programs that we develop in order to build back better pay special attention to the many ways that the pandemic has been particularly harmful to communities that were already facing inequities before we came in.

One of the areas of work that I have engaged in in California is on pay equity. Before the pandemic I co-chaired a task force on pay equity in which we were charged with enforcing California's law, or implementation of the law, and we spent a couple of years working at a table of cross-sectors, with employers and H.R. professionals, employees and unions, academics, businesses of various sizes, to look at the tools that would be needed by both employers—how to conduct a pay audit, how to understand whether you have pay inequity in the workplace—and for employees, everything from understanding what you make to we realized through research that women actually demand less at the outset of a job when asked how much they needed to be paid, so providing some education and outreach.

Then the last thing I'll say about that is that I do think that for women—we've seen this in the pandemic, but it was true before too—the challenges extend beyond work to adjacent issues, like child care, transportation. These things are also very important. I think those require collaboration and coordination with other agencies. And if confirmed, I would, as I did in California, work with my counterparts in other agencies to address them.

The CHAIR. Well, thank you very much.

That will end our hearing, and I want to thank my fellow Committee Members for their participation in today's hearing.

Secretary Su, thank you for taking the time to answer our questions and speak about the challenges facing working families across our Nation. I look forward to working with you to tackle those challenges as soon as you are confirmed.

For any Senators who wish to ask additional questions of the nominee, questions for the record will be due by Wednesday, March 17th at 5 p.m.

The hearing record will remain open for 10 days for Members who wish to submit additional materials for the record.

It is my intention to schedule a vote in Committee on Secretary Su's nomination as quickly as possible so she can begin the important task of helping to lead the Department of Labor.

The meeting is now adjourned.

## ADDITIONAL MATERIALS

STATEMENT FROM U.S. SENATOR MAZIE K. HIRONO

ON THE NOMINATION OF JULIE SU TO BE DEPUTY SECRETARY OF LABOR

Thank you Chairman Murray, Ranking Member Burr, and Committee Members, I had planned to provide an introduction today to voice my strong support for an outstanding public servant and President Biden's nominee for Deputy Secretary of Labor, Julie Su, but I had to return to Hawaii for a family emergency. I appreciate my statement being entered into the record.

The U.S. Department of Labor is an important Federal agency. But amidst a global pandemic that has left millions of Americans out of work, the Department's mission takes on outsized importance. The department needs leadership with deep experience, skill, and a track record of transforming government agencies to deliver on their mission, as well as an understanding of the unique challenges of this moment. As we are seeing with President Biden, leadership does make a difference and it is important that we support the president in putting together the team he needs at a critical time in our Nation's history.

Julie Su is highly qualified and is a strong leader.

As California's Secretary of Labor and Workforce Development, Secretary Su currently leads a state agency for the largest state in the country. When you add her experience as an attorney and a nonprofit executive, she brings a wide mix of management experience to the table. Secretary Su's work style is collaborative and fair. She creates a seat at the table for everyone—including workers, labor unions, employers, and the community. She listens first to understand all perspectives, including those that differ from her own. She builds diverse teams and then empowers them to do their best work. Perhaps Secretary Su's management and leadership style is best summed up in the words of her own staff at the agency she has led for more than seven years:

"We can all say that Ms. Su's leadership transformed the Labor Commissioner's office into a greater force for the public good than it ever was before. During Ms. Su's seven years as California Labor Commissioner, she remade the agency in ways that many would have thought impossible ... She re-energized staff at all levels and led numerous groundbreaking initiatives, including the "Wage Theft is a Crime" campaign ... She increased efficiency throughout the division and broke down departmental silos that had stifled effective collaboration and caused redundancy. She was legendary for having learned the names of every one of the more than 600 staff within the Labor Commissioner's office, from secretarial support staff to investigators, deputies, and legal staff."

Beyond Secretary Su's management skills, she will also bring to the Department of Labor a deep and abiding dedication to public service that was forged during her childhood. She is the daughter of Chinese immigrants, and her immigrant background shaped Secretary Su personally and professionally. Her own experience has afforded her insight into how segments of our economy leave people behind or even exclude them from experiencing the benefits of economic growth and opportunities. Her professional career reflects this life lesson as she has established a long and distinguished record of fighting for worker rights and civil rights. From defending the rights of Thai garment workers to protecting low-wage workers against abuses, Secretary Su has worked tirelessly to help people and communities who might not otherwise have access to justice.

This sense of fairness and the desire to fight injustice will be critical for the Department of Labor for the foreseeable future. We know the pandemic has disproportionately impacted women and minorities. Given her proven track record and commitment to worker and fair labor rights, I have every confidence that Secretary Su will protect all sectors of our workforce and will work to lift everyone from this pandemic.

Moreover, her experience managing labor policy at the executive level for the State of the California over the last decade will enable Secretary Su to hit the ground running on day one of working for the Biden administration. In particular, through the COVID-19 pandemic, Secretary Su has dealt with the overwhelming demand for assistance from workers who are suffering or unemployed. She has helped her state combat the organized crime attacks and employment fraud that has affected all 50 states. And she has worked to address systemic shortcomings that bad actors have exploited during this pandemic. Despite these many challenges, Sec-

retary Su has never lost sight of her ultimate goal and strove to provide millions of workers access to unemployment benefits and other assistance. In these economic times, Secretary Su's leadership skills and proven track record of experience and effectiveness are just what we need.

Julie Su's nomination also proves something I believe deeply: That when you look for the most qualified person, you get diversity, and when you prioritize diversity, you get the most qualified people; people who reflect all of America and who are able to serve all of America. Secretary Su's nomination is supported by so many who see their stories—and the stories of the United States of America—reflected in hers. Secretary Su will be an outstanding Deputy Secretary of Labor and I am proud to support her nomination.

March 11, 2021

*Submitted via email*

Re: Women's Community Letter of Support for Julie Su as Deputy Secretary of Labor

Dear Senators:

On behalf of the 68 undersigned organizations committed to advancing women's equality and economic security, we write to express our strong support for Julie A. Su as Deputy Secretary of Labor.

The Deputy Secretary of Labor is the nation's second most senior official tasked with ensuring the well-being and rights of working people and advancing their employment opportunities. In this position, Ms. Su would oversee the day to day operations of the Department of Labor (DOL), and in partnership with the Secretary of Labor, direct DOL's interpretation and enforcement of a number of laws vital to women's economic security and right to be free from workplace discrimination, such as the Fair Labor Standards Act; the Occupational Safety and Health Act (OSHA); the Family and Medical Leave Act; the Affordable Care Act's requirement of break time for nursing mothers; the executive orders prohibiting sex discrimination and other forms of discrimination by federal contractors; and a range of executive orders setting labor standards for federal contractors' employees, including on minimum wage and a right to earn paid sick days, in addition to overseeing a range of workforce training initiatives. These policies are essential to closing the gender wage gap: they remove barriers to women's employment opportunity, including sex discrimination; raise women's wages; allow women to meet caregiving responsibilities without sacrificing their employment; and ensure women's health and safety so they can continue to support their families.

The COVID-19 pandemic has laid bare the deep gaps in our economic and social infrastructure that have resulted from decades of underinvestment and policy choices that failed to center the needs of women, especially Black, Latina, Native American, Asian American and Pacific Islander, and other women of color. These communities are bearing the brunt of the COVID-19 pandemic and recession: as essential workers risking their lives for minimum wage and as those who have borne the devastating brunt of job losses. Women make up [more than three in four healthcare](#) workers, and are on the front lines of COVID-19 risk as a result. Women – disproportionately Black women and Latinas – also make up [more than eight in ten](#) of those working as home health aides, personal care aides, and nursing assistants. These women are among the lowest paid workers across all industries and occupations, meaning they are frequently risking their lives to care for patients while being paid poverty-level wages.

Women have borne the majority of job losses since the pandemic hit, and the repercussions of these job losses may be felt for years to come, as women navigate barriers to re-entering the workforce in an economy that has fundamentally shifted available job opportunities. At the same time, the lack of supports for caregiving during the pandemic has forced women workers out of the workforce in droves. The total number of women who have left the labor force since the start of the pandemic [reached over 2.3 million in January 2021](#), leaving women's labor force participation rate – the percent of adult women who are either working or looking for work – at 57.0%. Before the pandemic, women's labor force participation rate had not been this low since 1988. Black women and Latinas continue to be hit particularly hard by the economic crisis, and much of the job loss has been borne by workers in low-paid jobs, like retail, hospitality, and child care. Especially in this moment, **women and their families deserve**

**a Deputy Secretary of Labor who is devoted to advancing the rights of women workers and committed to robust enforcement of the laws that protect them. Ms. Su is such a leader.**

Ms. Su has spent her entire career fighting for the rights of women workers, first as a groundbreaking civil rights attorney and currently as the Secretary of the California Labor and Workforce Development Agency, leading an agency of over 11,000 employees to secure fair labor and workplace conditions for California workers and businesses. Her career demonstrates her deep understanding of the role that gender and race play in employers' exploitation of low-paid workers. In 2019, accepting the [Margaret Brent Award](#) from the ABA, [Ms. Su had this to say about her own dedication to fighting for the rights of women workers](#): "It has been the greatest privilege of my professional life to support such workers, largely women workers in industries like garment, janitorial, restaurant and domestic work, to use the law to imagine a different future."

As a civil rights attorney with Asian Americans Advancing Justice-Los Angeles Ms. Su represented women workers across low-paid industries, challenging extreme and dehumanizing labor conditions. In a well-known case litigated when she was barely out of law school, Ms. Su represented more than 70 Thai workers—almost all of whom were women—who had been trafficked to the United States and kept inside a two-story apartment complex ringed with barbed wire, forced to work 18 hour days, and [paid less than a dollar per hour](#) to produce clothing. Ms. Su sued on behalf of these workers, as well as Latina garment workers working for the same company, and won, ultimately establishing new precedent to hold abusive employers accountable and winning more than \$4 million in back pay for the workers. In 1995, she co-founded Sweatshop Watch, a coalition working to end the exploitation that occurs in sweatshops. In 2001, when she was 32 years old, Ms. Su [won a MacArthur "genius" grant](#) for her work furthering workers' rights and civil rights.

In her current role, and in her time as California Labor Commissioner from 2011 through 2018, Ms. Su has expertly overseen and enforced state labor laws. Ms. Su has made combatting wage theft a top priority. For example, in 2012, one year after she came on board, the California Division of Labor Standards Enforcement (the Department) assessed [more than five times](#) the amount of owed minimum wages [and more than seven times](#) the amount of owed overtime pay than in 2010. For women workers, who make up [more than six in ten](#) workers in the lowest-paying jobs across the country and are typically paid less than men in the same occupations, fighting against wage theft is of utmost importance for achieving equal pay. This need is especially acute for women of color, who endure not only a gender wage gap but a racial wage gap. Furthering her equal pay work, Ms. Su was the [co-chair of the California Pay Equity Task Force](#), a group formed to assure effective implementation of California's Fair Pay Act. In addition, her experience administering the country's first statewide paid family and medical leave program will be invaluable in understanding the long-term wage effects for the record number of women who left the workforce due to caregiving responsibilities during the pandemic.

Notably, Ms. Su also paid special attention to ensuring that workers could report wage theft free from retaliation; under her leadership, among other reforms, the Department [conducted interviews](#) with victims of wage theft offsite where they could speak more freely and [reworked](#) the Department's complaint form to ensure witnesses to retaliation could confidentially report what they had seen. This demonstrates a uniquely valuable attention to detail about what victims of workplace abuse, too often women of color, require to feel safe to come forward and fight for themselves and their co-workers. Ms. Su's knowledge about how to create safe and healthy workplaces for all workers, and especially low-

paid women workers, will be indispensable at the Department of Labor, particularly in the present moment. In addition, her experience administering the country's first statewide paid family and medical leave program will be invaluable in understanding the long-term wage effects for the record number of women who left the workforce due to caregiving responsibilities during the pandemic.

At this moment of dire need for women workers across the United States, Julie Su will provide thoughtful and time-tested leadership to the DOL. We offer strong support for the nomination of Julie Su and urge you to confirm her quickly.

Sincerely,

National Women's Law Center

9to5

A Better Balance

AFL-CIO

African American Ministers In Action

All\* Above All Action Fund

American Association of University Women (AAUW)

American Federation of Teachers

American Psychiatric Association Women's Caucus

Asian American Advancing Justice - Asian Law Caucus

Asian Americans Advancing Justice - AAJC

Asian Americans Advancing Justice | AAJC

Asian Pacific American Labor Alliance - APALA

Building Pathways

Center for Disability Rights

Center for Parental Leave Leadership

Centro Legal de la Raza

Clearinghouse on Women's Issues

Coalition for Humane Immigrant Rights (CHIRLA)

Coalition of Labor Union Women (CLUW)

CLUW - Philly

Colorado Fiscal Institute

Equal Rights Advocates  
Family Forward Oregon  
Feminist Majority Foundation  
Futures Without Violence  
Garment Worker Center  
Gender Justice  
Good Jobs First  
Institute for Women's Policy Research  
IUOE Local 137  
Jobs With Justice  
Joint Center for Political and Economic Studies  
Justice for Migrant Women  
Legal Aid at Work  
Methodist Federation for Social Action  
Mississippi Workers' Center for Human Rights  
MomsRising/MamásConPoder  
NARAL Pro-Choice America  
National Asian Pacific American Bar Association (NAPABA)  
National Asian Pacific American Women's Forum (NAPAWF)  
National Association of Asian American Professionals  
National Council of Jewish Women  
National Council of Jewish Women Ca  
National Council of Jewish Women, Greater Long Beach & West Orange County Section  
National Domestic Workers Alliance  
National Employment Law Project  
National Employment Lawyers Association  
National Partnership for Women and Families  
National Skills Coalition

National Taskforce on Tradeswomen's Issues  
North Carolina Justice Center  
OCA – Asian Pacific American Advocates  
One Fair Wage  
Oregon Tradeswomen  
Paid Leave for All  
Partnership for Working Families  
People's Parity Project  
Public Rights Project  
RAISE High Road Restaurants  
Service Employees International Union  
Southern California Black Worker Hub for Regional Organizing  
TIME'S UP Now  
Tradeswomen Inc.  
United State of Women  
Women's Law Project  
Work Equity  
YWCA USA



March 12, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

We are academic faculty and staff of higher education institutions throughout the United States and write this letter in strong support of Julie Su's confirmation as Deputy Secretary of the U.S. Department of Labor. At a time when job losses have hit historic proportions, we are reminded of our need to renew our commitment to the working families and communities that fuel our nation's economic growth. California Labor Secretary Julie Su is a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission. Ms. Su is exceptionally well qualified to help lead our nation towards an inclusive and equitable economic recovery that lifts up all working families.

Ms. Su's nomination occurs against an historic backdrop. During the past five decades, U.S. workers have faced continually dimming prospects. The U.S. labor market has transformed from one that often provided stable, well-paying jobs, to one in which large new sectors—such as retail and industry—now typically provide poverty wages and depend upon public subsidies to sustain their workers. A persisting wage gap has further widened the inequities that women and men experience in paid work.

Against this backdrop of declining wages and working conditions, Ms. Su has made promoting a fair, just, and prosperous economy for all workers, including the most marginalized, a centerpiece of her career-long efforts. From 2011 to 2018, Ms. Su advanced the state's protection of workers' rights as California Labor Commissioner, and in doing so, helped to level the playing field for law abiding employers. Ms. Su launched groundbreaking strategic initiatives to enforce state wage and hour laws, including a "Wage Theft is a Crime" campaign in multiple targeted low-wage industries where wage theft was prevalent. Ms. Su also transformed the Labor Commissioner's office's approach to strategic enforcement in a way that benefited both workers and employers, eliminating random scatter-shot inspections and instead focusing on bad actors and citations that restored rightfully earned wages to workers. Ms. Su's leadership was hailed in a 2013 report for having transformed the Labor Commissioner Office into "what could be the most aggressive and effective state labor law enforcement division in the country."

As Secretary of Labor of California, the world's fifth largest economy, Ms. Su currently spearheads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement (including paid leave and wage/hour), workforce development, unemployment benefits, apprenticeships, and worker training. With her strong, visionary, and effective leadership, Ms. Su has instituted on-the-job protections for workers affected by COVID-19, launched a statewide initiative to advance workplace health and safety education, helped to lead a California Future of Work Commission that recently released a report calling for a new Social Compact for work and workers in California by 2030, co-chaired California's Pay Equity Task Force, and expanded innovative partnerships between labor unions and employers in targeted industries to create pathways to quality jobs for all workers.

Ms. Su's experience at the helm of California's labor agency positions her well to take on challenging issues on the federal level to build a 21st century economy that works for all working families. California's economy in some ways reflects a microcosm of the U.S. economy. Coastal areas have witnessed booming and uneven development in technology and finance, while workers in inland communities have consistently confronted declining opportunities and challenging working conditions in oil, dairy, agriculture, and meatpacking. Amid such diversity in work across regions and industries, under Ms. Su's leadership, the state labor agency has made greater investments in under-resourced regions such as the Central Valley and Inland Empire.

Ms. Su's leadership and track record demonstrate a willingness to confront the most pressing issues facing rural, as well as urban, communities in the twenty-first century. The nation's rural regions have often experienced higher poverty rates and less economic and workforce investments—and now with global economic restructuring there emerge questions about how to lift entire rural regions out of poverty. Ms. Su's leadership to invest in and expand California's High Road Training Partnerships (HRTTP) Initiative, an effort to advance innovative labor and employer partnerships in targeted industries to create pathways to quality, high road jobs, is just one example that illustrates her commitment, expertise, and ability to advance initiatives that extend to workers who have long been left behind.

At this critical moment when we need strong leadership at the U.S. Department of Labor to create good jobs—for both urban and rural communities, and for all working families—we respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely,

Name	Title	Affiliation*
Ana Padilla	Executive Director	UC Merced Community and Labor Center
Edward Flores	Associate Professor of Sociology	University of California Merced
Alexis Hoag	Lecturer & Associate Research Scholar; Practitioner in Residence	Columbia Law School; Eric H. Holder, Jr., Initiative for Civil & Political Rights of Columbia College
Alicia Alvarez	Professor of Law	UIC John Marshall Law School
Alicia Riley	Postdoctoral Scholar	University of California San Francisco
Alicia Virani	The Gilbert Foundation Director, Criminal Justice Program	UCLA School of Law
Amalia Cabezas	Associate Professor Media & Cultural Studies	University of California Riverside
Amanda Mireles	Assistant Teaching Professor, Sociology	University of California Merced
Ann C. McGinley	William S. Boyd Professor of Law	UNLV Boyd School of Law
Annie Lai	Clinical Professor of Law	UC Irvine School of Law
Anthony Paul Farley	Matthews Distinguished Professor of Jurisprudence	Albany Law School
Arthur Mitchell	Associate Professor of Asian Languages and Cultures	Macalester College
Beth Cleary	Associate Professor, Theatre & Dance	Macalester College
Beth Lyon	Clinical Professor of Law	Cornell Law School

Bijal Shah	Associate Professor of Law	Arizona State University, Sandra Day O'Connor College of Law
Brant T. Lee	Professor of Law and Assistant Dean for Diversity and Social Justice Initiatives	University of Akron School of Law
Brett Dignam	Clinical Professor of Law	Columbia Law School
Brian D. Lozenski	Associate Professor of Urban & Multicultural Education	Macalester College
Carolina Bank Munoz	Professor of Sociology	Brooklyn College and Graduate Center-CUNY
Carwina Weng	Clinical Professor of Law	Indiana University Maurer School of Law (Bloomington)
Catherine L. Fisk	Barbara Nachtrieb Armstrong Professor of Law	University of California, Berkeley School of Law
Cedric de Leon	Professor of Sociology and Director of the Labor Center	University of Massachusetts Amherst
Chad Raphael	Professor of Communication	Santa Clara University
Charlotte Garden	Professor	Seattle University School of Law
Chaumtoli Huq	Associate Professor of Law	CUNY School of Law
Chikako Takeshita	Associate Professor of Gender and Sexuality Studies	University of California, Riverside
Chris Benner	Dorothy E Everett Chair in Global Information and Social Entrepreneurship, Professor of Environmental Studies and Sociology	University of California, Santa Cruz
Chris Tilly	Professor of Urban Planning	UCLA

Christina S. Ho	Professor of Law, Associate Dean of Faculty Research and Development and New Programs	Rutgers Law School
Constance de la Vega	Professor of Law	University of San Francisco
Crystal Baik	Associate Professor, Gender and Sexuality Studies	UC Riverside
Cynthia Lee	Edward F. Howrey Professor of Law	The George Washington University Law School
Daniel Marschall	Research Professor	George Washington Institute of Public Policy
Danielle Kie Hart	Professor of Law	Southwestern Law School
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Donna Maeda	Dean, Kofi Annan Institute for Global Citizenship and Professor, American Studies	Macalester College
Edna Bonacich	Emeritus Professor of Sociology and Ethnic Studies	University of California, Riverside
Edward Lee	Professor of Law	Illinois Institute of Technology Chicago-Kent College of Law

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Marcia L. McCormick	Professor of Law	Saint Louis University School of Law
Marc-Tizoc González	Professor of Law	University of New Mexico School of Law
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Margaret Montoya	Professor Emerita of Law & Visiting Prof, Dept. of Family & Community Medicine	University of New Mexico
Margaret Woo	Professor of Law	Northeastern University School of Law
Margo Okazawa-Rey	Professor Emerita	San Francisco State University
Maria Mora	Assistant Professor of Sociology	CSU Stanislaus
Maria Pabon	Professor of Law and Former Dean	Loyola University New Orleans College of Law
Maria-Elena De Trinidad Young	Assistant Professor of Public Health	University of California, Merced
Mark Anner	Professor of Labor and Employment Relations	Penn State
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Mary Szto	Teaching Professor	Syracuse University College of Law

Mary Yanik	Professor of Practice and Director of Immigrant Rights Clinic	Tulane Law School
Maureen Sweeney	Law School Professor and Faculty Director, Chacon Center for Immigrant Justice	University of Maryland Carey School of Law
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Nancy Plankey-Videla	Associate Professor of Sociology	Texas A&M University
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Natsu Taylor Saito	Professor of Law	Georgia State University
Neil Gotanda	Emeritus Professor of Law	Western State College of Law
Nella Van Dyke	Professor of Sociology	University of California, Merced
Nik Theodore	Professor, Dept of Urban Planning and Policy	University of Illinois at Chicago
Noah Zatz	Professor of Law	UCLA School of Law
Olga González	Associate Professor in Anthropology, Associate Dean of the Kofi Annan Institute for Global Citizenship	Macalester College
Patricia Ward	Postdoctoral Fellow	Max Planck Institute for the Study of Religious and Ethnic Diversity
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Paula Galowitz	Clinical Professor of Law Emerita	New York University School of Law
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Peter Shrock	Associate Professor of Criminal Justice	Southeastern Louisiana University
Rachel Sherman	Professor and Chair, Sociology	The New School
Ragini Shah	Clinical Professor of Law	Suffolk University Law School
Ralph Armbruster Sandoval	Professor of Chicana@ Studies	UC Santa Barbara
Rebecca L. Scharf	Professor of Law	William S. Boyd School of Law, UNLV
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Stewart Chang	Professor of Law	University of Nevada, Las Vegas William S. Boyd School of Law
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Tim Bartley	Professor of Sociology	Washington University in St. Louis
Troy J.H. Andrade	Assistant Professor of Law; Director of the Ulu Lehua Scholars Program	University of Hawai'i at Mānoa   William S. Richardson School of Law
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March 8, 2021

Health, Education, Labor and Pensions Committee  
United States Senate  
Washington, DC 20510

Dear Senator:

On behalf of the 1.4 million members of the American Federation of State, County and Municipal Employees (AFSCME), I urge you to support the nomination of Julie Su as Deputy Secretary of the U.S. Department of Labor.

With her knowledge and work experience, Su has demonstrated that she will be a strong Deputy Secretary of Labor who will help the Biden administration handle high unemployment and unsafe working conditions caused by the pandemic. In her capacity as Secretary of the California Labor and Workforce Development Agency she oversaw state departments and boards that enforce labor laws, paid leave, unemployment insurance benefits, fund workforce training and apprenticeship programs, and arbitrate public sector contract disputes. As California Labor Commissioner from 2011 to 2018, she knows the importance to working families of enforcing labor laws and ensuring fair and just workplaces for employees and employers. As Litigation Director at Asian Americans Advancing Justice-Los Angeles, the nation's largest legal and civil rights organization for Asian Americans, Native Hawaiians, and Pacific Islanders, she investigated, litigated, and advocated to protect workers and their families. She also co-founded Sweatshop Watch, an organization founded to counter inhumane working conditions in sweatshops.

Julie Su has always fought to protect the most vulnerable workers and throughout her career she has championed labor rights. Therefore, I urge you to vote to confirm Julie Su for this important position.

Sincerely,

Bailey K. Childers  
Director of Federal Government  
Affairs

BKC:hb:hf

**American Federation of State, County and Municipal Employees, AFL-CIO**  
TEL (202) 429-1000 FAX (202) 429-1293 TDD (202) 659-0446 WEB [www.afscme.org](http://www.afscme.org) 1625 L Street, NW, Washington, DC 20036-5687





March 11, 2021

United States Senate  
Committee on Health, Education, Labor and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senator:

On behalf of the 1.7 million members of the American Federation of Teachers, I urge you to support the nomination of Julie Su to be deputy U.S. secretary of labor.

At a time when the COVID-19 pandemic has devastated working families across the United States, Su would be an asset to the Department of Labor. The work of the department has never been more important as the country grapples with racial, economic and public health crises, and seeks to build back better.

Su's commitment to workers is deeply held. As the daughter of immigrants, she started her career fighting for the rights of exploited immigrant workers. The AFT's California affiliate, the California Federation of Teachers, has found Julie Su to be a steadfast advocate for economic and racial justice in California.

As the state's secretary of labor, she has advocated for workers whether they are low-wage or middle class, public sector or private sector. She is grounded in nearly a decade of experience leading state labor agencies on the forefront of workplace safety enforcement and the administration of paid family leave benefits. California, under Su's leadership, was one of a handful of states to institute on-the-job protections for workers affected by COVID-19. This experience and commitment to worker safety and well-being would be a major asset to the U.S. Department of Labor as it helps workers and industries recover from the pandemic. Having leaders at the department who are committed to the safety of frontline workers—whether they are serving in hospitals, schools or other essential services—is absolutely crucial.

The **American Federation of Teachers** is a union of professionals that champions fairness; democracy; economic opportunity; and high-quality public education, healthcare and public services for our students, their families and our communities. We are committed to advancing these principles through community engagement, organizing, collective bargaining and political activism, and especially through the work our members do.

**American Federation  
of Teachers, AFL-CIO**

AFT Teachers  
AFT PSRP  
AFT Higher Education  
AFT Public Employees  
AFT Nurses and Health  
Professionals

555 New Jersey Ave. N.W.  
Washington, DC 20001  
202-879-4400  
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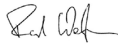


United States Senate/Nomination of Julie Su to be Deputy U.S. Secretary of Labor/Page  
2 of 2

Recovering from the COVID-19 pandemic and building a more inclusive economy, in which all working families have opportunities, will mean meeting the immediate needs of workers and planning for the future. At the AFT, we have long fought for expanded, high-quality apprenticeship pathways, and we value Su's track record of working with organized labor and the business community to create job training and apprenticeship opportunities that help workers pursue careers with family-sustaining wages.

At this critical moment when we need strong leadership at the Department of Labor to create good jobs and a fair economy where all people can thrive, we respectfully urge you to confirm Julie Su as deputy secretary.

Sincerely,



Randi Weingarten  
President

RW : emc opeiu #2 afl-cio



**Office of the District Attorney  
Alameda County**

Nancy E. O'Malley  
District Attorney  
Kevin E. Dunleavy  
Chief Assistant District Attorney  
alcoda.org

February 23, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

As District Attorney of Alameda County, California, I am writing today in support of the nomination of Julie Su for Deputy U.S. Labor Secretary.

From the day Julie Su took office as California's Labor Commissioner in 2011, she has demonstrated her commitment to partnering with criminal law enforcement officials to protect workers, lawfully operating employers, consumers and taxpayers from the wage theft and other forms of workplace fraud that cost our state hundreds of millions of dollars every year.

Over \$50 billion in wages are stolen from America's workers every year, more than triple the amount of money taken in all other kinds of thefts. Workers are not the only victims of wage theft. These cases cause the loss of tax revenue owed to the State. Insurance companies are defrauded of premiums due to them. Most importantly, the unscrupulous employers who fail to pay legal wages, taxes and insurance costs, put lawfully operating businesses at a competitive disadvantage.

Then-Commissioner Su immediately established a Criminal Investigation Unit (CIU), hiring experienced criminal investigators and former prosecutors to spearhead a broader effort to build the agency's capacity to investigate criminal workplace violations. The CIU trained the agency's own staff on how to recognize and document labor law violations that rose to the level of criminal conduct, assisted in the investigation and prosecution of cases that were referred to our offices, and collaborated with prosecutors statewide to provide expert guidance on labor law and workplace investigations.

Until recently, wage theft was treated as primarily as a civil dispute between employees and employers. My office has challenged that paradigm and, I am proud to say, we have led the way in prioritizing exploitive workplace prosecutions.

In collaboration with the Labor Commissioner's office, our office has brought a series of groundbreaking cases against scofflaw employers. These cases are highlighted by the Mango Gardens case (docket 615014). This case involved wage theft, tax fraud and insurance fraud totaling \$1.7 million dollars. Over \$1 million dollars of that amount were stolen wages which have since been returned to the workers. Similar cases involving restaurants, residential care homes and construction companies have led to restitution orders totaling over \$5 million dollars. We have also taken on human trafficking for labor exploitation and enforcement of judgments to make sure earned wages end up in workers' pockets.

In addition to supporting trailblazing litigation, then-Commissioner Su helped organize multiple trainings across the state on workplace investigations and prosecutions, culminating in an all-day symposium on prosecuting wage theft – the first of its kind in the country - and the publication of a wage theft prosecution toolkit, which has become an invaluable resource for prosecutors nationally.

Julie Su has always understood that enforcement partnerships enable us to leverage our collective expert knowledge and resources, maximizing our ability to effectively and strategically enforce both criminal and labor law. During her remarkable tenure as California Labor Commissioner and Labor Secretary, she invested significant agency resources and her own time and talent to build powerful, innovative relationships between untraditional partners, for the benefit of all law-abiding Californians. I am confident that as Deputy U.S. Secretary of Labor, Julie Su will bring the same vision and unparalleled dedication to bear on the historic challenges facing American workers and employers, and that the country will benefit immensely from her proven leadership.

Very truly yours,

  
NANCY E. O'MALLEY  
DISTRICT ATTORNEY



**American Federation of Musicians LOCAL 47**  
of the United States and Canada, AFL-CIO/CLC



STEPHANIE O'KEEFE  
President

RICK BAPTIST  
Vice President

DANITA NG-POSS  
Secretary/Treasurer

March 12, 2021

RE: Support of Julie Su for U.S. Deputy Secretary of Labor

The Honorable Patty Murray, Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr, Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

The American Federation of Musicians Local 47 is in strong support of Julie Su to be Deputy Secretary of the U.S. Department of Labor. As the labor union representing thousands professional musicians throughout greater Los Angeles, we are dedicated to improving the lives and livelihoods of our members. COVID-19 has devastated workers and communities across the nation, and the music industry was among the first to close and will be one of the last to re-open. Musicians know all too well the urgency for strong leadership at the Department of Labor, and there is no better choice than Julie Su for Deputy Secretary of Labor.

Ms. Su is a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission. Ms. Su is exceptionally well qualified to help lead our nation towards a fair and inclusive economic recovery and to build a 21<sup>st</sup> century economy that works for all working families. Ms. Su has nearly a decade of experience leading state labor agencies where she has been a champion for workers. As California Labor Secretary, Ms. Su spearheads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement, workforce development, unemployment benefits, apprenticeships, and worker training. Among her many accomplishments, she has instituted on-the-job protections for workers affected by COVID-19, launched a statewide initiative to educate workers and employers in high-risk industries about how to maintain healthy and safe workplaces, helped to lead a California Future of Work Commission, co-chaired California's Pay Equity Task Force, expanded innovative partnerships between labor unions and employers in targeted industries to create quality, high road jobs, and pioneered a community-based model of socially responsible small business development and investment in immigrant communities facing significant barriers to employment. Ms. Su's innovative approach to workforce development has resulted in new programs preparing workers for good

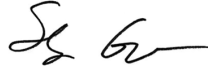
jobs and in systemic changes to the workforce system prioritizing workers who face the greatest barriers to employment.

Ms. Su is also a leader at the intersection of labor and workers' rights, racial equity, immigrant rights, and women's rights. Prior to her service in state government, Ms. Su was the litigation director at Asian Americans Advancing Justice-Los Angeles, where she was an acclaimed civil rights lawyer and coalition builder. Ms. Su served as lead counsel in the landmark El Monte case where she represented Thai and Latina workers in seeking to hold accountable garment manufacturers and retailers for slave labor and sweatshop conditions, resulting in a groundbreaking multimillion dollar settlement and the issuance of visas to the Thai workers that enabled them to adjust their immigration status.

As a woman of color and daughter of Chinese immigrants, Ms. Su has a deep empathy for working people of all backgrounds. She has been honored by elected officials, community and labor organizations, major foundations, professional organizations, and educational institutions for her exceptional leadership and work on labor, women's rights, and civil rights issues — including being selected for the prestigious MacArthur Genius Award, named one of four Pioneers in Women's History in an official proclamation by former President Clinton, and receiving the California Rural Legal Assistance Dolores Huerta Adelita Award.

At this critical moment when we need strong leadership at the U.S. Department of Labor to create good jobs and promote a fair economy for working people, we respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely,



Stephanie O'Keefe, President  
American Federation of Musicians Local 47

CC:

Senate HELP Committee Staff:

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Michelle Rose, U.S. Department of Labor: [Rose.Michelle.D@dol.gov](mailto:Rose.Michelle.D@dol.gov)



March 8, 2021

The Honorable Patty Murray  
Senate Committee on Health, Education, Labor & Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

The Honorable Richard Burr  
Senate Committee on Health, Education, Labor & Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

Dear Chair Murray and Ranking Member Burr:

The Asian Pacific American Institute for Congressional Studies (APAICS) is a national nonpartisan organization that is dedicated to promoting AAPI participation and representation at all levels of the political process. We were founded alongside the Congressional Asian Pacific American Caucus (CAPAC) with the first Asian American Cabinet in the history of this country, Secretary Norman Y. Mineta. It is our privilege to urge you to confirm California Labor Secretary Julie Su for the position of U.S. Deputy Secretary of Labor.

The confirmation of Julie Su as Deputy Secretary of Labor is important to our community, and she represents the best of all of us. Julie Su's parents came to this country as immigrants, and through hard work, including a career of public service and advocating for communities of color, she has been able to achieve the American Dream. Today, Julie is a nationally renowned labor policy expert who has been able to successfully navigate the nation's largest labor department through the COVID-19 pandemic.

In addition to CAPAC, APAICS works closely with our counterpart organizations, the Congressional Black Caucus Foundation and Congressional Hispanic Caucus Institute, to act as resources and promote engagement from communities of color in government and civic engagement.

Thank you for your consideration.

Sincerely,

Madalene Xuan-Trang Mielke  
President and CEO  
APAICS



**APAPA**  
**Asian Pacific Islander American Public Affairs Association**  
**Community Education Foundation (APAPA-CEF)**  
*Empowering and Engaging Asian Pacific Islander Americans*  
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 Congressman Norman Mineta, Former  
 Congresswoman Shelley Berkley, Former  
 Congressman Ed Royce, Former  
 Congressman George Miller, Former  
 Congressman Jeff Denham, Former  
 Congresswoman Maxine Waters, Former  
 Congressman Ami Bera  
 Congressman Andy Kim  
 Congresswoman Anna Escobedo Cabral  
 Congresswoman Bobby Scott  
 Congresswoman Gohmert Hironaka, Former  
 Congresswoman Doris Matsui  
 Congressman Doug LaMalfa  
 Congresswoman Eric Swalwell  
 Congresswoman Grace Meng  
 Congressman Jerry McNerney  
 Congressman John Garamendi  
 Congresswoman Judy Chu  
 Congressman Kevin McCarthy  
 Congressman Lloyd Doggett  
 Congressman Ro Khanna  
 Congressman Ted Loefer  
 Congressman T. Gohmert, Former  
 Congressman Tom McClintock  
 Gov. Arnold Schwarzenegger, Retired  
 Gov. Jerry Brown, Retired

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 Joel Wong, Board Member  
 Rachel Yang, Board Member

**Legal Counsel: Eng**  
 Lance Ito, Rutledge Ashby, Stephen Murphy

March 2, 2021

U.S. Senator Mitch McConnell  
 317 Russell Office Building  
 Washington, DC 20515

**Subject: Request to Confirm Julie Su as Deputy Secretary of Labor**

Dear Senator McConnell:

I write to urge you to confirm Julie Su as Deputy Secretary of Labor.

Julie Su is a respected leader in California and in the Asian American community. Her parents immigrated to the United States and Julie grew up translating for her parents. She also grew up watching her parents work full-time and work as small business owners. That perspective has given her empathy for and understanding of issues facing immigrants, workers, and employers. Julie then attended Stanford University and Harvard Law School and has devoted her valuable skills to public service.

In California, as the state's first Asian American and Chinese American Labor Secretary, she has gained the respect of employers and industry associations due to her willingness to communicate proactively and with transparency. Recently, under her leadership, the California Labor and Workforce Development Agency launched an employer portal to help employers by allowing employers to enter in their address, county, and industry and then creating a road map for a site-specific workplace safety plan based on required COVID-19-related guidelines. This reflects Julie's understanding that government should assist employers. As she has said, COVID-19 workplace guidance comes from various sources and has been evolving; the tool she created is helpful and shows her approach to education and compliance.

Julie also led, on behalf of the Governor, California's Future of Work Commission, which was made up of employers, tech companies, employer associations, labor unions, academia, venture capital, and government. Julie showed that she is an excellent consensus-builder who knows how to find areas of common ground between different parties. Prior to that she was the co-chair of California's Pay Equity Task Force where she thoughtfully put together a group of people from many different sectors and worked with them over two years to come up with tools and resources to help employers and employees adopt pay equity in the workplace. Even her approach to workforce development has been focused on developing high road training partnerships, with emphasis on bridging the gap between employer needs for a skilled workforce and workers' needs for demand-driven training.

As Labor Commissioner, she approached her job differently from those before her. Instead of continuing the practice of random, superficial inspections, she instituted a practice of focusing on reliable leads, recognizing that investigating employers who were playing by the rules was neither effective enforcement nor helpful to instill confidence in government.

I believe Julie would be an effective, collaborative public servant at the federal level and we would all be proud to have her serve as Deputy Labor Secretary. Thank you for your consideration.

As the Founder of the national APAPA nonprofit organization, you know that my dream and vision has always been to empower our APIA community's leadership. Julie Su represents that vision.

Sincerely your friend,

  
**C.C. Yin**  
 Founder & Chair Emeritus

  
**Kenneth Fong**  
 Chair

P.S. Please give my best regards to your wife, Elaine.





March 1, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

The American Sustainable Business Council, a network of 250,000 businesses committed to the triple bottom line of people, planet and profit, is pleased to endorse the nomination of Julie A. Su to be Deputy Secretary of the U.S. Department of Labor.

Julie Su currently serves as Secretary of the California Labor and Workforce Development Agency, with 11,000 employees working to secure fair labor and workplace conditions for Golden State workers and businesses.

A nationally recognized expert on workers' rights and civil rights, she has dedicated her distinguished legal career to advancing justice on behalf of poor and disenfranchised communities. In nearly two decades as a civil rights lawyer, Su's advocacy resulted in millions of dollars for low-wage workers and policy changes in California and the United States protecting immigrant victims of crime and human trafficking. Su also has worked with the California Chamber of Commerce on outreach to employers and built strong relationships with industry associations of employers.

Her innovative approach to workforce development has created a framework for recovery from the COVID pandemic, an approach that invests in equity, job quality and inclusive economic opportunity for workers at all skill levels and in all communities.

As an organization committed to advocating on behalf of "high road workplace" policies, ASBC believes Secretary Su's career has demonstrated her commitment to those policies, a commitment she would bring to the position of Deputy Labor Secretary, should she be confirmed.

ASBC wholeheartedly endorses Secretary Su for confirmation as Deputy Labor Secretary.

Sincerely,

Thomas P. Oppel  
Executive Vice President  
American Sustainable Business Council  
712 H Street, NE  
Washington, DC 20002

March 5, 2021

**VIA Email Only**

From: matthew@sirolly.net

To: Carly\_rush@help.senate.gov; Yeongsik\_Kim@help.senate.gov; Kyle.deCant@mail.house.gov

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

**Re: Support of Julie Su for Deputy Secretary of the U.S. Department of Labor**

Dear Chair Murray and Ranking Member Burr:

We are public servants in the California Labor Commissioner's office who had the good fortune to work with Julie Su when she was the California Labor Commissioner. We strongly support her nomination to be Deputy Secretary of the U.S. Department of Labor. Ms. Su is exceptionally well qualified to help lead our nation towards a fair and inclusive economic recovery and to build a 21st-century economy that supports all working families. We know this first hand, having served with her on the frontlines in the California Labor Commissioner's office.

The signatories of this letter represent a cross-section of staff from throughout the California Labor Commissioner's office—the governmental entity in California with primary responsibility for enforcing California's labor code. Some of us joined the Labor Commissioner's office for the opportunity to work with Ms. Su, who is nationally renowned for her dedication, brilliance, and vision as a champion of working people. Others of us have served for decades under numerous Labor Commissioners. We can all say that Ms. Su's leadership transformed the Labor Commissioner's office into a greater force for the public good than it ever was before.

During Ms. Su's seven years as California Labor Commissioner, she remade the agency in ways that many of us would have thought impossible. She revitalized and honed its core mission "to ensure a just day's pay in every workplace in the State and to promote economic justice through robust enforcement of labor laws." She re-energized staff at all levels and led numerous groundbreaking initiatives, including the "Wage Theft is a Crime" campaign in multiple targeted low-wage industries plagued by wage theft. She forged relationships between the Labor Commissioner's office and a broad range of community groups, bringing the Labor Commissioner's mission to life in previously underserved immigrant communities.

Moreover, under her leadership, the Labor Commissioner's office reworked its investigative bureau into a cutting-edge labor enforcement team that dug deep into complex cases that the Labor Commissioner's office had previously been unequipped to handle. This led to countless multi-million-dollar enforcement cases being successfully prosecuted against major violators of the state's basic labor protections. Complex,

high-quality investigations that had previously been rare—if not unthinkable—became standard operating procedure.

More than a visionary leader, Ms. Su also proved herself a humane and capable manager of an organization that was undergoing rapid growth during her time as Labor Commissioner. She increased efficiency throughout the division and broke down departmental silos that had stifled effective collaboration and caused redundancy. Similarly, she reworked the data-infrastructure used by the Labor Commissioner's office, bringing its operations into the 21st century. This allowed the administrative hearings unit of the Labor Commissioner's office to process thousands of wage claims each year and allowed the organization as a whole analyze and share data across 16 local division offices.

Julie Su was not a faraway administrator unconcerned with the daily business of the organization. She was legendary for having learned the names of every one of the more than 600 staff within the Labor Commissioner's office, from secretarial support staff to investigators, deputies, and legal staff. She was a regular presence on the ground, approachable and collaborative in her working style. She supported staff at all levels, building out training programs and statewide support networks that had not previously existed. Staff dedicated themselves with renewed vigor, and newly learned skills, to the mission of the Labor Commissioner's office.

Under Ms. Su, the Labor Commissioner's office became, in the words of a 2013 report, perhaps "the most aggressive and effective state labor law enforcement division in the country." It certainly became more effective than it had ever been.

At this critical moment, we need strong leadership at the U.S. Department of Labor to create good jobs and promote a fair economy for working people. We respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely yours,



Matthew Sirolli  
Staff Attorney  
CA Labor Commissioner's Office



Edna Garcia-Earley  
Assistant Chief Counsel  
CA Labor Commissioner's Office



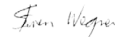
Carlos Torres  
Assistant Chief  
CA Labor Commissioner's Office



Patti Huber  
Assistant Chief  
CA Labor Commissioner's Office



David Balter  
Assistant Chief Counsel  
CA Labor Commissioner's Office



Steven Wegner  
Regional Manager  
CA Labor Commissioner's Office



Jocelyn Lopez  
Senior Deputy  
Labor Commissioner's Office



Melvin Yee  
Staff Attorney  
CA Labor Commissioner's Office

Cc: Michelle Rose, Rose.Michelle.D@dol.gov; Vincent Eng, veng@veng-group.com

## Chinese American Democratic Club



華裔民主黨協會

March 4, 2021

The Honorable Patty Murray  
Chair, Committee on Health, Education, Labor & Pensions  
United States Senate  
Washington, DC 20510

The Honorable Richard Burr  
Ranking Member, Committee on Health, Education, Labor & Pensions  
United States Senate  
Washington, DC 20510

**Re: Nomination of Julie Su as Deputy Secretary of the U.S. Department of Labor**

Dear Chair Murray and Ranking Member Burr:

The Leadership Conference on Civil and Human Rights, together with the Chinese American Democratic Club (of San Francisco) dedicated to civil rights and workplace justice for all working people, write in strong support of the nomination of Julie Su to serve as the next Deputy Secretary of the U.S. Department of Labor.

The ongoing global health pandemic has resulted in a national economic crisis that has exacerbated existing inequalities in the labor market that have long disadvantaged communities of color, women, immigrants, people with disabilities, and other groups that have borne the historic and ongoing burden of systemic discrimination. In this moment, the work of the Department of Labor is critical to ensuring an equitable shared recovery — one that does not leave behind those communities hardest hit by the pandemic but seeks to improve the economic security of all working people. Julie Su, together with Labor Secretary nominee Marty Walsh, will be the leader we need to ensure that the Department can deliver on its mission to promote the welfare of working people, improve working conditions, advance opportunities, and protect and enforce workplace rights.

Julie Su possesses deep expertise in civil rights and workplace rights and is exceedingly qualified to serve as Deputy Secretary of Labor:

- As the current Secretary of the California Labor and Workforce Development Agency, Su is responsible for thousands of employees charged with protecting and improving the well-being of the country's largest civilian workforce. Secretary Su oversees the state departments and boards that enforce labor laws and administer benefits, including workers' compensation, unemployment insurance, disability insurance, and paid family leave.

### OFFICERS 2021

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950 Grant Ave, 2<sup>nd</sup> Floor  
San Francisco CA 94108  
[www.sfcadc.org](http://www.sfcadc.org)

## Chinese American Democratic Club

- Su has worked with business leaders, labor, community-based organizations, philanthropists, and the tech community in California to design a “[High Road Recovery](#)” from the COVID pandemic — one that “rejects the idea that any job is a good job” and instead builds “an economy that is premised on eliminating working poverty” and that build pathways to safe, quality jobs that provide a decent standard of living and opportunities for growth for all communities.
- Su has demonstrated a deep understanding of the role equity must play in economic recovery in order to ensure economic opportunity for all working people. She has provided steady leadership to the [California Future of Work Commission](#) to help chart a forward-looking vision of economic equity, across race, gender, age, education level, sexual orientation, disability status, military service history, housing status, citizenship status, and criminal record in order to create shared prosperity for all Californians.
- Su has worked specifically to advance race and gender equity and close pay disparities. As Secretary, Su co-led the [California Pay Equity Task Force](#) to help ensure robust implementation of the state’s gender pay equity law. The Task Force has explicitly called attention to pay disparities at the intersection of sex and race/ethnicity and its impact on women of color.
- While serving as California Labor Commissioner, Su significantly increased [enforcement of wage theft laws](#), helping low-wage workers make ends meet and ensuring fair and just workplaces for workers and employers alike.
- Secretary Su has had a long career of promoting human rights and protecting vulnerable people from exploitation and abuse. Before entering government service, as a civil rights lawyer at Asian Americans Advancing Justice – Los Angeles, Su led [landmark litigation](#) to protect the rights of immigrant workers who were victims of trafficking, receiving the prestigious [MacArthur Foundation “genius” grant](#) for her work.

Throughout her long career in public service and as a civil rights attorney, Julie Su has demonstrated an unwavering commitment to ensuring that all working people are treated with dignity and are able to enjoy basic protections in the workplace. Her work has reflected a deep understanding of how equity, justice, and economic security are linked, especially for working people from communities that have been marginalized economically, socially, and politically.

**Chinese American Democratic Club**

The communities we represent have been hard hit by both the pandemic and by the policies of the outgoing administration, policies that served to exacerbate existing inequalities caused by systemic racism and discrimination and that have long posed barriers obtaining good jobs — those that pay fair wages, offer reasonable benefits and safe working conditions, and ensure the dignity of working people. The current crisis necessitates a strong Department of Labor that can help guide an equitable recovery, one that prioritizes the maintenance and creation of good jobs, the health and safety of working people, and the protection of worker rights. Together with Labor Secretary nominee Marty Walsh – a leader who has prioritized the well-being of working families – Julie Su will work to implement and strengthen workplace protections and improve economic opportunities for all. For this reason, we urge you to support the confirmation of Julie Su to be the next Deputy Secretary of Labor.

If you have any questions, please contact Gaylynn Burroughs, senior policy counsel at The Leadership Conference, at [burroughs@civilrights.org](mailto:burroughs@civilrights.org).

Sincerely,

*Bayard Fong*

Bayard Fong  
President  
Chinese American Democratic Club

## Economic Policy Institute

U.S. Senate Committee on Health, Education, Pensions, and Labor  
428 Senate Dirksen Office Building  
Washington, DC 20510

Re: Nomination of Julie Su

Dear Members of the Senate Committee on Health, Education, Pensions, and Labor:

The Economic Policy Institute strongly supports the nomination of Julie Su for Deputy Secretary of the U.S. Department of Labor, and we strongly urge you to vote for her confirmation. The mission of the Department of Labor is to uphold and enforce labor standards and improve the wages and working conditions of all workers. Julie Su's experience serving as the Secretary for the California Labor and Workforce Development Agency, as well as California's Labor Commissioner, aptly positions her to assist the Secretary of Labor in promoting this mission.

As the Secretary of the California Labor and Workforce Development Agency, Julie Su is responsible for over 10,000 thousand of employees charged with protecting and improving the well-being of workers in California, the country's largest civilian workforce. Su oversees the state departments and boards that enforce labor laws and administer benefits, including workers' compensation, unemployment insurance, disability insurance, and paid family leave.

During her time as California Labor Commissioner from 2011 through 2018, Su enforced the state's labor laws to ensure a fair and just workplace for both employees and employers. A [report on her tenure](#) released in May 2013 found Su significantly increased enforcement of wage theft laws, helping low-wage workers make ends meet and ensuring fair and just workplaces for workers and employers alike. Her work gained support from both workers' advocates and the business community for promoting fair wages for workers and a level playing field for employers.

After four years of the Trump administration systematically undermining the interests of working people and prioritizing the interests of corporate executives and shareholders above all else, we are encouraged that the Biden administration has chosen a Deputy Secretary with a strong background, who will protect and expand the rights of working people. For this reason, we urge you to support the confirmation of Julie Su to be the next Deputy Secretary of Labor.

Signed,

Celine McNicholas  
Director of Government Affairs and Labor Counsel  
Economic Policy Institute

Margaret Poydock  
Policy Analyst  
Economic Policy Institute



## EQUAL JUSTICE SOCIETY

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March 2, 2021

The Honorable Patty Murray, Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr, Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

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*Legal Director*

Elizabeth Wright  
*Law Clerk*

The Equal Justice Society strongly supports the confirmation of Julie Su as Deputy Secretary of the U.S. Department of Labor. At a time when the COVID-19 pandemic has devastated workers and communities across the United States and front-line essential workers are the backbone of our economy while putting their own health at risk, there is no better choice than Julie Su for Deputy Secretary of Labor.

Julie Su is a nationally renowned labor policy expert with a proven track record of transforming government agencies to ensure that they fulfill their missions. Ms. Su is exceptionally well-qualified to help lead our nation towards a fair and inclusive economic recovery and to build a 21st century economy that works for *all* working families.

As a civil rights organization, the Equal Justice Society is transforming the nation's consciousness on race through law, social science, and the arts. Our legal strategy aims to broaden conceptions of present-day discrimination to include unconscious and structural bias by using social science, structural analysis, and real-life experience. Our work includes advocating through law and policy for economic and racial justice for workers of color and all workers.

As Secretary of Labor of California, the world's fifth largest economy, Ms. Su is a strong, visionary, and experienced leader and coalition builder. She has nearly a decade of experience leading state labor agencies where she has been a champion for workers. Ms. Su spearheads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement (including paid leave and wage/hour), workforce development, unemployment benefits, apprenticeships, and worker training.

Among her many accomplishments, she has instituted on-the-job protections for workers affected by COVID-19, launched a statewide initiative to educate

*Continued*

*Equal Justice Society*

workers and employers in high risk industries about how to maintain healthy and safe workplaces, helped to lead a California Future of Work Commission, co-chaired California's Pay Equity Task Force, expanded innovative partnerships between labor unions and employers in targeted industries to create quality, high road jobs, and pioneered a community-based model of socially responsible small business development and investment in immigrant communities facing significant barriers to employment.

Ms. Su's innovative approach to workforce development has resulted in new programs preparing workers for good jobs and in systemic changes to the workforce system prioritizing workers who face the greatest barriers to employment. From 2011 to 2018, Ms. Su served as California Labor Commissioner where she launched groundbreaking strategic initiatives to enforce state wage and hour laws, including a "Wage Theft is a Crime" campaign in multiple targeted low-wage industries where wage theft was prevalent. Ms. Su's leadership was hailed in a 2013 report for having transformed the Labor Commissioner Office into "what could be the most aggressive and effective state labor law enforcement division in the country."

Ms. Su is also a leader at the intersection of labor and workers' rights, racial equity, immigrant rights, and women's rights. Prior to her service in state government, Ms. Su was the litigation director at Asian Americans Advancing Justice-Los Angeles, where she was an acclaimed civil rights lawyer and coalition builder. Ms. Su was lead counsel in the landmark El Monte case where she represented Thai and Latina workers in seeking to hold accountable garment manufacturers and retailers for slave labor and sweatshop conditions. The case and advocacy resulted in a groundbreaking multimillion dollar settlement and the issuance of visas to the Thai workers that enabled them to adjust their immigration status. This work was so significant that in 2019, Governor Newsom declared August 2 "El Monte Thai Garment Workers Day."

As a woman of color and daughter of Chinese immigrants, Ms. Su has a deep empathy for working people of all backgrounds. She has been honored by elected officials, community and labor organizations, major foundations, professional organizations, and educational institutions for her exceptional leadership and work on labor, women's rights, and civil rights issues -- including being selected for the prestigious MacArthur "genius" award, named one of four "Pioneers in Women's History" in an official proclamation by former President Clinton, and receiving the California Rural Legal Assistance Dolores Huerta Adelita Award.

At this critical moment when we need strong leadership at the U.S. Department of Labor to create good jobs and promote a fair economy for working people, we respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely yours,



Eva Paterson, President and Co-founder  
Equal Justice Society

## INTERNATIONAL BROTHERHOOD OF TEAMSTERS

**JAMES P. HOFFA**  
General President

25 Louisiana Avenue, NW  
Washington, DC 20001



**KEN HALL**  
General Secretary-Treasurer

202.624.6800  
[www.teamster.org](http://www.teamster.org)

March 1, 2021

### Via US Mail and Electronic Transmission

United States Senate  
Committee on Health, Education, Labor, and Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

Dear Senator:

On behalf of the 1.4 million members of the International Brotherhood of Teamsters, I am pleased to support the nomination of Julie Su to serve as the Deputy Secretary of Labor. At a time when America's workforce is facing the dual crisis of a public health emergency and generational economic depression, having experienced public servants in positions of leadership is of the utmost importance. As a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission, Ms. Su is uniquely qualified to take on this essential role within the Biden Administration.

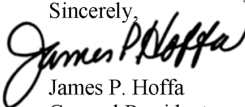
As Secretary for the California Labor and Workforce Development Agency, Su currently leads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement (including paid leave and wage/hour), workforce development, unemployment benefits, apprenticeships, and worker training. She has worked throughout the COVID-19 pandemic to ensure that California's workers are provided with on-the-job protection, including an effort to educate both workers and employers on how they can work together to remain on the job in a healthy and safe environment. For seven years, Su served as California's Labor Commissioner where she tackled the issues

United States Senate  
Committee on Health, Education, Labor, and Pensions  
March 1, 2021  
Page 2 of 2

of wage theft head-on using groundbreaking tactics and yielding positive results. Her innovative “Wage Theft is a Crime” campaign targeted multiple low-wage industries where wage theft was prevalent.

The Port Division of the International Brotherhood of Teamsters has worked closely with Su in her efforts to combat misclassification and wage theft, which are rampant issues faced by professional drivers at California’s ports. For far too long, companies have unlawfully deemed these drivers “independent contractors” and denied them the basic workplace protections and benefits that they are entitled to as “employees.” Su’s efforts to end this practice through litigation and agency action has positively impacted the lives of thousands of port truck drivers and thousands of other workers in California.

The American workforce deserves to have a Department of Labor that is constantly striving to provide opportunity through innovative ideas, forward-thinking planning, and bold action. With Julie Su in office, they will have all of this and more. I respectfully urge the Senate Committee on Health, Education, Labor, and Pensions to swiftly consider and confirm Julie Su to serve as the next Deputy Secretary of Labor.

Sincerely,  
  
James P. Hoffa  
General President

JPH/td



February 24, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

We write as business leaders in California to urge you to confirm Julie Su as Deputy Labor Secretary without delay.

We are the presidents of two business organizations that together represent over 1,800 employers of all sizes.

The Los Angeles Chamber of Commerce represents over 1,400 employers with over 650,000 employees in over 35 industry sectors. The California Manufacturers and Technology Association represents more than 400 businesses from the entire manufacturing spectrum that generate more than \$288 billion annually and employ more than 1.3 million Californians.

We have worked closely with Julie while she has served as California Labor Secretary. In particular we served as commissioners on the Future of Work Commission which Secretary Su led with a collaborative spirit and focused direction. She is someone who builds bridges, listens, and understands how to find common ground. Her leadership style is inclusive and aimed at finding concrete solutions to intractable problems. Under her tenure as California's Labor Secretary, we have seen the Labor and Workforce Development Agency reach out to employers to understand our concerns, from developing tools and resources for employers related to COVID-19 to coming to speak to our members herself.

She has been a partner in building innovative solutions for training and workforce development. Manufacturing continues to experience a persistent middle-skills shortage

Julie Su Nomination  
February 24, 2021  
Page Two

that threatens our innovation capacity and marketplace opportunities. We need a reliable pipeline of highly trained individuals to solve today's deficiencies and prepare for the future. This demand for a trained workforce has again been highlighted throughout this public health crisis as the state has relied on manufacturing operations, as an essential and critical infrastructure sector, to supply necessary essential goods and support the state in its pandemic response.

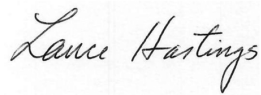
In response, Julie not only met with us to be sure she understood the problem. She led the effort to realign state level departments to better meet the needs of both employers and employees. She understands that change is not just about short-term answers but about building stronger, better, more efficient and responsive organizations in government. She is that rare leader who does not shy from areas of disagreement or from hard, bold solutions, but instead seeks to make sure various voices are heard and then rolls up her sleeves to implement needed changes.

While we are sad to see her go in California, we are proud of her nomination and know she will take the same ability to get things done and to create a broad table that works together to navigate the country out of these difficult times. With Julie's leadership, we know that we will have someone at the federal level who can help businesses and workers thrive.

Thank you,



Maria Salinas  
President  
Los Angeles Chamber of Commerce



Lance Hastings  
President  
California Manufacturers & Technology Association



MICHAEL N. FEUER  
CITY ATTORNEY

February 23, 2021

The Honorable Patty Murray  
Chair, Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member, Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

As the Los Angeles City Attorney, I write in strong support of the nomination of Julie Su for Deputy U.S. Labor Secretary.

From the day Julie Su took office as California's Labor Commissioner in 2011, she has demonstrated her commitment to partnering with criminal law enforcement officials to protect workers, lawfully operating employers, consumers and taxpayers from the wage theft and other forms of workplace fraud that cost our state hundreds of millions of dollars every year.

Then-Commissioner Su immediately established a Criminal Investigation Unit (CIU), hiring experienced criminal investigators and former prosecutors to spearhead a broader effort to build the agency's capacity to investigate criminal workplace violations. The CIU trained the agency's own staff on how to recognize and document labor law violations that rose to the level of criminal conduct, assisted in the investigation and prosecution of cases that were referred to our offices, and collaborated with prosecutors statewide to provide expert guidance on labor law and workplace investigations.

Until recently, wage theft was treated as primarily a civil dispute between employee and employer. Our office has challenged that paradigm and led the way in prioritizing workplace prosecutions. Over \$50 billion in wages are stolen from America's workers every year, more than triple the amount of money taken in all other kinds of thefts. But workers are not the only

The Honorable Patty Murray  
 The Honorable Richard Burr  
 February 23, 2021  
 Page 2

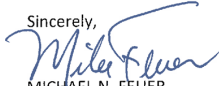
victims of wage theft. Unscrupulous employers who fail to pay legal wages and their fair share of employee taxes put lawfully operating businesses at a competitive disadvantage, and compel taxpayers to make up the difference.

In collaboration with then-Labor Commissioner Su's office, our office brought several groundbreaking cases against alleged scofflaw employers, protecting workers and law-abiding businesses across Los Angeles. These successful prosecutions have run the gamut of workplace abuses, from alleged prevailing wage claims in the construction of a multi-million dollar public works project (*People v. Mackone Development, Inc. et al.* (Case No. BC56301)), to the alleged misclassification of truck drivers (*People v. Cal Cartage Transportation Express, LLC, et al.* (Case No. BC689320)), and the alleged theft of labor from low-wage home healthcare (*People v. Nishi et al.* (Case No. BC 660777)) and car wash workers (*People v. Silver Lake Car Wash, Inc. et al.* (Case No. BC6906628)). Then-Commissioner Su and I discussed these issues frequently and worked closely together on these and other fronts.

In addition to supporting trailblazing litigation, then-Commissioner Su helped organize multiple trainings across the state on workplace investigations and prosecutions, culminating in an all-day symposium on prosecuting wage theft – the first of its kind in the country - and the publication of a wage theft prosecution toolkit, which has become an invaluable resource for prosecutors nationally. Then-Commissioner Su also partnered with me in co-leading on an extensive in-person educational program for Los-Angeles-area car wash owners, designed to ensure they had the information necessary to comply with laws protecting vulnerable car wash workers from wage theft.

Julie Su has always understood that enforcement partnerships enable us to leverage our collective expert knowledge and resources, maximizing our ability to effectively and strategically enforce both criminal and labor law. During her remarkable tenure as California Labor Commissioner and Labor Secretary, she invested significant agency resources and her own time and talent to build powerful, innovative relationships between untraditional partners, for the benefit of all law-abiding Californians. I am confident that as Deputy U.S. Secretary of Labor, Julie Su will bring the same vision and unparalleled dedication to bear on the historic challenges facing American workers and employers, and that the country will benefit immensely from her proven leadership.

Thank you for your consideration.

Sincerely,  
  
 MICHAEL N. FEUER  
 Los Angeles City Attorney





Ron Herrera  
President

Thom Davis  
Chair

March 5, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

On behalf of the over 800,000 proud working women and men in Los Angeles County, the Los Angeles County Federation of Labor is in strong support of Julie Su to be Deputy Secretary of the U.S. Department of Labor. At a time when the COVID-19 pandemic has devastated workers and communities across the United States and front-line essential workers are the backbone of our economy while at risk of their own health, there is no better choice than Julie Su for Deputy Secretary of Labor. Julie Su is a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission. Ms. Su is exceptionally well qualified to help lead our nation towards a fair and inclusive economic recovery and to build a 21st century economy that works for *all* working families.

As Secretary of Labor of California, the world's fifth largest economy, Ms. Su is a strong, visionary, and experienced leader and coalition builder. Ms. Su has nearly a decade of experience leading state labor agencies where she has been a champion for workers. As California Labor Secretary, Ms. Su spearheads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement (including paid leave and wage/hour), workforce development, unemployment benefits, apprenticeships, and worker training. Among her many accomplishments, she has instituted on-the-job protections for workers affected by COVID-19, launched a statewide initiative to educate workers and employers in high risk industries about how to maintain healthy and safe workplaces, helped to lead a California Future of Work Commission, co-chaired California's Pay Equity Task Force, expanded innovative partnerships between labor unions and employers in targeted industries to create quality, high road jobs, and pioneered a community-based model of socially responsible small business development and investment in immigrant communities facing significant barriers to employment. Ms. Su's innovative approach to workforce development has resulted in new programs preparing workers for good jobs and in systemic changes to the workforce system prioritizing workers who face the greatest barriers to employment.

From 2011 to 2018, Ms. Su served as California Labor Commissioner where she launched groundbreaking strategic initiatives to enforce state wage and hour laws, including a “Wage Theft is a Crime” campaign in multiple targeted low-wage industries where wage theft was prevalent. Ms. Su’s leadership was hailed in a 2013 report for having transformed the Labor Commissioner Office into “what could be the most aggressive and effective state labor law enforcement division in the country.”

Ms. Su is also a leader at the intersection of labor and workers’ rights, racial equity, immigrant rights, and women’s rights. Prior to her service in state government, Ms. Su was the litigation director at Asian Americans Advancing Justice-Los Angeles, where she was an acclaimed civil rights lawyer and coalition builder. Ms. Su served as lead counsel in the landmark El Monte case where she represented Thai and Latina workers in seeking to hold accountable garment manufacturers and retailers for slave labor and sweatshop conditions, resulting in a groundbreaking multimillion dollar settlement and the issuance of visas to the Thai workers that enabled them to adjust their immigration status.

As a woman of color and daughter of Chinese immigrants, Ms. Su has a deep empathy for working people of all backgrounds. She has been honored by elected officials, community and labor organizations, major foundations, professional organizations, and educational institutions for her exceptional leadership and work on labor, women’s rights, and civil rights issues -- including being selected for the prestigious MacArthur “genius” award, named one of four “Pioneers in Women’s History” in an official proclamation by former President Clinton, and receiving the California Rural Legal Assistance Dolores Huerta Adelita Award.

At this critical moment when we need strong leadership at the U.S. Department of Labor to create good jobs and promote a fair economy for working people, we respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely,



Ron Herrera  
President



## OFFICE OF THE CHANCELLOR

CITY  
EAST  
HARBOR  
MISSION  
PIERCE  
SOUTHWEST  
TRADE-TECH  
VALLEY  
WEST

February 1, 2021

The Honorable Parry Murray  
Chair, Senate HELP Committee  
154 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Senate HELP Committee  
217 Russell Senate Office Bldg.  
Washington, D.C. 20510

Dear Chairwoman Murray and Ranking Member Burr:

On behalf of the Los Angeles Community College District (LACCD), we write to express our strong support for the nominations of Mayor Marty Walsh to serve as Secretary of Labor and Julie Su as Deputy Secretary of Labor. Given the Department of Labor's critical role helping to repair the economy from the pandemic's devastation while ensuring Americans can safely return to worksites, our nation cannot afford to have the position of Secretary and Deputy Secretary of Labor vacant. We urge you to approve these nominations expeditiously.

As mayor of Boston, Marty Walsh created job centers and Boston's first Office of Workforce Development where unemployed residents could find assistance with resume writing, job training, interviewing and networking. He also significantly expanded apprenticeship programs throughout Boston. His commitment to equity and opportunity for all Americans makes Mayor Walsh eminently qualified to serve as Secretary of Labor.

Julie Su's service as Secretary for the California Labor and Workforce Development Agency makes her an excellent choice for Deputy Secretary of Labor. She has spent decades fighting for low-wage and immigrant communities and her commitment to social justice makes her an ideal leader at the Department of Labor.

We applaud President Biden's selection of Boston Mayor Marty Walsh as Secretary of Labor and Julie Su as Deputy Secretary. We urge the committee to approve their nominations expeditiously.

Sincerely,

Francisco C. Rodriguez, Ph.D.  
Chancellor  
Los Angeles Community College District

Office (213) 891-2201  
Fax (213) 891-2304  
laccd.edu

770 Wilshire Blvd.  
Los Angeles, CA 90017



TERRY O'SULLIVAN  
General President

ARMAND E. SABITONI  
General Secretary-Treasurer

*Vice Presidents:*

TERRENCE M. HEALY

RAYMOND M. POCINO

JOSEPH S. MANCINELLI

ROCCO DAVIS  
Special Assistant to the  
General President

VINCENT R. MASINO

DENNIS L. MARTIRE

ROBERT E. RICHARDSON

RALPH E. COLE

JOHN F. PENN

OSCAR DE LA TORRE

SERGIO RASCON

ROBERT F. ABBOTT

SAMUEL STATEN, JR.

PAUL V. HOGROGIAN

THEODORE T. GREEN  
General Counsel

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20006-1765  
202-737-8320  
Fax: 202-737-2754  
www.liuna.org

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

On behalf of the 500,000 members of the Laborers' International Union of North America (LIUNA), I write to declare our support for President Biden's nomination of Julie Su as Deputy Secretary of the United States Department of Labor. Her expertise and decades of experience as an advocate for working families and civil rights is vital at this time of national crisis.

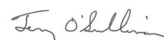
Su has been a longtime advocate for workers in her time in public service. As California's Labor Secretary she has navigated the state's economy through the major crises of the past two years. She served as the California Labor Commissioner from 2011 to 2018, during which time she led the fight against wage theft and workplace abuses.

Su also has a strong background as a civil rights attorney. She served as the Litigation Director for Asian Americans Advancing Justice-Los Angeles, where she advocated on behalf of immigrant workers and their communities. Su's leadership will bring much-needed experience to address ongoing racial and economic inequity.

This country needs strong leadership to strengthen our economy and tackle the challenges and inequities affecting working families. LIUNA urges the Senate to confirm Julie Su as Deputy Secretary of Labor.

With kind regards, I am

Sincerely yours,

  
TERRY O'SULLIVAN  
General President

rj  
opeiu2liuna

# LIUNA!

March 12, 2021

*Feel the Power*



**Association of Hawaiian Civic Clubs**

**Nā Lei Makalapua**

*"E lauhoe mai nā wa'a"* Everyone paddles the canoe together.

c/o Lono Kollars

P.O. Box 9817

Moreno Valley, CA 92552

Email – [nalanjohnson@yahoo.com](mailto:nalanjohnson@yahoo.com)

March 11, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

RE: Letter of Support of JULIE SU for U.S. Deputy Secretary of Labor

Dear Chair Murray and Ranking Member Burr:

The Mainland Council of the Association of Hawaiian Civic Clubs, also known as Nā Lei Makalapua, is in strong support of Julie Su to become the Deputy Secretary of the U.S. Department of Labor. In this very time when the COVID-19 pandemic has devastated workers and communities throughout our country and essential front line workers risk their own health, there is no better choice than Julie Su for Deputy Secretary of Labor. Julie Su, a nationally renowned labor policy expert with a proven record of transforming government agencies to deliver on their assignments, is exceptionally qualified to help lead our nation towards a fair and comprehensive economic recovery and build a 21<sup>st</sup> century economy that all working families deserve and need.

The Mainland Council of the Association of Hawaiian Civic Clubs, Nā Lei Makalapua is a council incorporated by the State of California as a non-profit corporation and is comprised of 17 component clubs. Its foremost objective is to be actively engaged in the civic, economic, social, health, and moral welfare of its members, particularly Native Hawaiians, and the communities in which they reside and work.

As the State of California's Secretary of Labor, Ms. Su has demonstrated to be a strong, visionary, and experienced leader and coalition builder. Ms. Su's nearly a decade of experience, proven leadership at the helm of one of California's expansive state agencies, innovative approaches to collaboratively effectuate essential outcomes have been proven time and again. With a distinguished legal career Ms. Su has been

in the forefront of initiating, launching, advancing, directing, and focusing efforts to protect workers and their rights.

Our California members, which account for a significant number in our Council, have been and are affected by Ms. Su's innovative and bold leadership.

The Mainland Council of the Association of Hawaiian Civic Clubs respectfully urges you and the U.S. Senate to confirm Julie Su to be U.S. Deputy Secretary of Labor.

Sincerely,

MAINLAND COUNCIL OF THE ASSOCIATION OF HAWAIIAN CIVIC CLUBS  
NĀ LEI MAKALAPUA

/s/Carol N. Johnson  
President

On behalf of component clubs:	Nā 'Ō'iwi o Hawai'i Northern Nevada Hawaiian Civic Club, Nevada
Ke Ali'i Maka'ainana Hawaiian Civic Club Virginia	Las Vegas Hawaiian Civic Club Nevada
Hui Hawai'i o Tenesi Hawaiian Civic Club Tennessee	'Ahahui o Liliu'okalani Hawaiian Civic Club California
Ke Ali'i David La'amea Kalākaua Hawaiian Civic Club, Wisconsin	'Ainahau o Kaleponi Hawaiian Civic Club California
Ke Ali'i Bernice Pauahi Paki Hawaiian Civic Club Missouri	'Ahahui Kiwila o San Diego California
Pi'ilani Hawaiian Civic Club Colorado	Kaha I Ka Panoa Kaleponi Hawaiian Civic Club California
Hui Hawai'i o Utah Utah	Ka 'Aha Lāhui o 'Olekona Hawaiian Civic Club Oregon
Kauwahi 'Anaina Hawai'i Hawaiian Civic Club Utah	Mokuaina o Wakinekona Hawaiian Civic Club Washington
Lau Kanaka no Hawai'i Hawaiian Civic Club Arizona	Nā Keiki o Hawai'i Hawaiian Civic Club Alaska



Maintenance Cooperation Trust Fund

Fideicomiso de Cooperación en Mantenimiento

February 28, 2021

Senator Patty Murray  
 Chairperson  
 Senate Committee on Health, Education, Labor, and Pensions  
 154 Russell Senate Office Building  
 Washington, DC 20510

Senator Richard Burr  
 Ranking Member  
 Senate Committee on Health, Education, Labor, and Pensions  
 217 Russell Senate Office Building  
 Washington, DC 20510

**RE: Support Julie Su's Nomination for the Deputy Secretary of Labor**

Dear Chairperson Murray and Ranking Member Burr,

The Maintenance Cooperation Trust Fund supports President Biden's nomination of Julie Su as Deputy Secretary of Labor. The Maintenance Cooperation Trust Fund (MCTF) is a statewide watchdog that has worked to eliminate illegal and unfair business practices in California's janitorial industry since 1999. We've worked to eliminate the underground economy in our industry in the areas of wage theft, workers compensation insurance fraud, workplace sexual assault, and employment-related fraud. We provide educational outreach to janitors and employers to help ensure that non-union janitors are treated fairly and that responsible employers have a level playing field.

We have a long history working with Julie Su and can speak knowledgeably about the quality of her character and leadership. Prior to becoming Secretary of California's Labor Workforce and Development Agency, Secretary Su served for seven years as California's Labor Commissioner. In this role, Secretary Su transformed the Labor Commissioner's Office into one of the most effective and powerful workplace civil law enforcement agencies in the nation. She did this by creating a mission-driven agency focused on accessing and assisting all California workers and businesses, regardless of income level or language barriers. Her office was a key partner in bringing strategic wage theft enforcement and workplace wage restoration to California's non-union janitors. For example, Secretary Su showed leadership and follow through when the Labor Commissioner's Office pursued claims against the Cheesecake Factory Restaurants for failure to properly pay

janitors. As part of our work in the industry, we communicated with dozens of janitors involved in these challenging and complex matters. Under Secretary Su's leadership, the Labor Commissioner's Office was able to conduct a thorough investigation that resulted in \$4.5 million in lost wages and fines against Cheesecake Factory Restaurants and the janitorial companies it hired. Secretary Su created a culture of accountability, expertise, collaboration, and perseverance at the Labor Commissioner's Office that she then brought to its parent agency, the Labor Workforce and Development Agency.

Secretary Su's vision extends beyond just helping California's low-wage workers. We have seen firsthand how integral it has been for her to help small businesses and responsible businesses thrive in California. When Secretary Su hosts a presentation or panel, she always ensures everyone—low-wage worker advocates and business leaders alike—has a seat at the table and can listen to each other's perspectives to make sure California's economy is healthy and prosperous top to bottom.

Secretary Su will bring this same expertise and tenacity to our nation's Department of Labor should she be selected for the position. We are hopeful and excited about the opportunity for the nation to experience the same exceptional leadership, creativity, and passion on a federal level. We can think of no person better suited for the position and endorse Secretary Su for Deputy Secretary of Labor with the utmost enthusiasm.

Sincerely,



Yardenna Aaron  
Executive Director  
The Maintenance Cooperation Trust Fund



Edward Clevenger  
Client and Union Relations  
Flagship Facilities Services



David Huerta  
President  
SEIU United Service Workers West





Richard Dotts  
President  
DMS Facility Services

Cc: Yeongsik Kim, Senate Committee on HELP, [Yeongsik\\_kim@help.senate.gov](mailto:Yeongsik_kim@help.senate.gov)

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828 W. Washington Blvd. Rm 11, Los Angeles, CA  
90015

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March 11, 2021

The Honorable Patty Murray  
United States Senate Health, Education, Labor, & Pensions Committee  
428 Senate Dirksen Office Building  
Washington, DC 20510

The Honorable Richard Burr  
United States Senate Health, Education, Labor, & Pensions Committee  
428 Senate Dirksen Office Building  
Washington, DC 20510

RE: Nomination of Julie Su to Serve as Deputy Labor Secretary of the United States

Dear Chairwoman Murray, Ranking Member Burr, and Members of the HELP Committee:

As the only multi-issue progressive community organizing and policy advocacy organization for Asian American and Pacific Islander (AAPI) women and girls in the U.S., we write to urge you to confirm Julie Su's nomination to Deputy Labor Secretary of the United States. Our mission is to build collective power with AAPI women and girls so that we can have full agency over our lives, our families, and our communities. We have seen, time and time again, that Julie Su has won hard-fought victories while centering AAPI women workers.

Race, ethnicity, whether one is a parent, and more, affect how a woman experiences the wage gap. The "model minority myth," or the false idea that all AAPI women are the same--high achieving immigrants with stable incomes--further the misconception that AAPI women do not need support or resources. This is far from true: AAPI women are overrepresented in the most poorly paid jobs in the country and are often subject to wage theft, unsafe working conditions, and even enslavement by our employers. Julie Su has demonstrated throughout her career that she has a deep understanding of the barriers we face, and will center the values and priorities of AAPI women workers. Already, Julie Su's work has secured numerous wins for our communities, including AAPI immigrant women workers, such as her representation of 72 Thai garment workers who sought freedom from exploitation, wage theft, and detention by their employer.

Our country's leadership must reflect those who are directly impacted by its policies. As the daughter of Chinese immigrants and a lifelong advocate for low-wage workers, many of whom are immigrant women and women of color, face intersecting systemic barriers, Julie Su has

demonstrated the commitment and experience imperative for leading the agency responsible for protecting the rights of some of our country's most marginalized. Advocates and leaders in her home state representing these communities have fervently called for her nomination, and we must listen and act to promote the values and priorities of those communities. As the most devastating pandemic of our lifetime rages on and continues to leave AAPI women and women of color unemployed, bereft of health care, paid leave, and affordable childcare, we need a Deputy Labor Secretary whose leadership will deliver for our communities. Julie Su is that candidate.

Sincerely,  
Sung Yeon Choimorrow  
Executive Director, National Asian Pacific American Women's Forum



February 24, 2021

Senator Patty Murray  
Chairwoman  
Senate Committee on Health, Education,  
Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Senator Richard Burr  
Ranking Member  
Senate Committee on Health, Education,  
Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chairwoman Murray and Ranking Member Burr,

The National Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship (National ACE) strongly supports the nomination and confirmation of Julie Su for Deputy Secretary of Labor of the U.S. Department of Labor. Asian Americans and Pacific Islanders (AAPIs) represent one of the fastest growing demographic groups for business ownership in the United States, and it is important that there are AAPI leaders representing their voice within the Department of Labor.

Ms. Su, the daughter of Chinese immigrants and small business owners, brings to the table a critical perspective during a time which the labor market and the economy have been immensely challenged.

National ACE strongly supports the nomination and confirmation for Julie Su as Deputy Secretary of Labor.

Sincerely,

Chiling Tong  
President and CEO

Dr. Karen Eng  
Chair of the Board

Cc: Members of the Senate Committee on Health, Education, Labor and Pensions



11 DUPONT CIRCLE NW  
SUITE 800  
WASHINGTON, DC 20036  
202-588-5180  
NWLC.ORG

March 5, 2021

*Submitted via email*

Re: National Women's Law Center Supports Nominations of Marty Walsh for Secretary of Labor and Julie Su for Deputy Secretary of Labor

Dear Senator:

The National Women's Law Center (the Center), an organization that has advocated on behalf of women and girls for more than 45 years, writes to express its robust support for the nominations of Marty Walsh to be Secretary of Labor and Julie A. Su to be Deputy Secretary of Labor.

The Secretary of Labor and Deputy Secretary of Labor are the nation's most senior officials tasked with ensuring the well-being and rights of working people and advancing their employment opportunities. In these positions, Mr. Walsh and Ms. Su would direct the Department of Labor's (DOL's) interpretation and enforcement of a number of laws vital to women's economic security and right to be free from workplace discrimination, such as the Fair Labor Standards Act; the Occupational Safety and Health Act; the Family and Medical Leave Act; the Affordable Care Act's requirement of break time for nursing mothers; the executive orders prohibiting sex discrimination and other forms of discrimination by federal contractors; and a range of executive orders setting labor standards for federal contractors' employees, including on minimum wage and a right to earn paid sick days, in addition to overseeing a range of workforce training initiatives. These policies are essential to closing the gender wage gap: they remove barriers to women's employment opportunities, including sex discrimination; raise women's wages; allow women to meet caregiving responsibilities without sacrificing their employment; and ensure women's health and safety so they can continue to support their families.

COVID has had a [devastating effect on women's workforce participation](#), and the pandemic and lack of supports for caregiving has forced women workers out of the workforce in droves. The total number of women who have left the labor force since the start of the pandemic reached over 2.3 million in January 2021, leaving women's labor force participation rate – the percentage of adult women who are either working or looking for work – at 57.0%. Before the pandemic, the women's labor force participation rate had not been this low since 1988. Black women and Latinas continue to be hit particularly hard by the economic crisis, and much of the job loss has been borne by workers in low-paid jobs, like retail, hospitality, and child care. Women and their families deserve a Secretary of Labor and Deputy Secretary of Labor who are devoted to advancing the rights of workers and committed to robust enforcement of the laws that protect them. Mr. Walsh and Ms. Su are such leaders.

As a former union leader, Marty Walsh understands firsthand the importance of a vibrant union movement to lift women and families out of poverty and provide safe jobs with family supporting wages. [Union membership boosts wages for all workers](#)—but women see especially large advantages from being in a union. The gender wage gap among union women and men is about half the size of the wage gap among non-union workers, and female union members typically earn \$224 more per week than women who are not represented by unions—a larger wage advantage than men receive. Protecting



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WASHINGTON, DC 20036  
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and strengthening the rights of working people to come together to form a union is a key strategy for achieving equal pay for women. Mr. Walsh has also demonstrated a strong commitment to equal pay during his time as Mayor of Boston, including support for pay data collection as a key tool to fight discrimination. He partnered with the [Boston Women's Workforce Council](#) to implement a public-private initiative, the 100% Talent Compact, under which [over 250 Boston-area employers](#) pledged to help close gender and racial wage gaps in Boston by taking certain actions, like examining their pay data and practices to assess whether wage gaps exist, and if so, to take steps to reduce them.

Mr. Walsh also [supported the Massachusetts Equal Pay Act](#), which was the first state law to include a ban on relying on salary history in hiring and pay setting. This is particularly important because employers' requests for an applicant's salary history in the hiring process—and reliance on that information to determine compensation—forces women, and especially women of color, to carry lower earnings and pay discrimination with them from job to job.

In his leadership roles, Mr. Walsh has made expanding and improving employment opportunities for women a top priority. When Mr. Walsh led the Boston Building Trades he founded [Building Pathways](#), a program to prepare women and people of color to enter union apprenticeships. When he became Mayor, under his leadership the City continued to support Building Pathways financially with city grants, and as a sub-grantee under a US DOL 5-year Apprenticeship Initiative grant. As Mayor, Mr. Walsh was a key supporter of efforts to provide flexible child care arrangements for women working in construction and hospitality, including giving the [Care That Works](#) coalition a \$25k grant to launch a pilot program designed to provide early hour child care for construction workers. As Mayor he also piloted and institutionalized the [Childcare Entrepreneur Fund](#). This Fund supports, sustains, and develops the business model for local child care entrepreneurs, who are primarily women of color, allowing them to not only continue to supply child care to the City's families, but also to ensure their expertise for years to come.

As he said in his Senate hearing — women and people of color are a big part of the future of our economy. We agree and we look forward to Mr. Walsh's leadership of the Department of Labor. We are confident that in this role he will continue to demonstrate his commitment to a strong labor movement, to equal pay, to diversity, and more broadly to the advancement of the rights of working women.

We also enthusiastically endorse Julie Su's nomination as Deputy Secretary of Labor. Ms. Su has spent her entire career fighting for the rights of women workers, first as a groundbreaking civil rights attorney and currently as the Secretary of the California Labor and Workforce Development Agency, leading an agency of over 11,000 employees to secure fair labor and workplace conditions for California workers and businesses. Her career demonstrates her deep understanding of the role that gender and race play in employers' exploitation of low-paid workers.

As a civil rights attorney with Asian Americans Advancing Justice-Los Angeles, Ms. Su represented women workers across low-paid industries, leading legal challenges to extreme and dehumanizing labor conditions. In a well-known case litigated when she was barely out of law school, Ms. Su represented more than 70 Thai workers—almost all of whom were women—who had been trafficked to the United



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WASHINGTON, DC 20036  
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States and kept inside a two-story apartment complex ringed with barbed wire, forced to work 18 hour days, and [paid less than a dollar per hour](#) to produce clothing. Ms. Su sued on behalf of these workers, as well as Latina garment workers working for the same company, and won, ultimately establishing new precedent to hold abusive employers accountable and winning more than \$4 million in back pay for the workers. In 1995, she co-founded Sweatshop Watch, a coalition working to end the exploitation that occurs in sweatshops. In 2001, when she was only 32 years old, Ms. Su [won a MacArthur “genius” grant](#) for her work furthering workers’ rights and civil rights.

In her current role, and in her time as California Labor Commissioner from 2011 through 2018, Ms. Su has expertly overseen and enforced state labor laws. She improved the efficiency of the California Division of Labor Standards Enforcement (the Department) for workers and employers alike—reviewing business licensing and registration applications 50% faster than in the previous two years and significantly reducing time lags in processing wage theft and retaliation complaints.

Ms. Su made combatting wage theft a top priority of the Department. In 2012, the Department [assessed more than five times](#) the amount of owed minimum wages and [more than seven times](#) the amount of owed overtime pay than in 2010. For women workers, who make up [more than six in ten](#) of the lowest-paid workers across the country and are paid less than men in the same occupations, fighting against wage theft is of utmost importance for achieving equal pay. This need is especially acute for women of color, who face not only a gender wage gap but a racial wage gap. Furthering her equal pay work, Ms. Su was the co-chair of the California Pay Equity Task Force, a group formed to assure effective implementation of California’s Fair Pay Act.

Notably, Ms. Su also paid special attention to ensuring that workers could report wage theft free from retaliation; under her leadership, among other reforms, the Department [conducted interviews with victims of wage theft offsite](#) where they could speak more freely and [reworked](#) the Department’s complaint form to ensure witnesses to retaliation could confidentially report what they had seen. This demonstrates a uniquely valuable attention to detail about what victims of workplace abuse require to feel safe to come forward and fight for themselves and their co-workers. Ms. Su’s knowledge about how to create safe and healthy workplaces for all workers, and especially low-paid women workers, will be indispensable at the Department of Labor.

In 2019, accepting the [Margaret Brent Award](#) from the ABA, [Ms. Su had this to say about her own dedication to fighting for the rights of women workers](#): “It has been the greatest privilege of my professional life to support such workers, largely women workers in industries like garment, janitorial, restaurant and domestic work, to use the law to imagine a different future.”

At this moment of dire need for women workers across the United States, Julie Su will provide thoughtful and time-tested leadership to the DOL, and she will be a strong partner to Mr. Walsh in his role as Secretary.

Our nation’s working people are in desperate need of leaders who will fight for them—not against them. We have not only endured four devastating years of the Trump administration attacking working



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people and workers' rights at every turn, but we will soon be faced with the daunting task of rebuilding a post-pandemic economy and addressing the deep and lasting damage that the pandemic has wrought upon working women. We offer strong support for the nominations of Marty Walsh and Julie Su and urge the Senate to approve these nominations quickly.

Sincerely,

A handwritten signature in dark ink, reading 'Fatima Goss Graves'.

Fatima Goss Graves  
President and CEO  
National Women's Law Center





1201 16th Street, NW | Washington, DC 20036 | Phone: (202) 833-4000

Rebecca S. Pringle  
*President*

Princess R. Moss  
*Vice President*

Noel Candelaria  
*Secretary-Treasurer*

Kim A. Anderson  
*Executive Director*

March 8, 2021

U.S. Senate  
Washington, DC 20510

Dear Senator:

The 3.1 million members of the National Education Association teach and support students in public schools and on public college campuses, assisting them in realizing their potential and preparing them for meaningful careers. Our members also include public-service workers in other fields, many of whom have been on the front lines throughout the COVID-19 pandemic. We enthusiastically support President Biden's choice for Deputy Secretary of Labor, Julie A. Su, a nationally renowned labor policy expert, and we urge you to vote yes on her nomination. Votes on this issue may be included in NEA's Report Card for the 117th Congress.

Su, as secretary of the California Labor and Workforce Development Agency, leads an entity responsible for securing fair labor and workplace conditions for workers and businesses. During the pandemic, she has addressed delivery of unemployment insurance benefits, ensured workplace health and safety, and helped support small business and their workers. Su is also co-leading the Governor's Future of Work Commission, which seeks to make recommendations regarding the jobs Californians could have in coming decades; the impact of technology on work and workers; methods of promoting better job quality, wages, and working conditions; and other critical issues.

Su's life story is representative of the stories of many American families, and underscores that America is a nation of immigrants. Her parents, who came to the United States from China, owned a small laundromat and Su grew up translating for them. That gave her a deep understanding of the immigrant experience and inspired her to dedicate her career to ensuring that the most vulnerable workers are protected, and that businesses adhering to workplace standards do not face unfair competition from those that do not.

As labor secretary in California—our nation's largest economy, and the fifth largest economy in the world—Su has the depth of experience that would bring vital perspective to the U.S. Department of Labor. We urge you to vote YES on her nomination.

Sincerely,

Marc Egan  
Director of Government Relations  
National Education Association



**Rebecca Dixon**  
Executive Director

[www.nelp.org](http://www.nelp.org)

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March 12, 2021

The Honorable Patty Murray, Chair  
The Honorable Richard Burr, Ranking Member  
Senate Committee on Health, Education, Labor and Pensions  
Washington, DC 20510

Dear Chairwoman Murray and Ranking Member Burr:

On behalf of the National Employment Law Project (NELP), a non-profit law and policy organization with over 50 years of experience advocating for the employment and labor rights of our nation's workers, I write to register our enthusiastic support for Julie Su, who has been nominated for the position of Deputy Secretary of the Department of Labor.

In order to fulfill its role as the federal government's leading advocate for working people, the Department of Labor must center the needs of those hardest hit by the pandemic and recession. DOL leadership must uplift the voices and address the priorities particularly of Black, Latinx, Indigenous, and other workers of color including immigrants. Julie Su's life and career have been committed to championing these communities, working side-by-side and building power with them. Julie Su understands that a strong policy is one with equity at its core. She will be an exceptional Deputy Secretary at the Department of Labor and NELP urges her swift confirmation.

Ms. Su's lived experience as a child of immigrants, translating and interpreting for her parents, showed her at a young age that advocacy is a powerful tool that shapes our lives and our society. These experiences not only shaped her life but led her to a career as a legal advocate committed to social justice.

Shortly after graduating from Harvard Law School, Su defended 72 Thai garment workers who after an immigration raid on a sweatshop in El Monte, California, were found to be working in dangerous and unfit conditions. Because of Su's advocacy and representation, the workers were successful in obtaining legal immigration status and back wages. This landmark lawsuit led to Su being the recipient of a MacArthur Foundation "Genius" grant in 2017.

Su's tenure as a civil rights lawyer and government leader in California, a state with the country's largest economy, exemplifies her ability to steer massive workforce programs alongside officials and working people. As the Labor Commissioner of California, Su was an innovative leader who spearheaded one of the most effective enforcement programs in the nation. Under her leadership, the California Department of Industrial Relations launched the "Wage Theft is a Crime" program, a public campaign that provides workers with education about their rights, labor laws, and retaliation. She launched



initiatives to combat workplace violations like wage theft and issued landmark fines to employers with a history of exploiting workers.

During her tenure as California's Labor Commissioner, Su also had formal partnerships with the business community and high-road employers. Her work with the California Chamber of Commerce and other industry associations led to policy solutions that benefited workers and high-road employers alike. This is but one of the ways that Su's leadership is inclusive and collaborative.

Finally, Ms. Su has been intimately involved in responding to the pandemic and recession in her current role. She has had a front-row seat to the varied challenges that workers and businesses are facing. As a member of the Task Force on Business and Jobs Recovery, which is committed to people-first solutions to lead our nation towards an equitable and just recovery from the pandemic, Su knows how to balance the needs of diverse DOL stakeholders. Most importantly, her experience navigating the many challenges of administering an unemployment insurance (UI) program in these difficult times will bring substantial experience and perspective to DOL.

California's UI system, like the systems of so many other states, has struggled with antiquated technology and insufficient resources to meet the needs of the moment. Her experience will help DOL guide states toward overdue systemic changes to improve delivery of unemployment benefits during this pandemic and recession, and beyond.

We appreciate your timely consideration of Ms. Su's nomination and look forward to her confirmation hearing, where we know she will demonstrate why she is so qualified for the position of Deputy Secretary of the U.S. Department of Labor.

Sincerely,



Rebecca Dixon  
Executive Director



March 15, 2021

The Honorable Patty Murray, Chair  
 The Honorable Richard Burr, Ranking Member  
 Senate Committee on Health, Education, Labor and Pensions  
 Washington, DC 20510

Dear Chairwoman Murray and Ranking Member Burr:

I am writing on behalf of the North Carolina Justice Center to express our confidence in and support for Julie Su to be the next Deputy Secretary of the Department of Labor. Like the Department of Labor, the North Carolina Justice Center is an advocate for working people. The Justice Center is a non-profit organization whose mission is to eliminate poverty in North Carolina by ensuring that every household in the state has access to the resources, services and treatment it needs in order to enjoy economic security. We believe that the Department of Labor has a critical role to play in ensuring that the nation's recovery from the pandemic is fair, equitable, and successful and that Ms. Su is imminently qualified to take on that task.

Ms. Su is a nationally renowned labor policy expert with a proven track record. As [Secretary of the California Labor and Workforce Development Agency](#), Su leads an agency of over 11,000 employees to secure fair labor and workplace conditions for California workers and businesses. She has been a critical leader during the COVID crisis, addressing delivery of unemployment insurance, ensuring workplace health and safety, and promoting sound economic policy to support small businesses and their workers. She also has helped to lead the Governor's Future of Work [Commission](#) to develop a vision for labor and employment that bridges inequality in the decades to come. Su's experience in California, the largest economy in the country and the fifth largest economy in the world, would bring a vital state leader's perspective to the Department of Labor. She has also worked closely with the California Chamber of Commerce on outreach to employers and has built strong relationships with industry associations of employers.

We appreciate your consideration of Ms. Su's nomination and look forward to her having an opportunity to demonstrate her experience and skills at this week's confirmation hearing.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Glazier".

Rick Glazier  
 Executive Director  
 North Carolina Justice Center



SUMMER STEPHAN  
DISTRICT ATTORNEY, SAN DIEGO COUNTY

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February 23, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

As the San Diego County District Attorney, I write in support of the nomination of Julie Su for Deputy U.S. Labor Secretary.

From the day Julie Su took office as California's Labor Commissioner in 2011, she has demonstrated her commitment to partnering with criminal law enforcement officials to protect workers, lawfully operating employers, consumers and taxpayers from the wage theft and other forms of workplace fraud that cost our state hundreds of millions of dollars every year.

Then-Commissioner Su immediately established a Criminal Investigation Unit (CIU), hiring experienced criminal investigators and former prosecutors to spearhead a broader effort to build the agency's capacity to investigate criminal workplace violations. The CIU trained the agency's own staff on how to recognize and document labor law violations that rose to the level of criminal conduct, assisted in the investigation and prosecution of cases that were referred to our offices, and collaborated with prosecutors statewide to provide expert guidance on labor law and workplace investigations.

Until recently, wage theft was treated as primarily a civil dispute between employee and employer. Our office has challenged that paradigm and led the way in prioritizing workplace prosecutions. Over \$50 billion in wages are stolen from America's workers every year, more than triple the amount of money taken in all other kinds of thefts. But workers are not the only victims of wage theft. Unscrupulous employers who fail to pay legal wages and their fair share of employee taxes put lawfully operating businesses at a competitive disadvantage and compel taxpayers to make up the difference.

In collaboration with the Labor Commissioner's office, our office brought several groundbreaking cases against scofflaw employers. My office prosecuted the first wage theft case in collaboration with Julie Su and her team. The case involved a scheme where owners of a local restaurant called State Street Grill defrauded young students that desperately needed the pay to work at their restaurant for free in what they referred to as a training period with a promise that they would be hired if they did well. The

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investigation revealed 38 victims who were victims of wage theft and in accordance with the fraudulent scheme were let go at the end of the training period without pay. This case resulted in convictions for wage theft and restitution for the victims in the amount of \$108,000.00. In another case owners of a healthcare facility in San Diego recruited workers from the Philippines and had them working close to 24/7 with \$1,500 dollars per month thus violating the minimum wage, overtime laws and other labor abuses. The innovative partnership with Julie Su and her team helped us recover \$220,000 in restitution for victims which transformed their lives.

I want to also highlight the unmatched credibility that Julie Su carries with vulnerable workers, immigrants, community leaders, employers, prosecutors, and law enforcement. Julie carries the wisdom and credibility from her successful leadership positions and her legal work before becoming the Commissioner fighting for human rights. I recall vividly when she was the keynote speaker at a first of its kind Labor Trafficking Summit that I co-hosted with the U.S. Attorney that included federal and state labor departments, law enforcement and NGOs and the tremendous excitement and respect that everyone felt hearing her tell pertinent stories of the past and vision for the future. We worked together on other education and training initiatives that helped build expertise and empowered our region. Julie's approach is one of unifying various sectors behind a common vision of fairness to large and small business employers who want to compete fairly in the marketplace and employees who want to be able to count on fair pay to provide for their families.

In addition to supporting trailblazing litigation, then-Commissioner Su helped organize multiple trainings across the state on workplace investigations and prosecutions, culminating in an all-day symposium on prosecuting wage theft – the first of its kind in the country - and the publication of a wage theft prosecution toolkit, which has become an invaluable resource for prosecutors nationally.

Julie Su has always understood that enforcement partnerships enable us to leverage our collective expert knowledge and resources, maximizing our ability to effectively and strategically enforce both criminal and labor law. During her remarkable tenure as California Labor Commissioner and Labor Secretary, she invested significant agency resources and her own time and talent to build powerful, innovative relationships between untraditional partners, for the benefit of all law-abiding Californians. I am confident that as Deputy U.S. Secretary of Labor, Julie Su will bring the same vision and unparalleled dedication to bear on the historic challenges facing American workers and employers, and that the country will benefit immensely from her proven leadership.

Sincerely,



SUMMER STEPHAN  
San Diego County District Attorney



March 15, 2021

Dear Senator:

On behalf of the two million members of the Service Employees International Union (SEIU), I write in support of California Secretary for the Labor and Workforce Development Agency, Julie Su, to be confirmed as the Deputy U.S. Secretary of Labor. Secretary Su has dedicated her life and career to championing working people in policy and in practice. She has won landmark cases for workers and has worked relentlessly to ensure millions of workers that are now deemed essential have access to unions and a safe working environment. Secretary Su is committed to improving jobs for those who have been hardest hit by the pandemic, particularly workers of color, women, and low-income workers, which is evident through her career.

In this time of crisis, workers need an ally in the Deputy Secretary of Labor. Under the Trump Administration, OSHA was essentially absent, leaving workers to fend for themselves in historically dangerous working conditions that continue to threaten their lives. During her tenure as Secretary for the California Labor and Workforce Development Agency, the Agency has responded to the present COVID-19 pandemic by implementing strong new regulations and laws that helped make California's essential workers safer at work. Secretary Su was integral in the passage of SB 1159 that created a rebuttable presumption that ensures if a COVID-19 outbreak occurs at an employee's worksite, workers will have access to the workers' compensation system. Secretary Su also led support for AB 685 to help control the worksite spread of COVID-19. The Biden Administration has already committed to getting OSHA back on the job of protecting America's workers, and Secretary Su will be an excellent leader in that effort.

As a leader in the labor movement, first as the California Labor Commissioner and now as Secretary for the California Labor and Workforce Development Agency, Secretary Su has demonstrated a lifelong commitment to working people. As the California Labor Commissioner she transformed the state's under-resourced team into an aggressive and effective labor law enforcement division ensuring employers were held accountable for breaking the law and helping amplify the voices of workers of color, women, and underrepresented communities. While the Trump Administration neglected workers and targeted immigrants, Secretary Su fought for working people and recognized the important role of immigrant workers.

SEIU's California members consider Secretary Su an ally and a friend who welcomes workers' input and decision making. Secretary Su has built relationships with worker centers, unions, small businesses, and trade organizations. Secretary Su collaborated with a broad range of stakeholders when she launched the first "Wage Theft is a Crime" campaign, which resulted in the implementation of SB 588. This multimedia, multilingual statewide effort targeted outreach to low-wage workers and their employers to help them understand their rights, comply with the law, and seek help from her office. She also worked on AB 1978, the Property Services Workers Protection Act, which created a biennial in-person sexual violence and harassment prevention training requirement in the janitorial industry. Secretary Su also supported subsequent efforts to enhance the program by empowering "promotoras" to conduct

MARY KAY HENRY  
International President

GERRY HUDSON  
International Secretary-Treasurer

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Executive Vice President

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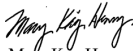
March 15, 2021

the trainings, in recognition that janitors are best suited to help change a culture in the janitorial industry that is rampant with sexual harassment and sexual assault.

The COVID-19 pandemic has illustrated how unsafe workplaces, low-quality jobs, the exclusion of immigrant workers from protection, and systemic racism do more than just keep workers impoverished: they have fatal consequences on our health and well-being and end up hurting our entire society. SEIU members are confident that the partnership of Secretary of Labor nominee Marty Walsh and Deputy Secretary nominee Julie Su will ensure the Labor Department is fully committed to strengthening workers' voices, and recognizing the value and worth of every worker so that we can build back better.

For these reasons we urge you to confirm Secretary Julie Su for Deputy Secretary of Labor. We may add the vote on the nomination to our legislative scorecard. Should you need any additional information, please contact John Foti, SEIU Senior Legislative Assistant, [john.foti@seiu.org](mailto:john.foti@seiu.org).

Sincerely,

  
Mary Kay Henry  
International President

MKH:BW:jf:scl  
opeiu#2  
afl-cio, clc



Dear Senator,

I strongly support Julie Su as the Deputy Secretary of US Department of Labor. Thank you.

Shiaw-Yih Lin, Ph.D.  
Bellaire, TX 77401

March 15, 2021

**VIA Email Only**

The Honorable Patty Murray Chair  
Committee on Health, Education, Labor and Pensions United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr Ranking Member  
Committee on Health, Education, Labor and Pensions United States Senate  
Washington, D.C. 20510

**Re: Skadden Fellows Support for Julie Su Nomination for Deputy Secretary of the U.S. Department of Labor**

Dear Chair Murray and Ranking Member Burr:

We are former and current Skadden Foundation Fellows (“Skadden Fellows”) and we write in strong support of Julie Su’s nomination to be Deputy Secretary of the U.S. Department of Labor.

The Skadden Fellowship is a two-year fellowship that offers young lawyers the opportunity to “pursue the practice of public interest law on a full-time basis” and whose guiding principle is “to improve legal services for the poor and encourage economic independence.” Ninety percent of Skadden Fellows to date continue careers in public service after their Skadden Fellowships. Skadden Fellow Alumni maintain a strong communal network to support one another in public interest work throughout their careers.

Julie Su began her legal career in 1994 as a Skadden Fellow at the Asian Pacific American Legal Center (APALC) in Los Angeles representing exploited and indigent immigrant workers, particularly sweatshop laborers in the garment industry. Ms. Su has never stopped fighting for the most marginalized and vulnerable workers, going on to become APALC’s Litigation Director, California’s Labor Commissioner, and now, Secretary of the California Labor and Workforce Development Agency.

What makes Ms. Su so well-suited to serve in the second most senior role at the Department of Labor is that she is at the same time a seasoned labor agency administrator, a brilliant legal thinker and someone who cares deeply about people’s dignity and humanity. She has pioneered innovative legal strategies for holding those who exploit the most vulnerable accountable, as first demonstrated by her formative work as the founder of Sweatshop Watch and her receipt of a MacArthur “Genius” Award to advance the rights of immigrant laborers. As California’s Labor Commissioner from 2011-2018, Ms. Su transformed the office. Ms. Su turned the Labor Commissioner’s office into the “most effective state labor law enforcement division in the country.” spearheading new initiatives such as the “Wage Theft is a Crime” campaign to tackle wage theft in some of the most exploitative, low-wage industries, engaging in outreach and education to the employer community, overseeing groundbreaking litigation, and forging relationships with under-served communities. Ms. Su has

also worked to implement important new worker protection legislation enacted by her legislature including the country's first statewide paid family and medical leave law, and one of the nation's first \$15 minimum wages.

Ms. Su has also led numerous commissions and task forces from the California Pay Equity Task Force to implement the California Fair Pay Act and redress gender inequities to the California Task Force on Business and Jobs, tasked with developing strategies to facilitate her state's post-pandemic economic recovery, to the California Future of Work Commission, whose goal is to introduce proposals to ensure that our evolving workforce is economically equitable.

Ms. Su has also been a leader and mentor to her colleagues, including many of us. We can think of no one better qualified than Ms. Su to help lead and run the Department of Labor and enforce our nation's wage and hour, occupational safety, and family and medical leave laws, among others. Faced with an unprecedented economic crisis that has forced millions out of the workforce and into poverty, the Department of Labor needs bold and visionary leadership. That is what it will get in Julie Su. Ms. Su herself has put it well: "Building the proper government systems, with bridges, making sure they're aligned with companies' and with employees' needs. We need to recover better than we entered. It's not just because it's good for workers, but it is the key to a stronger, more resilient economy." We could not agree more. Ms. Su will be the ideal Deputy Secretary of Labor to help lead the Department as it and the Biden-Harris Administration pursue that vital mission.

We urge the Senate to act swiftly to confirm Ms. Su's nomination.

Sincerely,

***\*All signatories signed this letter in their personal capacity. Institutional and organizational affiliations are for identification purposes only.***

Aaron Fischer, Law Office of Aaron J. Fischer  
 Aaron P. Wenzloff, Illinois Attorney General's Office  
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 Aisa Villarosa, Associate Director of Policy and Advocacy, Insight Center  
 Akiva Freidlin  
 Alan Jenkins, Harvard Law School  
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 Alesdair Ittelson, interACT: Advocates for Intersex Youth  
 Alexa Rosenbloom  
 Alexandra Brodsky, Public Justice  
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Claudia Gordon, Former Obama Admin Appointee  
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Cynthia Mark, Massachusetts Office of the Attorney General  
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Elisabeth Leiserson  
Elisabeth Lorenz  
Ellen Bertels, KU Law Class of 2021  
Ellie Margolis, Temple University, Beasley School of Law  
Emanuel Powell, III  
Emily Brown, Advocates for Basic Legal Equality  
Emily Rong Zhang  
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Eunice Cho, American Civil Liberties Union  
Evan Henley  
Eve Stotland  
Evette Soto-Maldonado

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 Gabrielle Lessard, National Immigration Law Center  
 Galen Arkush Ages, Deputy County Counsel, Office of the County Counsel, County of Santa Clara  
 Geoffrey Davenport  
 Geoffrey Wertime  
 Geraldine McCafferty  
 Gordon Whitman, Faith in Action  
 Grace Spulak  
 Healy Ko  
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 Hugh Baran, National Employment Law Project  
 Ines Kuperschmit, Olivarez Madruga Lemieux O'Neill  
 Ines Monte, Esq., LaPointe Law, P.C.  
 Ingrid Eagly, UCLA School of Law  
 Irma Rodriguez Moisa  
 Iva Velickovic  
 J Alexander Thier  
 Jack Marth, Part of the Solution  
 James Knoepp  
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 Jared Nicholson, Northeastern Community Business Clinic  
 Jared Odessky, Legal Aid at Work  
 Jaribu Hill, The Mississippi Workers' Center for Human Rights  
 Jason A. Cade, Associate Dean for Clinical Programs and Experiential Learning J. Alton Hosch  
 Associate Professor of Law Director, Community Health Law Partnership Clinic, University of  
 Georgia School of Law  
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 Jason Szanyi  
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 Jennifer Gilbert  
 Jennifer Hill, Advocacy Partners Team  
 Jennifer Weiser Bezoza, United States Department of Education Office for Civil Rights  
 Jenny Pokempner  
 Jeree Thomas  
 Jess Hunter-Bowman  
 Jesse Krohn, Drexel University  
 Jesse Newmark, Centro Legal de la Raza  
 Jesse Williams  
 Jessica Myers  
 Jessica Rosenbaum  
 Jill Anderson, University of Connecticut

Joel D. Schwartz  
 John Nolte, Law Office of John Nolte  
 Jonathan Harris, NYU School of Law  
 Jonathan Markovitz  
 Jonathan Sgro, Community Legal Services  
 Jordan Berger  
 Jordana Siracusa, LA County Public Defender  
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 Juan Esteban Bedoya  
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 Julian Gross, Renne Public Law Group  
 Julie Kornfeld  
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 Karen U. Lindell, Juvenile Law Center  
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 Kate O'Malley, K.O. Strategies  
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 Kath Xu  
 Katherine Dix  
 Katherine M. Forcey  
 Katherine Wutchiett, Legal Aid at Work  
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 Kathy Lu  
 Kati Daffan  
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 Kenneth Bobroff  
 Kevin Ryan, Covenant House International  
 Kimberly West-Faulcon, Loyola Law School Los Angeles  
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 Kristin Kimmel  
 Larisa Zehr

Larken Yackulic  
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 Leti Volpp, UC Berkeley School of Law  
 Lillian Howard Potter, WilmerHale LLP  
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 Margarita Prieto, Harvard University Advanced Leadership Initiative 2021 Partner  
 Mari C. Hinojosa  
 Mariel Mussack  
 Marisa Bono, VIA Metropolitan Transit  
 Mark Humowiecki, Camden Coalition of Healthcare Providers  
 Mark Pearce  
 Mary Giliberti, Mental Health America  
 Mary N. Strimel, U.S. Federal Trade Commission  
 Mary Vargas Stein & Vargas, LLP  
 Mason Pesek  
 Matt VanWormer  
 Matthew Clash-Drexler, Bredhoff & Kaiser, PLLC  
 Matthew Ginsburg, AFL-CIO  
 Matthew Meyer, County Executive, New Castle County, Delaware  
 McGregor Smyth, New York Lawyers for the Public Interest  
 Meg Barnette  
 Megan Golden, Mission: Cure  
 Melanca Clark  
 Michael Hollander  
 Michael K.T. Tan, ACLU Immigrants' Rights Project  
 Michael Kaufman, ACLU of Southern California



Michael Wishnie, William O. Douglas Clinical Professor of Law, Yale Law School  
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 Natasha Baker  
 Nicholas Sheehan  
 Nicole Endsley  
 Nicole Gon Ochi  
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 Nina Teresa Martinez, Outten & Golden LLP  
 Nisha Agarwal, International Refugee Assistance Project  
 Nisha Kashyap  
 Noah Zatz, UCLA School of Law  
 Oscar Londoño, WeCount!  
 Patrice H. Kunes, Native American Rights Fund  
 Patrick J. Walsh, Stulberg & Walsh, LLP  
 Patrick Wojahn, Rails-to-Trails Conservancy  
 Paul Sonn, National Employment Law Project  
 Pedro Spivakovsky-Gonzalez  
 Peter Chen  
 Peter Huelster, Mobilization for Justice, Inc.  
 Peter Rundlet  
 Pilar Jan Penn, CitizenEd, Inc.  
 Priy Sinha  
 Professor Wendy Seiden, Chapman University Fowler School of Law  
 Rachel Brady  
 Rachel Julia Smit, Fair Work, P.C.  
 Rachel M. Rosenberg  
 Raj Goyle, Former Kansas State Representative; CEO, Bodhala  
 Ray Brescia, Albany Law School  
 Rebecca Antar Novick  
 Rebecca Livengood  
 Rebecca Vallas, Senior Fellow, Center for American Progress  
 Rebekah Cook-Mack, Levy Ratner, P.C.  
 Rebekah J. Smith, Esq., Seven Tree Solutions  
 Representative Tarra Simmons, Washington State House of Representatives

Rey Fuentes  
 Ricardo J. Soto  
 Richard F. Klawiter, DLA Piper LLP (US)  
 Richard G. Novak, Esq.  
 Rini Fonseca-Sabune  
 Risa Kaufman  
 Risha Foulkes  
 Riyaz Kanji, Kanji & Katzen PLLC  
 Robert K. Silverman  
 Robert Patten, President Emeritus of Taxpayers Against Fraud and the TAF Education Fund  
 Robyn K. Bitner  
 Rose Spidell  
 Ruth Cusick, Public Counsel  
 Sam B. Petsonk  
 Sam Brandao, Tulane University Law School Civil Rights and Federal Practice Clinic  
 Samantha Reiser  
 Sameer Ashar, University of California, Irvine School of Law  
 Samuel Santana, Partner, Dannis Woliver Kelley  
 Sara Block  
 Sarah Brafman, A Better Balance  
 Sarah H. Paoletti, University of Pennsylvania Carey Law School  
 Sarah Hudson-Plush  
 Sarah J. Stevenson Innovative Housing, Inc.  
 Sarah Parady, Lowrey Parady Lebsack, LLC  
 Sasha Alexandra Stern  
 Saskia Valencia  
 Satcha Robinson  
 Scott Hochberg  
 Scott M. Welfel  
 Scott Marks  
 Sean Riordan, ACLU Foundation of Northern California  
 Shakeer Rahman  
 Shane Crary Ross  
 Sharon L. Kalemkarian, Honorable Sharon Kalemkarian  
 Sharon Terman, Legal Aid at Work  
 Shayla Myers  
 Sofia Nelson  
 Solangel Verde  
 Sophie Elsner  
 Spring Miller  
 Stacey Violante Cote  
 Stacy Villalobos, Legal Aid at Work  
 Stephen Carpenter, Farmers' Legal Action Group, Inc. FLAG)

Stephen Cha-Kim, U.S. Attorney's Office, Southern District of New York  
 Susan Kraham, Columbia Law School  
 Susan Waysdorf, Professor of Law  
 Susanna Booth  
 Susannah Baruch  
 Sushil Jacob, Lawyers' Committee for Civil Rights of the San Francisco Bay Area  
 Suzanne Nossel  
 Tamika L. Butler, Tamika L. Butler Consulting  
 Tanya Kessler  
 Ted Wang, Unbound Philanthropy  
 Terri Gerstein  
 Terry A. Maroney, Vanderbilt University Law School  
 Theresa Zhen, Hadsell Stormer Renick & Dai LLP  
 Thomas L. Smith, Justice at Work  
 Toby Merrill, Legal Services Center of Harvard Law School  
 Tom Fritzsche  
 Trudy S. Rebert, National Domestic Workers Alliance  
 Vail Kohnert-Yount, Texas RioGrande Legal Aid  
 Vic Wiener  
 Vicky Selkove  
 Victoria Wenger  
 Vivek Sankaran, University of Michigan Law School  
 W. Patrick Mobley, Roderick & Solange MacArthur Justice Center  
 Wendy Patten  
 Will Bloom  
 Yan Cao, The Century Foundation  
 Ysabel J. Jurado, Bet Tzedek Legal Service



March 11, 2021

The Honorable Patty Murray  
Chairwoman, U.S. Senate Committee on Health,  
Education, Labor and Pensions  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member, U.S. Senate Committee on  
Health, Education, Labor and Pensions  
Washington, D.C. 20510

*RE: Confirmation of President Biden's Nominee, Julie Su, as Deputy Secretary of Labor*

Dear Chairwoman Murray and Ranking Member Burr:

As a representative of America's 30 million small businesses, Small Business Majority writes today to strongly urge you and your fellow Committee members to swiftly confirm Julie Su as President Biden's nominee for Deputy Secretary of Labor.

Small Business Majority is a national small business organization that empowers America's diverse entrepreneurs to build a thriving and inclusive economy. We engage our network of more than 80,000 small businesses and 1,000 business and community organizations to advocate for public policy solutions and deliver resources to entrepreneurs that promote equitable small business growth.

Considering that small businesses have created more than half of new jobs since the Great Recession, small business and workforce issues are one in the same. That's why the nomination of Julie Su as Deputy Secretary of Labor is welcome news for small businesses and our economy during the COVID-19 pandemic because they have an advocate who understands the nexus between these two issues.

Secretary Su has a distinguished career, which includes leading California's Labor and Workforce Development Agency. Through our work with the Agency, we've seen firsthand that she has a passion and commitment to ensuring that small businesses have access to a readied and thriving workforce. She also has recognized the need for strengthening the safety net to create high-quality jobs through pragmatic policy solutions and programs like paid family and medical leave and CalSavers, a retirement savings program for private sector workers that do not offer a retirement plan. These are benefits small business owners want to provide to attract and retain a workforce. Through these programs, small business owners in California are now able to offer a high level of benefits to employees, ensuring they are operating on an equal playing field with larger businesses.

Small Business Majority has worked closely with Secretary Su to support workforce issues in California, including the Future of Work Commission and the Employer Training Panel, which she oversaw. Her oversight of these programs and her continued leadership has supported small businesses and workers alike in California.

To guarantee small businesses and their employees are truly supported and prioritized during a tumultuous economic period, we urge you to immediately vote to confirm Julie Su as Deputy Secretary of Labor.

Sincerely,

John Arensmeyer  
Founder and CEO

cc: The Honorable Chuck Schumer, Majority Leader  
The Honorable Mitch McConnell, Minority Leader

February 26, 2021

The Honorable Patty Murray  
 Chair  
 Committee on Health, Education, Labor and Pensions  
 United States Senate  
 Washington, D.C. 20510

The Honorable Richard Burr  
 Ranking Member  
 Committee on Health, Education, Labor and Pensions  
 United States Senate  
 Washington, D.C. 20510

Re: Support Letter for the Nomination of Julie Su as Deputy Secretary of Labor

Dear Chair Murray and Ranking Member Burr:

There are two iconic labor history events that have touched my life in some way—the Triangle Shirt Waist fire of 1911 and the Thai Slave case of 1995. I met a survivor of the Triangle Fire in her 105th year, and she used her fingers on my palm to explain how she rushed out of the building. And I also sat with Julie Su in the basement of the ICE detention center talking to trafficked women in orange uniforms being told by their Thai Consul-General to leave the country. Since then, Julie has risen to become California Secretary of the Labor and Workforce Development Agency (LWDA).

Based on my nearly 30 years of personal experience with Julie and the body of her work, she is more than worthy of consideration to become the next Deputy Secretary of Labor. While I was Regional Director of the Western States Region and International Vice-President of UNITE! (now Workers United, SEIU), the Union worked with Julie Su, then a workers' attorney at what is now Asian Americans Advancing Justice-Los Angeles (AAAJ-LA), to co-found Sweatshop Watch (SW), along with other community, ethnic, and religious organizations.

While at AAAJ-LA, Julie successfully led, with the assistance of outside counsel, an historic fight to secure the release of victims of human trafficking, to assist prosecutors of those engaged in human trafficking, and extend civil liability of garment manufacturers and retailers for their sewing contractors.

Working side-by-side with Julie, at the ICE detention center in 1995, we demanded the right of the enslaved workers to counsel, met with the workers, and ultimately bonded them out with the help of other SW members. Both my union, UNITE! and Julie's organization, AAAJ-LA, were among those who posted bonds for the

workers' release. These were workers who had been rescued from a private illegal prison, a guarded and barbed wire encircled apartment house where they sewed endless hours, only to be put behind bars on Terminal Island. Fighting everyone's expectations, Julie fought valiantly to force their release, worked closely with federal prosecutors on the criminal case against the human traffickers, and then worked day and night on the civil action against all those U.S. manufacturers and retailers who benefited from the super-exploitation of these workers—expanding existing federal law on vicarious liability of employers. A settlement in excess of \$4,000,000 was secured in the civil case.

Julie was not only key to these efforts, but she was also the person who found and pushed for an S-Visa option for the workers. Finding a way to secure the immigration status of the workers was a top priority and as with all other aspects of the work, Julie dove in first-hand, doing legal research, consulting with immigration law experts, and even flying to Washington D.C. in early 1996 to advocate with Senators who had a record of supporting immigrant workers. At the time, the S-Visa had not been used for survivors of human trafficking, but when Julie proposed it, she argued that there was no restriction in the letter of the law to the case at hand. She also took it upon herself to work with the federal prosecutors in the case, she wrote a letter to then-Attorney General Janet Reno and met with her in Los Angeles (presenting her with a packet of materials Julie had put together, including a picture of the workers on their first day of freedom celebration, because Julie knew that humanizing them was so critical to the proper exercise of government discretion in this matter), and she went back to D.C. to meet with federal immigration officials herself. In the end, the pathbreaking use of S-Visas in this case—so unprecedented at the time—seemed logical and inevitable but it was nothing but. Without Julie, it would not have happened, and her work on behalf of the Thai workers in this regard paved the way for federal legislation, which she also worked on, to create a special visa category, the T-Visa, for survivors of human trafficking.

Julie's fight against sweatshops in the underground economy did not begin or end with the Thai Slave criminal, civil, or immigration cases. As a member of SWV, she worked closely with UNITE! and other coalition members to push anti-sweatshop legislation. Julie demonstrated her ability to work for laws that benefit workers and employers when we won passage of Assembly Bill 633 (AB 633), which made manufacturers and retailers jointly liable for the theft of wages from over 100,000 seamstresses working in sewing contract shops. Under extreme pressure, as the legislation session wound down, Julie Su played a critical role working with attorney Lora Jo Foo (formerly of the AAAJ-SF) and others to craft a compromise amendment to AB 633 that created such joint liability in cases initiated by the Labor Commissioner. This joint liability approach has now been adopted by other unions seeking legislation to hold employers for violations of their contractors—including in janitorial, agricultural, and construction industries. Along the same lines, this "anti-sweatshop" campaign has now been recast in more modern terms—with Union and community advocates across the country framing the issue as one of "wage theft."

As California Labor Commissioner and now as Secretary of the LWDA, Julie has used the agency's resources to investigate and bring actions against employers who break the law and profit at the expense of law-abiding employers, like shipping companies that hired hundreds of drivers to haul loads from the ports to warehouses. By mis-classifying their drivers as "independent contractors," these shipping companies were able to force drivers to provide their own expensive trucks and pay for all their operational costs, ending the day with little or no profit. I closely monitored this while working as Public Workers Commissioner and Labor Advisor for then Los Angeles Mayor Antonio Villaraigosa. Julie Su did all this without waiting for the development of favorable case law in the State Supreme Court or the adoption of legislation. She used the power of the agency she led to take proper action to breathe life into labor laws.

Julie Su has always been a pioneer in protecting workers and, subject to the policies of President Joe Biden, she would continue that approach unabated. And with her experience running a large state agency responsible for both labor enforcement and workforce development, she will be ready from day one to assist the Secretary of Labor in getting America's workers paid properly and into jobs with a future.

Sincerely,



Steven T. Nutter

Formerly Regional Director and International Vice-President of UNITE!  
Formerly Public Workers Commissioner of the City of Los Angeles &  
Senior Labor Advisor to Los Angeles Mayor Antonio Villaraigosa

Dear Sen. Patty Murray,

I am writing to urge you to support Julie Su's confirmation to be Deputy Secretary of Labor.

Julie Su is the Secretary of the California Labor and Workforce Development Agency and a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission.

She has direct experience serving in an executive branch position advising on the very issues the Deputy Secretary of Labor is responsible for and running one of the largest state labor departments in the nation.

Julie Su's personal story represents the best of America. She is the daughter of immigrants. Her mother came to the United States on a cargo ship because she could not afford a passenger ticket. Her family owned a small laundromat as she was growing up.

Her nomination is necessary for the Asian American and Pacific Islander community. With the concerning rise in anti-Asian hate crimes and incidents across the country, Julie Su brings a critical voice to support AAPI families, communities, and businesses have suffered due to discrimination and the pandemic.

Sincerely,

Susanna

**Susanna Chau**

3149 Pawnee Way

Pleasanton, CA 94588

510-681-4449 mobile

[chau\\_susanna@yahoo.com](mailto:chau_susanna@yahoo.com)



March 10, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

We write in strong support of Julie Su to be Deputy Secretary of the U.S. Department of Labor. We were federal prosecutors in the case of *US v. Manasurangkun et al.* involving Thai nationals who had trafficked individuals to the United States. Two of us worked with the United States Attorney's Office for the Central District of California and two of us for the United States Department of Justice, Civil Rights Division during the case. We had the great privilege of working closely with Julie, who represented the victims and material witnesses in that case.

Julie's many impressive and tireless efforts on behalf of her clients are too numerous to recount in a letter such as this. Suffice it to say that she became a model not only for survivor advocacy but for how collaboration between federal prosecutors, victim advocates, and the brave victim-witnesses themselves could occur. This case was challenging from the start both because of the sheer number of individuals involved and the high profile and groundbreaking nature of the trafficking charges. This case, as many have said, brought modern-day slave labor to the forefront. We all knew the stakes were extremely high for the victims and also for the many other victims and potential victims of this type of horrific exploitation.

Julie was a staunch advocate for the victims at every turn. She pushed us, collaborated with us, challenged us, held us accountable, and in the end, made both us and the system better. While she advocated for the workers, she knew that her role – as their attorney for civil matters and immigration – depended on effective collaboration with others. She worked with us and with the community as a whole to explain the criminal case, to care for and to prepare the witnesses.

She was available at all hours of the day and night; we knew we could always contact Julie as she lived and breathed the work she was doing. She was everything from a sophisticated legal advocate, to a trusted counsel, to a carpooler and scheduler for her clients. As just one example of her attention to detail and deep compassion, she asked that we allow the workers to see the courtroom where they would have to testify before the court date, and she helped us not only to give the formal explanation to them, but insisted on actually walking them through what would happen and where everyone would be sitting so they would be unafraid.

Julie led the effort to use the S-visa for her clients. Applying S-visas to survivors of human trafficking who were witnesses had never been done before. As the workers' advocate, Julie explored many immigration options before pressing for the use of the S-visa (including, we later learned, working with Karen Narasaki of Asian Americans Advancing Justice (AAJC) to advocate with US Senators for a private immigration bill). She directly and properly advocated for her clients at the highest levels of the Justice Department for the use of S-visas in this case. Julie was a creative, intelligent and passionate advocate who achieved something extremely difficult: she got the federal government to take a fresh look at an existing legal provision and to interpret it in a manner more consistent with its intent and language. Eventually, due to the persuasiveness of Julie's advocacy, the Department of Justice came not only to embrace such an application of the program in this and other slavery/trafficking cases, but to work with Congress to expand the categories of visas for victims of trafficking, domestic violence and other crimes through the creation of the T and U visa programs in the Trafficking Victims Protection Act of 2000. This was just one of the ways Julie's advocacy for the Thai workers had benefits far beyond the individuals directly involved.

With two decades of hindsight, we remain deeply proud of the work we did in this case, and it simply would not have been possible without Julie Su. She instinctively understands and cares about all workers, including immigrant non-English speaking

workers who have been through the worst. And we can tell you first-hand that Julie Su also knows how to advocate tirelessly for them. We know that Julie Su would make an excellent U.S. Deputy Labor Secretary.

/s/

Michael Gennaco

Former Assistant United States Attorney for the Central District of California

/s/

Tom Warren

Former Assistant United States Attorney for the Central District of California

/s/

Steven Dettelbach

Former United States Attorney Northern District of Ohio

Former Acting Deputy Chief, U.S. Department of Justice Civil Rights Division, Criminal Section

/s/

Luis C. deBaca

Former Trial Attorney, U.S. Department of Justice Civil Rights Division, Criminal Section

Former Involuntary Servitude & Slavery Coordinator, U.S. Department of Justice Civil Rights Division

Former Ambassador at Large to Monitor & Combat Trafficking in Persons, U.S. Department of State

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March 2, 2021

Chairperson Senator Murray and Members of the U.S. Senate Committee on Health, Education, Labor & Pensions,

My name is Maliwan Clinton. I am writing this letter on behalf of myself and the other individuals identified below who have all approved and agree with this letter. We all worked in the El Monte, California sweatshop and were some of the plaintiffs in the lawsuit, *Bureerong v. Uvawas*.

We first would like to congratulate Julie Su, who has been nominated to become Deputy Labor Secretary for the United States of America. We have known Julie Su for more than two decades. Based on our experience working with Julie we know she will take her job very seriously and she is perfect for this job. We know she will work just as hard for all workers like she did for us.

All of us would like to say thank you to Julie so much for everything that she had did for us, if she did not represent us in our case 20 years ago, we couldn't imagine what would happen to our lives.

Congratulations to you Julie Su, we love you, and good luck for everything ♥

Thank you,



Maliwan Clinton

Buppha Chamchoi  
Lampang Sisa  
Prasop Thuaichan  
Wichain Phuphaphan  
Sirilak Charari  
Cant Konwan  
Praphaphon Pongpit  
Mali Burilong  
Win Chuaingan  
Sukanya Chuaingan  
Lamphu Singkhram  
Nathan Jagnang  
Mid Khanid  
Phisamai Bouthong  
Somyong Malison  
Suni Malingam  
Boonlai Vancura  
Bunloet Raknamthiang  
Chammari Onchairat  
Jana Phimonsing  
Lamyai Inohuachan  
Wina Namtham  
Somohit Sinsurin  
Ruchirat Cruzlopez  
Wari Chotkanganawan  
Sun Onoptom  
Waeo Saengtarat



March 8, 2021

Sen. Patty Murray  
U.S. Senate  
154 Russell Senate Office Building  
Washington, D.C. 20510

Sen. Richard Burr  
U.S. Senate  
217 Russell Senate Office Building  
Washington, DC 201510

Dear Senators Murry and Burr:

I am writing in support of California Labor Secretary Julie Su to be the Deputy Secretary of the the U.S. Department of Labor, following her recent nomination by President Biden. Along with countless others who know Secretary Su and her work, I enthusiastically support her nomination. Her experience, expertise, and tireless dedication to helping working Americans make her the perfect candidate for the job. In particular, as a policy expert who has advocated on behalf of the unemployed for the past twenty years, I am writing to address and commend her handling of the pandemic unemployment crisis.

The daughter of immigrants and a graduate of Stanford University and Harvard Law, Su's resume is second to none. She entered government after a storied career as a civil rights lawyer, winning millions of dollars for low-wage workers and securing significant protections for immigrants—work for which she was awarded a MacArthur "Genius Grant."

As California Labor Commissioner under Governor Brown, Su achieved record-setting labor law enforcement that gained support from both worker advocates and the [business community](#). She created [groundbreaking partnerships](#) between government and community groups, and forged innovative "high road" training programs and career pathways across the state.

As California Secretary of Labor, Su oversees nearly all of the critical labor law and employment programs that she would also oversee in the Biden administration. Her framework for COVID-19 recovery has [focused on investments in equity, job quality](#), and expanding opportunity for workers at all skill levels and of all backgrounds—priorities shared by President Biden.

Su responded to the challenges unleashed by the tsunami of pandemic-initiated job losses with her principled leadership and problem-solving skills. As Secretary, the first and foremost job that Su had was to pay out benefits to eligible individuals in a timely fashion. Against that benchmark, she overcame significant obstacles and fared better than many states. Our research at The Century Foundation shows that California never fell below a rate of paying [three out of every five applicants](#) within 21 days from when an eligible was deemed eligible (jumping to four out of five by January). By comparison, other large states such as New York and Florida were paying only a quarter of workers that quickly at the peak of layoffs last summer.

*tcf.org*

One Whitehall Street, 15th Floor  
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212.452.7700

2040 S Street NW, 2nd Floor  
Washington, D.C. 20009  
202.683.4800

Still, more than 1.6 million Californians had pending claims that were unresolved by September — excruciating delays due in part to jammed phone lines and antiquated computer systems. In response, Secretary Su worked closely with Governor Newsom and an external strike force to get to the bottom of the delays. Our data show that by November, California had paid more than [75 percent of initial claims](#) for state benefits, second only to Colorado. By the end of January, more than 99.9 percent of the claims identified as backlogged by the strike force were resolved.

California has been beset by an avalanche of fraudulent unemployment claims during the pandemic. But these problems are not new: before the pandemic, unemployment payments had a national improper rate [above 10 percent](#). The urgency to expand unemployment benefits—and set up new programs altogether—only exacerbated the problem. Thanks to widespread data breaches such as Equifax, criminals had easy access to personal identity information needed to fool standard fraud screens that California had in place, which, in previous years, had prevented fraudulent payments.

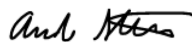
Nor were these fraud challenges unique to California. In just the last month, fraudsters filed hundreds of thousands of unemployment claims in [Arizona](#) and [Ohio](#). Illinois reports having to intercept more than [one million](#) fraudulent claims. From Massachusetts to Washington, organized crime rings—often international in nature—have targeted vulnerable unemployment systems in states across the country, with similar levels of success.

Despite the fact that these attacks warranted a national response, states were largely left to respond on their own, and California wasted no time. The state was one of the first five to adopt new anti-fraud technologies like *ID.me* and additional prevention tools from Thomson Reuters, which have helped block [\\$60 billion in fraudulent claims](#). And under Su's leadership, California has led the effort to petition President Biden to form a national organized fraud [task force](#) to unleash all the tools of law enforcement to intercept fraud before it happens.

Secretary Su's record is clear. She is a tenacious visionary who has helped level the playing field for working families while strengthening California's economy. President Biden is wise to pick someone who was in the trenches during the COVID-19 jobless crisis, who didn't rest until critical unemployment aid was delivered and system glitches were resolved. I'm confident that she'll carry that same approach to Washington, D.C.

Thanks for your attention. If you or your staff have any questions about the unemployment crisis or other labor law matters, I would be happy to discuss them. I can be reached at [stettner@tcf.org](mailto:stettner@tcf.org)

Sincerely,



Andrew Stettner  
Senior Fellow



## Transport Workers Union of America, AFL-CIO

John Samuelsen  
International President

Alex Garcia  
International Executive  
Vice President

Jerome Lafragola  
International  
Secretary-Treasurer

Curtis Tate  
International Administrative  
Vice President

Mike Mayes  
International Administrative  
Vice President

**"AMERICA'S FIGHTING DEMOCRATIC UNION"**

March 15, 2021

The Honorable Patty Murray  
Chairwoman  
U.S. Senate Committee on Health,  
Education, Labor, and Pensions  
154 Russell Senate Office  
Building  
Washington, DC 20510

The Honorable Richard Burr  
Ranking Member  
U.S. Senate Committee on Health,  
Education, Labor, and Pensions  
217 Russell Senate Office  
Building  
Washington, DC 20510

Dear Chairwoman Murray and Ranking Member Burr:

On behalf of more than 150,000 members of the Transport Workers Union of America (TWU), I am writing to express our strong support for California Secretary of Labor Julie Su to be Deputy Secretary of the U.S. Department of Labor (DOL). Secretary Su has a demonstrated record of advocating for workers as they face major changes in our economy.

As we embark on the new Administration's effort to build back better for working people, there is no one more qualified to help lead the Department of Labor than Secretary Su. She is universally respected for her intellect and her work ethic. She has demonstrated a lifelong commitment to upholding workers' rights. She has worked collaboratively with high-road employers to support efforts to improve job quality.

Prior to entering public life, Secretary Su represented Thai garment workers forced into involuntary servitude – ultimately winning this group the labor rights and protections all workers deserve. Her continued friendship with those women decades later defines who she is as an advocate. She places the experiences of the most vulnerable at the center of her work and she is tireless in her efforts to see justice done.

As California Labor Commissioner, Secretary Su launched a campaign to end wage theft. She pioneered innovative outreach strategies in immigrant communities, targeting both workers and employers with education, outreach, and assistance. She worked closely with small businesses who suffer from unfair competition when others cheat workers through wage theft.

As Secretary of the Labor & Workforce Development Agency, she oversaw the creation of a high-road partnership program and created a division on good job

creation. She expanded apprenticeship programs to new and emerging industries. She emphasized the need for business and labor to work together to address income inequality and racial inequity throughout our economy.

Secretary Su has never forgotten the workers who inspired her to devote her life to public service and labor law enforcement. At the DOL, she will not only support the needs of transportation workers, but she will also champion the needs of workers who have been left behind and excluded from opportunity.

For these reasons and many more, the Transport Workers Union of America strongly endorses Julie Su as the next Deputy Secretary of Labor. We look forward to seeing her demonstrate her many qualifications before your committee and hope you will swiftly schedule a vote to advance her nomination.

Sincerely,

A handwritten signature in black ink, appearing to read "John Samuelson". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Samuelson".

John Samuelson  
International President





INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA – UAW

RORY L. GAMBLE, *PRESIDENT*

RAY CURRY, *SECRETARY-TREASURER*

VICE-PRESIDENTS: TERRY DITTES • CINDY ESTRADA • GERALD KARIEM

*Solidarity House*

8000 EAST JEFFERSON AVE.  
DETROIT, MICHIGAN 48214  
PHONE (313) 926-5000

March 15, 2021

The Honorable Patty Murray  
Chairwoman  
Senate Committee on Health, Education,  
Labor and Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

The Honorable Richard Burr  
Ranking Member  
Senate Committee on Health, Education,  
Labor and Pensions  
428 Senate Dirksen Office Building  
Washington, DC 20510

Dear Chairwoman Murray and Ranking Member Burr:

On behalf of the more than one million active and retired members of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, UAW, I write to express our support for the nomination of Julie Su to serve as President Biden's Deputy Secretary of the Department of Labor. Secretary Su is a daughter of immigrants, a Harvard Law graduate and a former civil rights lawyer who is eminently qualified to serve as Deputy Secretary. She will be a strong partner to Labor Secretary Marty Walsh in leading our country on the path to economic recovery.

Julie Su is a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission. As the Secretary of the California Labor and Workforce Development Agency, Julie Su led an agency of over 11,000 employees to secure fair labor and workplace conditions for California workers and businesses. She has been a critical leader during the COVID crisis, addressing delivery of unemployment insurance, ensuring workplace health and safety, and promoting sound economic policy to support small businesses and their workers. She also has helped to lead Governor Newsom's Future of Work Commission to develop a vision for labor and employment that will reduce worker inequality in the decades to come. Secretary Su's experience in California, the largest economy in the country and the fifth largest economy in the world, would bring a vital state leader's perspective to the Department of Labor.

We need leaders like Secretary Su at the Department of Labor who are committed to addressing policies and practices that erode the rights of workers. Far too often, companies have misclassified workers as "independent contractors" taking away the stability and security that a job should provide, depriving workers of protections such as the minimum wage, overtime pay, and unemployment insurance. Secretary Su has a long record of standing with workers by taking

on issues of misclassification and wage theft in California, which are rampant issues faced by professional drivers at California's ports and gig workers like Uber and Lyft drivers. Make no mistake, misclassification is an issue that impacts all workers in every sector of our economy.

Julie Su's record of innovation and working with employers, workers, and communities to enforce workplace standards and develop initiatives is just what is needed at the Department of Labor. Without hesitation, I urge you to support her nomination to be Deputy Secretary of the Department of Labor.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to be 'J. Nassar', written in a cursive style.

Josh Nassar  
UAW Legislative Director

JN:so opeiu494/afcio



UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA

*Douglas J. McCarren*  
General President

March 12, 2021

Sen. Patty Murray, Chair  
Sen. Richard Burr, Ranking Member  
Senate Committee on Health, Education, Labor and Pensions  
Washington, DC

Re: Nomination of Julie Su, Deputy Secretary of Labor

Dear Chair Murray and Ranking Member Burr,

The United Brotherhood of Carpenters and Joiners of America ("UBC") supports the nomination of Julie Su as Deputy Secretary of Labor.

With more than a half-million members employed primarily in the construction and wood products industries, the UBC is one of North America's largest building-trades unions. The UBC has a continent-wide presence composed of international union headquarters in Washington, D.C., approximately twenty-four regional councils, and 406 local unions. Since its founding, the UBC has led efforts to curb the abuse of labor in the construction industry.

As you may know, the regrettable truth is the construction industry is burdened with significant illegal employment practices that range from wage theft to tax fraud, workers' compensation premium fraud and unsafe working conditions. Shamefully, the target of the abuse is mostly immigrant labor. The cost to taxpayers for this comes to \$8.4 billion a year in lost federal and state tax revenue and nearly a billion dollars in unpaid overtime and other premium pay.<sup>1</sup>

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<sup>1</sup> Russell Ormiston, Dale Belman and Mark Erlich, *An Empirical Methodology to Estimate the Incidence and Costs of Payroll Fraud in the Construction Industry*, 3-4 (2020), available at <https://stoptaxfraud.net/wp-content/uploads/2020/03/National-Carpenters-Study-Methodology-for-Wage-and-Tax-Fraud-Report-FINAL.pdf> (last visited March 12, 2020).

March 17,  
2020

This systematic abuse cannot be allowed to stand. The ultimate outcome has been fewer jobs for responsible employers and lower wages and the absence of life-sustaining benefits for carpenters, other construction workers and their families – things of vital importance anytime but especially during the COVID-19 pandemic.

Julie Su understands that. Her roots as the child of immigrant parents is a story many carpenters share, and her accomplishments protecting workers as California's Labor Commissioner and then as Labor Secretary are well known to us. The California's Future of Work Commission, which she led, has recommended goals that resonate with us, especially ending working poverty and promoting skill training for the jobs of the future.

Julie Su knows the toil and dignity of labor and understands that protecting the rights of working men and woman, no matter their race or ethnicity, also protects good businesses. These are values and beliefs shared by the nominee for Secretary of Labor, Marty Walsh. Julie Su and Marty Walsh will make a great team.

For these reasons and more, we support the nomination of Julie Su as Deputy Secretary of Labor and respectfully request your support as well.

Very truly yours,

A handwritten signature in black ink, reading "Douglas J. McCarron". The signature is fluid and cursive, with the first name "Douglas" and last name "McCarron" clearly legible.

Douglas J. McCarron  
General President

VIA EMAIL

March 8, 2021

The Honorable Patty Murray  
 Chair of the Health, Education, Labor  
 and Pension Committee  
 428 Senate Dirksen Office Building  
 Washington DC 20510

The Honorable Richard Burr  
 Ranking Member of the Health, Education,  
 Labor and Pension Committee  
 428 Senate Dirksen Office Building  
 Washington DC 20510

Dear Senator Murray and Senator Burr:

On behalf of the 1.3 million hardworking members of the United Food and Commercial Workers International Union (UFCW), I write to ask that you confirm Julie Su as the next Deputy Secretary of the U.S. Department of Labor. The challenges facing American workers have never been greater. Stagnant wage growth and threats to worker health and safety have been exacerbated by the global pandemic. The role of the Labor Department could not be more critical to the nation's wellbeing and recovery from this global emergency, and there is no better qualified individual to succeed and lead in this effort than Julie Su.

Ms. Su has a proven track record and years of success in fighting for working people. She has over 17 years of experience in civil rights litigation, working on landmark cases that protected immigrants and victims of human trafficking while winning millions for low-wage workers. She has effectively led a large agency of over 11,000 employees and fought for fair labor and workplace conditions for all Californians. She has championed the rights of underserved and vulnerable workers and innovated new approaches to workforce development that increasingly benefited organized labor.

As California Labor Secretary, Ms. Su oversees the departments that enforce labor laws, including minimum wage and occupational safety standards, paid family leave, and unemployment insurance benefits. She is responsible for managing the implementation of workforce training and apprenticeship programs, overseeing public sector contract disputes, protecting injured workers, and combatting wage theft. While her extensive experience undoubtedly qualifies her for the job, it is her experience in protecting the safety, health and wages of working people that demands her nomination in these unique times.

Anthony M. Perrone, *International President*  
 Shaun Barclay, *International Secretary-Treasurer*

United Food & Commercial Workers International Union, AFL-CIO, CLC  
 1775 K Street, NW • Washington DC 20006-1598  
 Office (202) 223-3111 • Fax (202) 466-1562 • [www.ufcw.org](http://www.ufcw.org)

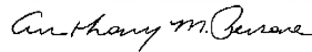
The Honorable Patty Murray  
The Honorable Richard Burr

March 8, 2021

UFCW members would especially benefit from Ms. Su's confirmation to the Department of Labor. The hardworking men and women of UFCW are the very class of workers that benefit from a strong and diligent Department of Labor. When safety standards are enforced, organizing rights protected, and benefit programs funded our members are empowered in their job and in their community.

With all the challenges our country faces, all the obstacles that stand in the way of recovery, now is the time to acknowledge and reinforce the role government can play in protecting workers' rights. Julie Su is the right person for the job, and she will help tremendously in these efforts as the next Deputy Secretary for the Department of Labor. The UFCW is proud to give her our most sincere endorsement. If we can be of any assistance to you as you consider this issue, please feel free to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Anthony M. Berane".

International President

**UNITEHERE!**

OFFICE OF THE PRESIDENT  
1630 South Commerce Street, Las Vegas, NV 89102 • TEL (702) 386-5120 • FAX (702) 386-5290  
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The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

On behalf of the 300,000 housekeepers, dishwashers and other hospitality workers of UNITE HERE International Union, I write in strong support of Julie Su to be Deputy Secretary of the U.S. Department of Labor. At a time when the COVID-19 pandemic has devastated workers and communities across the United States and front-line essential workers are the backbone of our economy while at risk of their own health, there is no better choice than Julie Su for Deputy Secretary of Labor. Julie Su is a nationally renowned labor policy expert with a proven track record of transforming government agencies to deliver on their mission. Ms. Su is exceptionally well qualified to help lead our nation towards a fair and inclusive economic recovery and to build a 21<sup>st</sup> century economy that works for all working families.

As Secretary of Labor of California, the world's fifth largest economy, Ms. Su is a strong, visionary, and experienced leader and coalition builder. Ms. Su has nearly a decade of experience leading state labor agencies where she has been a champion for workers. As California Labor Secretary, Ms. Su spearheads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement (including paid leave and wage/hour), workforce development, unemployment benefits, apprenticeships, and worker training. Among her many accomplishments, she has instituted on-the-job protections for workers affected by COVID-19, launched a statewide initiative to educate workers and employers in high risk industries about how to maintain healthy and safe workplaces, helped to lead a California Future of Work Commission, co-chaired California's Pay Equity Task Force, expanded innovative partnerships between labor unions and employers in targeted industries to create quality, high road jobs, and pioneered a community-based model of socially responsible small business development and investment in immigrant communities facing significant barriers to employment. Ms. Su's innovative approach to workforce development has resulted in new programs preparing workers for good jobs and in systemic changes to the workforce system prioritizing workers who face the greatest barriers to employment.

From 2011 to 2018, Ms. Su served as California Labor Commissioner where she launched groundbreaking strategic initiatives to enforce state wage and hour laws, including a "Wage Theft

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D. TAYLOR, PRESIDENT  
GENERAL OFFICERS: Gwen Mills, Secretary-Treasurer • Rich Maroko, Recording Secretary  
Nia Winston, General Vice President • Enrique L. Fernández, General Vice President for Immigration, Civil Rights and Diversity

is a Crime” campaign in multiple targeted low-wage industries where wage theft was prevalent. Ms. Su’s leadership was hailed in a 2013 report for having transformed the Labor Commissioner Office into “what could be the most aggressive and effective state labor law enforcement division in the country.”

Ms. Su is also a leader at the intersection of labor and workers’ rights, racial equity, immigrant rights, and women’s rights. Prior to her service in state government, Ms. Su was the litigation director at Asian Americans Advancing Justice-Los Angeles, where she was an acclaimed civil rights lawyer and coalition builder. Ms. Su served as lead counsel in the landmark El Monte case where she represented Thai and Latina workers in seeking to hold accountable garment manufacturers and retailers for slave labor and sweatshop conditions, resulting in a groundbreaking multimillion dollar settlement and the issuance of visas to the Thai workers that enabled them to adjust their immigration status.

As a woman of color and daughter of Chinese immigrants, Ms. Su has a deep empathy for working people of all backgrounds. She has been honored by elected officials, community and labor organizations, major foundations, professional organizations, and educational institutions for her exceptional leadership and work on labor, women’s rights, and civil rights issues – including being selected for the prestigious MacArthur “genius” award, named one of four “Pioneers in Women’s History” in an official proclamation by former President Clinton, and receiving the California Rural Legal Assistance Dolores Huerta Adelita Award.

At this critical moment when we need strong leadership at the U.S. Department of Labor to create good jobs and promote a fair economy for working people, we respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely yours,



D. Taylor  
President, UNITE HERE International Union



Equity Research Institute (ERI)  
*Manuel Pastor*  
 Director



March 8, 2021

Senator Patty Murray  
 Chair, Senate Health, Education, Labor, and Pensions Committee

Senator Richard Burr  
 Ranking Member, Senate Health, Education, Labor, and Pensions Committee

Dear Senators Murray and Burr,

As a Distinguished Professor of Sociology and American Studies & Ethnicity at the University of Southern California (USC), Director of the USC Equity Research Institute, and inaugural holder of the Turpanjian Chair in Civil Society & Social Change, I am writing to urge you to support the nomination of **Julie Su** the next **U.S. Deputy Labor Secretary**.

I'm an economist by training and my work has focused specifically on the link between growth and equity, strategies for achieving racial equity and promoting immigrant incorporation into American society, and effective workforce development by connecting labor supply to demand. I am the author of fifteen books (with two forthcoming), nearly 90 academic articles, nearly 60 book chapters, and over 100 reports on these topics. I have also raised nearly \$30 million for my economic, environmental, and social science research over just the last thirteen years in my current appointment at USC.

As part of my professional career, I have known few candidates I would consider well-suited for this job. Indeed, Julie Su has spent her career turning ideas about economic growth and racial equity – the subject of much of my research – into reality. I imagine you will hear other evidence of her achievements both inside and outside of government. I want to focus on two areas where she has had a tremendous impact that closely overlaps with my work.

First, as a civil rights attorney and worker advocate for the first nearly-two decades of her career, Julie was relentless in ensuring that her work, and her organization (which was devoted to advancing Asian American civil rights), always included Latino workers and other workers of color. Julie consistently represented not just the workers who came to her but looked for opportunities to bring all workers affected by exploitation and

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 1149 South Hill St., Suite H-340 • Los Angeles, California 90015 • Tel: 213 740 5604 • mpastor@usc.edu

sweatshop abuse forward, building cross-racial alliances to advance workers' rights. Though this made the cases harder, Julie knew it was both the right thing to do and ultimately would have greater impact. When Julie realized that using an interpreter to communicate with her Latino clients created a barrier, she brushed up on her Spanish so she could communicate with them directly. Her advocacy for immigrants' rights was always inclusive. She has done the hard work of building relationships across groups often considered in conflict with one another.

Second, as California Labor Secretary, Julie led in prioritizing equity before the pandemic but especially in light of it. I served with Julie on Governor Newsom's Task Force on Business and Jobs Recovery, along with now-Secretary of the Treasury, Janet Yellen. Julie understands instinctively that all of our policies must advance the conditions of those usually left behind. She has pursued policies that prioritize high road jobs and training that prepares Californians for those jobs. She has tackled one of the biggest challenges of our workforce system, the misalignment between training and good jobs. And she has effectively led a commission on the Future of Work that has offered an ambitious but realistic vision of where we need to go in terms of automation, the care economy, and so much more.

Perhaps most amazing of all, Julie Su is a leader who has strongly pushed for workers' rights and improved labor conditions while also retaining the confidence of business leaders. Some may have been surprised by her endorsement by the head of the California Chamber of Commerce; I was not. Seeing her bring people together in the context of the Task Force gives me great confidence in saying: She is the sort of bridge-builder the country needs right now and the sort of appeal to common good and common sense that was a key part of your campaign.

Julie Su is someone who values both growth and equity, has a proven record of getting things done, and can lead us to the consensus we need to go forward. I've done research on labor economics for years and worked with both labor and business leaders on how to craft a more inclusive and prosperous economy. I have been lucky to meet hundreds of leaders in this arena – and I can think of no better choice. She has my full support and I hope will earn your support as well.

Best regards,



Manuel Pastor  
*Distinguished Professor, Sociology*  
*Director, USC Equity Research Institute*  
*Turpanjian Chair in Civil Society & Social Change*



March 10, 2021

The Honorable Patty Murray  
Chair  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

The Honorable Richard Burr  
Ranking Member  
Committee on Health, Education, Labor and Pensions  
United States Senate  
Washington, D.C. 20510

Dear Chair Murray and Ranking Member Burr:

Unemployed Workers United is in strong support of Julie Su to be Deputy Secretary of the U.S. Department of Labor. At a time when the COVID-19 pandemic has caused record unemployment and devastated workers and communities across the United States, there is no better choice. With millions of Americans struggling to pay rent and put food on the table, we need leadership at the U.S. Department of Labor (DOL) who understand the suffering of workers and who have the experience to help get people back to work and ensure a fair and inclusive economic recovery. Julie Su is a nationally renowned labor policy expert and champion of working families who will help the DOL to fulfill its mission of serving workers, including the unemployed and underemployed, immigrants, women, and workers of color.

Unemployed Workers United is a national coalition of on-the-ground organizations who want our government to respond to our current crisis with solutions that will actually allow all of us to survive. We represent multiracial, multigenerational working class people -- including workers who are unemployed and underemployed -- who are directly impacted by economic inequality, structural racism, and the compounded effects of the pandemic. We firmly believe that Ms. Su will be an exceptional Deputy U.S. Labor Secretary, one who has the necessary leadership experience and ability to help overhaul the nation's underfunded and arcane unemployment insurance system.

As Secretary of Labor of California, the world's fifth largest economy, Ms. Su is a strong, visionary, and experienced leader and coalition builder. Ms. Su has nearly a decade of experience leading state labor agencies where she has been a champion for workers. As California Labor Secretary, Ms. Su spearheads an agency of more than 11,000 employees with a \$26.4 billion budget, overseeing worker health and safety, labor law enforcement (including paid leave and wage/hour), workforce development, unemployment benefits, apprenticeships, and worker training. Among her many accomplishments, she has instituted on-the-job protections for workers affected by COVID-19, launched a statewide initiative to educate workers and employers in high risk industries about how to maintain healthy and safe workplaces, helped to lead a California Future of Work Commission that recently released its recommendations for a new social compact on work and workers, co-chaired California's Pay Equity Task Force, expanded innovative partnerships between labor unions and employers in targeted industries to create quality, high road jobs, and pioneered a community-based model of socially responsible small business development and investment in immigrant communities facing significant barriers to employment. Ms. Su's innovative approach to workforce development has resulted in new programs preparing workers for good jobs and in systemic changes to the workforce system prioritizing workers who face the greatest barriers to employment such as the workers represented by Unemployed Workers United.

From 2011 to 2018, Ms. Su served as California Labor Commissioner where she launched groundbreaking strategic initiatives to enforce state wage and hour laws, including a "Wage Theft is a Crime" campaign in multiple targeted low-wage industries where wage theft was prevalent. Ms. Su's leadership was hailed in a 2013 report for having transformed the Labor Commissioner Office into "what could be the most aggressive and effective state labor law enforcement division in the country."

Ms. Su's demonstrated track record for transforming and managing government agencies to fulfill their mission positions her to be extremely well qualified to address the nationwide problem of upgrading and investing in the unemployment insurance (UI) infrastructure. Numerous states across the country have experienced the combined difficulties of an outdated and underfunded UI system, an unprecedented influx of claims, and low barriers to entry for federal Pandemic Unemployment Assistance (PUA) that have been exploited by sophisticated imposter fraud schemes. In the context of these nationwide UI challenges, Ms. Su has shown strong, effective, and transparent leadership by steadfastly pursuing and implementing solutions which have enabled California to process 1 in 5 claims across the country and to pay over \$100 billion to claimants.

We at Unemployed Workers United have the greatest confidence in Ms. Su's leadership, especially given her state experience and perspective, to modernize and improve the effectiveness and efficiency of the unemployment insurance system on both the federal and state levels.

At this critical moment when we need strong leadership at the U.S. Department of Labor to create good jobs and promote a fair economy for working people -- including workers who are

unemployed and underemployed -- we respectfully urge you to confirm Julie Su for Deputy Secretary of Labor.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Neidi Dominguez', with a horizontal line extending from the end of the signature.

Neidi Dominguez  
Executive Director  
Unemployed Workers United

[Whereupon, at 12:16 p.m., the hearing was adjourned.]

