

# Calendar No. 394

114TH CONGRESS  
2D SESSION

# S. 2686

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

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## IN THE SENATE OF THE UNITED STATES

MARCH 15, 2016

Mr. ALEXANDER (for himself, Mr. McCONNELL, Mr. ISAKSON, Ms. AYOTTE, Mr. BARRASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. BURR, Mrs. CAPITO, Mr. CASSIDY, Mr. COATS, Mr. COCHRAN, Ms. COLLINS, Mr. CORKER, Mr. CORNYN, Mr. COTTON, Mr. CRAPO, Mr. CRUZ, Mr. DAINES, Mr. ENZI, Mrs. FISCHER, Mr. FLAKE, Mr. GARDNER, Mr. GRAHAM, Mr. HATCH, Mr. HELLER, Mr. INHOFE, Mr. JOHNSON, Mr. KIRK, Mr. LANKFORD, Mr. LEE, Mr. MCCAIN, Mr. MORAN, Mr. PERDUE, Mr. RISCH, Mr. ROBERTS, Mr. ROUNDS, Mr. RUBIO, Mr. SCOTT, Mr. SESSIONS, Mr. SHELBY, Mr. THUNE, Mr. TILLIS, Mr. VITTER, and Mr. WICKER) introduced the following bill; which was read the first time

MARCH 16, 2016

Read the second time and placed on the calendar

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## A BILL

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

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

1 **SECTION 1. SHORT TITLE.**

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

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

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



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