



February 14, 2017

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

Dear Senator:

On behalf of the three million members of the National Education Association and the students they serve, and in preparation for Thursday's hearing, we again wish to express our strong opposition to Andrew Puzder as U.S. Secretary of Labor. The Department of Labor's mission is to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. We are concerned, based on his record and public statements, that Mr. Puzder does not support that mission. Instead, he advocates for policies that hurt workers and families, including the educators we represent and the students they serve.

Among our chief concerns are that Mr. Puzder:

- **Does not support the need for working men and women to earn a living wage.** Mr. Puzder has actively opposed raising the federal minimum wage of \$7.25 per hour to \$10.10 per hour (Wall Street Journal op-eds: *Minimum Wage, Maximum Politics*, Oct. 5, 2014 and *A Post-Labor Day, Minimum-Wage Hangover*, Sept. 7, 2015). Raising the minimum wage to a living wage is an issue of special concern to educators. More than half our nation's students qualify for free or reduced-price meals (National Center for Education Statistics) and one in five lives in deep poverty, currently an income of about \$24,000 for a family of four (U.S. Census Bureau). To make ends meet, many educators—bus drivers, cafeteria workers, other support professionals, and even college professors—hold down two or even three jobs, yet still earn so little they qualify for the Supplemental Nutrition Assistance Program (SNAP). A living wage is important for both our members and the families of the majority of children they serve.
- **Does not respect workers or the value of their work.** For reasons of cost and convenience, Mr. Puzder has openly advocated for replacing workers with robots. “They’re always polite, they always upsell, they never take a vacation, they never show up late, there’s never a slip-and-fall or an age, sex or race discrimination case,” he told Business Insider (interview, March 16, 2016). This statement suggests a lack of respect for the value and dignity of the hard work of the many employees of CKE Restaurants, the company he heads. As President-elect Trump pointed out frequently during his presidential campaign, our country was built by working men and women, and their labor

must be honored. Further, as many have noted in recent weeks, automation has played a big role in the loss of U.S. manufacturing jobs—5 million since 2000—that even today pay more than many of the retail, construction, and health services jobs that have replaced them (U.S. Bureau of Labor Statistics).

- **Does not support paying people fairly for their work.** Mr. Puzder opposes updating the rules for eligibility for overtime pay—which have been challenged in court and he would be charged with upholding as labor secretary—on the grounds that a prestigious job title is more valuable than higher pay. “Turning highly sought-after entry level management careers into hourly jobs where employees punch a clock and are compensated for time spent rather than time well spent is hardly an improvement on the path from the working class to the middle class,” he says (Forbes op-ed, *The Harsh Reality of Regulating Overtime Pay*, May 18, 2016). Moreover, the U.S. Department of Labor has found numerous violations of wage-and-hour laws and regulations in franchises under contract to Mr. Puzder’s company (Bloomberg BNA, *Is Franchise Model a Recipe for Fast-Food Wage Violations?*).

Instead of advocating for workers, Mr. Puzder seems openly hostile to them. He is an outspoken critic of the very laws and regulations he would be charged with enforcing as labor secretary and has, through his comments and actions, demonstrated a lack of respect for workers and the value of their work. We strongly urge you to oppose the nomination of Andrew Puzder as U.S. Secretary of Labor.

Sincerely,



Marc Egan
Director of Government Relations